# JOURNAL

## OF THE

# HOUSE OF REPRESENTATIVES

## CONGRESS OF THE UNITED STATES

Begun and held at the Capitol, in the City of Washington, in the District of Columbia, on Tuesday, the sixth day of January, in the year of our Lord two thousand and fifteen, being the *first session* of the ONE HUNDRED FOURTEENTH CONGRESS, held under the Constitution of the United States, and in the two hundred and thirty-ninth year of the independence of the United States.

**FRIDAY, OCTOBER 2, 2015 (121)**

¶121.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. THORNBERRY, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 2, 2015.*

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

¶121.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. THORNBERRY, announced he had examined and approved the Journal of the proceedings of Thursday, October 1, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶121.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3016. A letter from the Acting Director, Program Development and Regulatory Analysis, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule — Section 306D Water Systems for Rural and Native Villages in Alaska (RIN: 0572-AC28) received October 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3017. A letter from the Comptroller, Under Secretary of Defense, Department of Defense, transmitting the Department's semiannual Defense Cooperation Account report, period ending March 31, 2015, and semiannual Coalition Contributions: Personal Property report period ending March 31, 2015, as required by 10 U.S.C. 2608; to the Committee on Armed Services.

3018. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report to Congress entitled ''Federal Traumatic Brain Injury Program'' for fiscal years 2011-2013, in accordance with 42 U.S.C. 300d-52; to the Committee on Energy and Commerce.

3019. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Determination Under Sec. 506(a)(1) of the Foreign Assistance Act of 1961 for Benin, Cameroon, Chad, Niger, and Nigeria to Support their Efforts Against Boko Haram; to the Committee on Foreign Affairs.

3020. A letter from the Director, External Affairs, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Default Investment Fund Errors received October 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

¶121.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 1, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 1, 2015 at 5:11 p.m.:

That the Senate passed without amendment H.R. 1624.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶121.5 ENROLLED BILLS SIGNED

The SPEAKER pro tempore, Mr. THORNBERRY, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. UPTON, signed the following enrolled bills on Thursday, October 1, 2015:

H.R. 1020. An Act to define STEM education to include computer science, and to support existing STEM education programs at the National Science Foundation.

H.R. 2617. An Act to amend the Fair Minimum Wage Act of 2007 to reduce a scheduled increase in the minimum wage applicable to American Samoa.

¶121.6 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—COMMISSION ON CARE

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House the following communication, which was read as follows:

OCTOBER 1, 2015.

Hon. JOHN BOEHNER,
*Speaker of the House,*
*Washington, DC.*

DEAR SPEAKER BOEHNER: Pursuant to section 202(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146), I am pleased to recommend the following individual to the Commission on Care.

Ms. Charlene Taylor, Elk Grove, California.

Best regards,

NANCY PELOSI,
*House Democratic Leader.*

*Ordered*, That the Clerk notify the Senate of the foregoing appointment.

¶121.7 ADJOURNMENT OVER

On motion of the SPEAKER pro tempore, Mr. THORNBERRY, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet on Monday, October 5, 2015; and further, that the order of the House of January 6, 2015, regarding morning-hour debate not apply on that day.

¶121.8 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. THORNBERRY:

H.R. 1624. An Act to amend title I of the Patient Protection and Affordable Care Act and title XXVII of the Public Health Service Act to revise the definition of small employer.

¶121.9 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 30, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 719. An Act to require the Transportation Security Administration to conform to existing Federal law and regulations regarding criminal investigator positions, and for other purposes.

H.R. 3614. An Act to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on October 1, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 1020. An Act to define STEM education to include computer science, and to support existing STEM education programs at the National Science Foundation.

H.R. 2617. An Act to amend the Fair Minimum Wage Act of 2007 to reduce a scheduled increase in the minimum wage applicable to American Samoa.

And then,

¶121.10 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. THORNBERRY, by unanimous consent, and pursuant to the previous order of the House, at 1 o'clock and 4 minutes p.m., declared the House adjourned until 2 p.m. on Monday, October 5, 2015.

¶121.11 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BROOKS of Indiana (for herself and Mr. SARBANES):

H.R. 3681. A bill to extend and expand the Medicaid emergency psychiatric demonstration project; to the Committee on Energy and Commerce.

By Mr. GUTHRIE:

H.R. 3682. A bill to increase the competitiveness of American manufacturing by reducing regulatory and other burdens, encouraging greater innovation and investment, and developing a stronger workforce for the twenty-first century, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Ways and Means, Education and the Workforce, the Judiciary, House Administration, Rules, Appropriations, Foreign Affairs, Science, Space, and Technology, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MENG:

H. Res. 460. A resolution supporting the goals and ideals of the International Day of Non-Violence; to the Committee on Oversight and Government Reform.

¶121.12 MEMORIALS

Under clause 3 of rule XII,

140. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Senate Joint Resolution 12, stating that the Legislature supports the nomination of Mitsuye Endo Tsutsumi for the Presidential Medal of Freedom; which was referred to the Committee on Oversight and Government Reform.

¶121.13 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 583: Mr. JODY B. HICE of Georgia.

H.R. 1233: Ms. ROS-LEHTINEN, Mrs. COMSTOCK, and Mr. YOUNG of Iowa.

H.R. 1288: Mr. FITZPATRICK and Ms. BASS.

H.R. 1309: Ms. ROS-LEHTINEN.

H.R. 1610: Mr. FOSTER.

H.R. 1726: Mr. RICHMOND.

H.R. 1767: Mr. SHIMKUS.

H.R. 1786: Ms. CLARK of Massachusetts.

H.R. 1986: Mr. RUSSELL.

H.R. 2126: Mr. FLEMING.

H.R. 2646: Mr. FINCHER.

H.R. 2663: Mr. COFFMAN.

H.R. 2849: Ms. GABBARD.

H.R. 3225: Mr. KIND.

H.R. 3339: Mr. SMITH of New Jersey.

H.R. 3520: Ms. NORTON.

H.R. 3535: Mr. JOLLY.

H.R. 3632: Ms. NORTON.

H.R. 3666: Mr. ENGEL.

H. Res. 12: Ms. BONAMICI.

H. Res. 354: Mr. BURGESS and Mr. CHABOT.

H. Res. 429: Mr. GARAMENDI and Mr. VAN HOLLEN.

H. Res. 451: Mr. LANCE, Mr. YODER, Mr. JOLLY, Mr. BABIN, Mr. ROUZER, and Mr. WESTMORELAND.

H. Res. 458: Ms. SINEMA, Ms. BASS, Mrs. BLACKBURN, and Mrs. MCMORRIS RODGERS.

## MONDAY, OCTOBER 5, 2015 (122)

¶122.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 5, 2015.*

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

¶122.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced he had examined and approved the Journal of the proceedings of Friday, October 2, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶122.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3021. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule and Interpretive Ruling and Policy Statement 15-1 — Promulgation of NCUA Rules and Regulations (RIN: 3133-AE45) received October 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3022. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Memorandum of Justification for the use of Secs. 506(A)(1) and 552 (C)(2) of the Foreign Assistance Act of 1961 to provide commodities and services for immediate assistance to Ukraine; to the Committee on Foreign Affairs.

3023. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Small-Mesh Multispecies Fishery; Adjustment to the Northern Red Hake Inseason Possession Limit [Docket No.: 120109034-2171-01] (RIN: 0648-XE120) received October 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3024. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE140) received October 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3025. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Small-Mesh Multispecies Fishery; Adjustment to the Northern Red Hake Inseason Possession Limit [Docket No.: 120109034-2171-01] (RIN: 0648-XE094) received October 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3026. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Civil Monetary Penalty Inflation Adjustment (RIN: 3133-AE56) received October 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3027. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Extension of Replacement Period for Livestock Sold on Account of Drought [Notice 2015-69] received October 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3028. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Reliance Standards for Making Good Faith Determinations [TD 9740] (RIN: 1545-BL23) received October 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

¶122.4 BOARD OF TRUSTEES OF THE OPEN WORLD LEADERSHIP CENTER

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 313 of the Legislative Branch Appropriations Act, 2001 (2 United States Code 1151), as amended by section 1601 of Public Law 111-68, and the order of the House of January 6, 2015, announced that the Speaker appointed the following Member on the part of the House to the Board of Trustees of the Open World

Leadership Center: Mr. PRICE of North Carolina.

*Ordered*, That the Clerk notify the Senate of the foregoing appointment.

¶122.5 BILLS APPROVED

The President notified the Clerk of the House that on the following dates, he had approved and signed bills of the following titles:

July 6, 2015:

H.R. 533. An Act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

H.R. 615. An Act to amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes.

H.R. 893. An Act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

July 20, 2015:

H.R. 91. An Act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

H.R. 728. An Act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''.

H.R. 891. An Act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building''.

H.R. 1326. An Act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office''.

H.R. 1350. An Act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building''.

H.R. 2620. An Act to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

July 28, 2015:

H.R. 2499. An Act to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

July 31, 2015:

H.R. 3236. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, to provide resource flexibility to the Department of Veterans Affairs for health care services, and for other purposes.

August 6, 2015:

H.R. 876. An Act to amend title XVIII of the Social Security Act to require hospitals to provide certain notifications to individuals classified by such hospitals under observation status rather than admitted as inpatients of such hospitals.

H.R. 1626. An Act to reduce duplication of information technology at the Department of Homeland Security, and for other purposes.

August 7, 2015:

H.R. 212. An Act to amend the Safe Drinking Water Act to provide for the assessment and management of the risk of algal toxins in drinking water, and for other purposes.

H.R. 1138. An Act to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, and for other purposes.

H.R. 1531. An Act to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes.

H.R. 2131. An Act to designate the Federal building and United States courthouse located at 83 Meeting Street in Charleston, South Carolina, as the ''J. Waties Waring Judicial Center''.

H.R. 2559. An Act to designate the ''PFC Milton A. Lee Medal of Honor Memorial Highway'' in the State of Texas.

September 24, 2015:

H.R. 720. An Act to improve intergovernmental planning for and communication during security incidents at domestic airports, and for other purposes.

September 30, 2015:

H.R. 23. An Act to reauthorize the National Windstorm Impact Reduction Program, and for other purposes.

H.R. 719. An Act to require the Transportation Security Administration to conform to existing Federal law and regulations regarding criminal investigator positions, and for other purposes.

H.R. 2051. An Act to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

H.R. 3614. An Act to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

¶122.6 SENATE BILLS APPROVED

The President notified the Clerk of the House that on the following dates, he had approved and signed bills of the Senate of the following titles:

July 20, 2015:

S. 179. An Act to designate the facility of the United States Postal Service located at 14 3rd Avenue, NW, in Chisholm, Minnesota, as the ''James L. Oberstar Memorial Post Office Building''.

July 30, 2015:

S. 971. An Act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An Act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

August 6, 2015:

S. 1482. An Act to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

September 24, 2015:

S. 1359. An Act to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

September 30, 2015:

S. 230. An Act to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska.

S. 501. An Act to make technical corrections to the Navajo water rights settlement in the State of New Mexico, and for other purposes.

S. 2082. An Act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

And then,

¶122.7 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. MESSER, by unanimous consent, at 2 o'clock and 3 minutes p.m., declared the House adjourned.

¶122.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BOEHNER (for himself, Mr. CHAFFETZ, Mr. KLINE, Mr. LIPINSKI, Mr. ROKITA, Mr. FRELINGHUYSEN, and Mr. MESSER):

H.R. 10. A bill to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CLAY (for himself, Mr. SMITH of Missouri, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Ms. BROWN of Florida, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. DELAURO, Mrs. DINGELL, Ms. EDWARDS, Mr. FATTAH, Ms. FUDGE, Mr. GALLEGO, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS, Ms. NORTON, Mr. HONDA, Mr. HOYER, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS, Mr. LOWENTHAL, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. PAYNE, Mr. POCAN, Mr. POLIS, Mr. RANGEL, Mr. RICHMOND, Mr. RUSH, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mrs. TORRES, Mr. TURNER, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, and Ms. WILSON of Florida):

H.R. 3683. A bill to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes; to the Committee on Natural Resources.

¶122.9 MEMORIALS

Under clause 3 of rule XII,

141. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 17, urging the President and Congress of the United States to enact Senate Bill 664 of the 114th United States Congress, known as the Foster Care Tax Credit Act, which would provide tax relief to short term foster parents by helping to cover the actual costs of caring for a foster child; which was referred to the Committee on Ways and Means.

¶122.10 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Mr. CUMMINGS.

H.R. 267: Mr. HIGGINS.

H.R. 592: Mr. HUFFMAN and Mr. HURD of Texas.
H.R. 721: Mr. PASCRELL.
H.R. 885: Mr. RIGELL.
H.R. 985: Ms. SLAUGHTER, Mr. TROTT, and Mr. LOBIONDO.
H.R. 1550: Mr. MESSER.
H.R. 1603: Mr. CHABOT and Mr. HANNA.
H.R. 1717: Ms. TSONGAS.
H.R. 2121: Mr. YODER.
H.R. 2173: Mr. DELANEY and Mr. KILDEE.
H.R. 2434: Mr. HUELSKAMP.
H.R. 2494: Ms. VELÁZQUEZ.
H.R. 2519: Mr. GUTHRIE.
H.R. 2646: Ms. STEFANIK and Mr. CRENSHAW.
H.R. 2660: Mr. BEYER and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 2663: Mrs. COMSTOCK and Mr. DEFAZIO.
H.R. 2769: Mr. KING of New York.
H.R. 2847: Mrs. MCMORRIS RODGERS.
H.R. 2849: Mr. HONDA.
H.R. 2994: Mr. DEFAZIO and Ms. BONAMICI.
H.R. 3119: Mr. ZINKE, Mr. RYAN of Ohio, Ms. JENKINS of Kansas, Ms. EDWARDS, Mr. GRAVES of Missouri, and Ms. MCCOLLUM.
H.R. 3221: Mr. VAN HOLLEN.
H.R. 3573: Mr. BRADY of Texas.
H.R. 3587: Mr. WELCH.
H.R. 3611: Mr. PITTS and Mr. CARTER of Georgia.
H.R. 3628: Mr. WITTMAN.
H.R. 3641: Mr. TAKANO.
H.R. 3658: Mr. GRIJALVA.
H. Con. Res. 65: Mr. NORCROSS, Ms. ADAMS, Mr. LOEBSACK, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. TITUS, Mr. CARSON of Indiana, Mr. BISHOP of Georgia, Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Mr. CLYBURN, Mr. SERRANO, Mr. SIRES, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. FUDGE, Mr. DAVID SCOTT of Georgia, Mr. VARGAS, Ms. WILSON of Florida, Mr. YARMUTH, and Mrs. CAPPS.
H. Res. 354: Mr. ZELDIN.
H. Res. 428: Ms. CLARK of Massachusetts, Ms. SPEIER, Ms. LEE, Mrs. NAPOLITANO, Mr. CÁRDENAS, and Mr. GRAYSON.

## TUESDAY, OCTOBER 6, 2015 (123)

### ¶123.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SMITH of Nebraska, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 6, 2015.*

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

### ¶123.2 RECESS—12:24 P.M.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 24 minutes p.m., until 2 p.m.

### ¶123.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, called the House to order.

### ¶123.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, announced he had examined and approved the Journal of the proceedings of Monday, October 5, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶123.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3029. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31035; Amdt. No.: 3659] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3030. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0245; Directorate Identifier 2014-NM-135-AD; Amendment 39-18268; AD 2015-19-06] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3031. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31034; Amdt. No.: 3658] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3032. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-0676; Directorate Identifier 2014-NM-164-AD; Amendment 39-18238; AD 2015-17-05] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3033. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Jet Route J-513; North Central United States [Docket No.: FAA-2015-3601; Airspace Docket No.: 15-AGL-5] (RIN: 2120-AA66) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3034. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Vulcanair S.p.A. Airplanes [Docket No.: FAA-2015-0656; Directorate Identifier 2015-CE-027-AD; Amendment 39-18259; AD 2015-18-01] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3035. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0583; Directorate Identifier 2013-NM-130-AD; Amendment 39-18258; AD 2015-17-25] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3036. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2014-1044; Directorate Identifier 2014-NM-148-AD; Amendment 39-18245; AD 2015-17-12] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3037. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Airplanes [Docket No.: FAA-2015-2047; Directorate Identifier 2015-CE-013-AD; Amendment 39-18243; AD 2015-17-10] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3038. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airspace Designations; Incorporation by Reference [Docket No.: FAA-2015-3375; Amendment No.: 71-47] (RIN: 2120-AA66) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3039. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt and Whitney Turbofan Engines [Docket No.: FAA-2014-1130; Directorate Identifier 2015-NE-04-AD; Amendment 39-18250; AD 2015-17-17] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3040. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GE Aviation Czech s.r.o. Turboprop Engines [Docket No.: FAA-2015-0625; Directorate Identifier 2015-NE-09-AD; Amendment 39-18253; AD 2015-17-20] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3041. A letter from the Management and Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2015-0900; Directorate Identifier 2015-NE-12-AD; Amendment 39-18251; AD 2015-17-18] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3042. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2014-0779; Directorate Identifier 2014-NM-052-AD; Amendment 39-18260; AD 2015-18-02] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3043. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Ap-

proach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31036; Amdt. No.: 3660] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3044. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0242; Directorate Identifier 2014-NM-100-AD; Amendment 39-18240; AD 2015-17-07] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3045. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31033; Amdt. No.: 3657] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3046. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-1050; Directorate Identifier 2014-NM-123-AD; Amendment 39-18241; AD 2015-17-08] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3047. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2014-0363; Directorate Identifier 2014-NE-08-AD; Amendment 39-18252; AD 2015-17-19] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3048. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class C Airspace; Burbank, CA [Docket No.: FAA-2015-0690; Airspace Docket No.: 15-AWA-1] (RIN: 2120-AA66) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3049. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-0680; Directorate Identifier 2014-NM-165-AD; Amendment 39-18236; AD 2015-17-03] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3050. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0772; Directorate Identifier 2014-NM-090-AD; Amendment 39-18233; AD 2015-16-08] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3051. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turbofan Engines [Docket No.: FAA-2015-0277; Directorate Identifier 2015-NE-05-AD; Amendment 39-18262; AD 2015-18-04] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3052. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Portland, OR [Docket No.: FAA-2015-1137; Airspace Docket No.: 15-ANM-4] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3053. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-0823; Directorate Identifier 2014-NM-211-AD; Amendment 39-18249; AD 2015-17-16] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3054. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Douglas, WY [Docket No.: FAA-2015-1089; Airspace Docket No.: 15-ANM-11] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3055. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0777; Directorate Identifier 2014-NM-088-AD; Amendment 39-18257; AD 2015-17-24] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3056. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Delta, CO [Docket No.: FAA-2015-0343; Airspace Docket No.: 14-ANM-10] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3057. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0085; Directorate Identifier 2014-NM-078-AD; Amendment 39-18255; AD 2015-17-22] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3058. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0926; Directorate Identifier 2014-NM-121-AD; Amendment 39-18263; AD 2015-18-05] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3059. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Iron Mountain, MI [Docket No.: FAA-2015-1871; Airspace Docket No.: 15-AGL-10] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3060. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Newberry, MI [Docket No.: FAA-2015-1869; Airspace Docket No.: 15-AGL-9] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3061. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2015-0673; Directorate Identifier 2014-SW-034-AD; Amendment 39-18244; AD 2015-17-11] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3062. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Tracy, CA [Docket No.: FAA-2015-1623; Airspace Docket No.: 15-AWP-10] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3063. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Tracy, CA [Docket No.: FAA-2015-1623; Airspace Docket No.: 15-AWP-10] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3064. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D and Class E Airspace; Aurora, OR [Docket No.: FAA-2014-1070; Airspace Docket No.: 14-ANM-9] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3065. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 31039; Amdt. No.: 522] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3066. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0523; Directorate Identifier 2014-NM-050-AD; Amendment 39-18246; AD 2015-17-13] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3067. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0455; Directorate Identifier 2014-NM-006-AD; Amendment 39-18247; AD 2015-17-14] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3068. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-0822; Directorate Identifier 2014-NM-210-AD; Amendment 39-18248; AD 2015-17-15] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3069. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the final Comprehensive Everglades Restoration Plan integrated project implementation report and environmental impact statement, pursuant to the Water Resources Development Act of 2000, Sec. 601; (H. Doc. No. 114—65); to the Committee on Transportation and Infrastructure and ordered to be printed.

3070. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the report on modifications to Calcasieu Lock, inland navigation project, pursuant to the River and Harbor Act of 24 July 1946; (H. Doc. No. 114—66); to the Committee on Transportation and Infrastructure and ordered to be printed.

### ¶123.6 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

### ¶123.7 MESSAGE FROM THE PRESIDENT—UNITED STATES-CZECH SOCIAL SECURITY AGREEMENT

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95–216, 42 U.S.C. 433(e)(1)), I transmit herewith the Supplementary Agreement Amending the Agreement on Social Security between the United States of America and the Czech Republic (the ''Supplementary Agreement''). The Supplementary Agreement, signed at Prague on September 23, 2013, is intended to modify a certain provision of the Agreement on Social Security between the United States of America and the Czech Republic, with Administrative Arrangement, signed at Prague on September 7, 2007, and entered into force January 1, 2009 (the ''U.S.-Czech Social Security Agreement'').

The U.S.-Czech Social Security Agreement as amended by the Supplementary Agreement is similar in objective to the social security agreements already in force with most European Union countries, Australia, Canada, Chile, Japan, Norway, and the Republic of Korea. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries.

The Supplementary Agreement amends the U.S.-Czech Social Security Agreement to account for a new Czech domestic health insurance law, which was enacted subsequent to the signing of the U.S.-Czech Social Security Agreement in 2007. By including the health insurance law within the scope of the U.S.-Czech Social Security Agreement, this amendment will exempt U.S. citizen workers and multinational companies from contributing to the Czech health insurance system, when such workers otherwise meet all of the ordinary criteria for such an exemption.

The U.S.-Czech Social Security Agreement, as amended, will continue to contain all provisions mandated by section 233 of the Social Security Act and other provisions that I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4) of the Social Security Act.

I also transmit for the information of the Congress a report required by section 233(e)(1) of the Social Security Act on the estimated number of individuals who will be affected by the Supplementary Agreement and its estimated cost effect. The Department of State and the Social Security Administration have recommended the Supplementary Agreement and related documents to me.

I commend the Supplementary Agreement to the U.S.-Czech Social Security Agreement and related documents.

BARACK OBAMA.

THE WHITE HOUSE, *October 6, 2015.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 114–64).

### ¶123.8 RECESS—2:10 P.M.

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 10 minutes p.m., until approximately 4 p.m.

### ¶123.9 AFTER RECESS—4:01 P.M.

The SPEAKER pro tempore, Mr. HARRIS, called the House to order.

### ¶123.10 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 6, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 6, 2015 at 2:59 p.m.:

Appointment:
Social Security Advisory Board.
With best wishes, I am
Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

### ¶123.11 CHILD SUPPORT ASSISTANCE

Mr. NEUGEBAUER moved to suspend the rules and pass the bill (H.R. 2091) to amend the Fair Credit Reporting Act to clarify the ability to request consumer reports in certain cases to establish and enforce child support payments and awards.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. NEUGEBAUER and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

### ¶123.12 SMALL BANK EXAM CYCLE REFORM

Mr. NEUGEBAUER moved to suspend the rules and pass the bill (H.R. 1553) to amend the Federal Deposit Insurance Act to specify which smaller institutions may qualify for an 18-month examination cycle.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. NEUGEBAUER and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. NEUGEBAUER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

### ¶123.13 DISCLOSURE MODERNIZATION AND SIMPLIFICATION

Mr. GARRETT moved to suspend the rules and pass the bill (H.R. 1525) to require the Securities and Exchange Commission to make certain improvements to form 10-K and regulation S-K, and for other purposes.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. GARRETT and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶123.14 REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

Mr. GARRETT moved to suspend the rules and pass the bill (H.R. 1839) to amend the Securities Act of 1933 to exempt certain transactions involving purchases by accredited investors, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. GARRETT and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GARRETT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶123.15 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Mr. ROYCE moved to suspend the rules and pass the bill of the Senate (S. 2078) to reauthorize the United States Commission on International Religious Freedom, and for other purposes.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. ROYCE and Mr. CICILLINE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk notify the Senate thereof.

¶123.16 AIRPORT ACCESS CONTROL SECURITY IMPROVEMENT

Mr. KATKO moved to suspend the rules and pass the bill (H.R. 3102) to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. KATKO and Mr. RICHMOND, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶123.17 DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY STRATEGY

Mr. RATCLIFFE moved to suspend the rules and pass the bill (H.R. 3510) to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to develop a cybersecurity strategy for the Department of Homeland Security, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. RATCLIFFE and Mr. RICHMOND, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶123.18 ADOPTIVE FAMILY RELIEF

Mr. FRANKS of Arizona, moved to suspend the rules and pass the bill of the Senate (S. 1300) to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. FRANKS of Arizona, and Ms. LOFGREN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk notify the Senate thereof.

¶123.19 RECESS—5:48 P.M.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 48 minutes p.m., until approximately 6:30 p.m.

¶123.20 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶123.21 H.R. 1553—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1553) to amend the Federal Deposit Insurance Act to specify which smaller institutions may qualify for an 18-month examination cycle.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 411 / Nays ..... 0

¶123.22 [Roll No. 534]

YEAS—411

| | | |
|---|---|---|
| Abraham | Bucshon | Cuellar |
| Adams | Burgess | Culberson |
| Aderholt | Bustos | Cummings |
| Aguilar | Butterfield | Curbelo (FL) |
| Allen | Byrne | Davis (CA) |
| Amash | Calvert | Davis, Danny |
| Amodei | Capps | Davis, Rodney |
| Ashford | Cárdenas | DeFazio |
| Babin | Carney | DeGette |
| Barletta | Carson (IN) | Delaney |
| Barr | Carter (GA) | DeLauro |
| Barton | Carter (TX) | DelBene |
| Bass | Cartwright | Denham |
| Beatty | Castor (FL) | Dent |
| Becerra | Castro (TX) | DeSantis |
| Benishek | Chabot | DeSaulnier |
| Bera | Chaffetz | DesJarlais |
| Beyer | Chu, Judy | Deutch |
| Bilirakis | Cicilline | Diaz-Balart |
| Bishop (GA) | Clark (MA) | Doggett |
| Bishop (MI) | Clarke (NY) | Dold |
| Bishop (UT) | Clawson (FL) | Donovan |
| Black | Clay | Doyle, Michael F. |
| Blackburn | Cleaver | Duckworth |
| Blum | Coffman | Duffy |
| Blumenauer | Cohen | Duncan (SC) |
| Bonamici | Cole | Duncan (TN) |
| Bost | Collins (GA) | Edwards |
| Boustany | Collins (NY) | Ellison |
| Boyle, Brendan F. | Comstock | Ellmers (NC) |
| Brady (PA) | Conaway | Emmer (MN) |
| Brady (TX) | Connolly | Eshoo |
| Brat | Cook | Esty |
| Bridenstine | Cooper | Farenthold |
| Brooks (AL) | Costa | Farr |
| Brooks (IN) | Costello (PA) | Fattah |
| Brown (FL) | Courtney | Fincher |
| Brownley (CA) | Cramer | Fleischmann |
| Buchanan | Crawford | Fleming |
| Buck | Crenshaw | Flores |
| | Crowley | |

Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Wilson (FL)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—23

Capuano
Clyburn
Conyers
Dingell
Engel
Fitzpatrick
Grijalva
Gutiérrez
Hudson
Hunter
Jenkins (WV)
Kelly (IL)
Lummis
Marchant
Rooney (FL)
Simpson
Sinema
Smith (TX)
Walorski
Whitfield
Williams
Wilson (SC)
Yarmuth

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶123.23 H.R. 1839—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1839) to amend the Securities Act of 1933 to exempt certain transactions involving purchases by accredited investors, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 404 Nays ..... 0

¶123.24 [Roll No. 535]

YEAS—404

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wilson (FL)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—30

Capuano
Cicilline
Clyburn
Conyers
DeSaulnier
Dingell
Engel
Gosar
Grijalva
Gutiérrez
Hahn
Hudson
Hunter
Jenkins (WV)
Kaptur
Kelly (IL)
Lummis
Marchant
Reed
Rooney (FL)
Simpson
Sinema
Smith (TX)
Vela
Walorski
Westmoreland
Whitfield
Williams
Wilson (SC)
Yarmuth

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶123.25 WEST COAST DUNGENESS CRAB MANAGEMENT

Mr. NEWHOUSE moved to suspend the rules and pass the bill (H.R. 2168) to make the current Dungeness crab fishery management regime permanent and for other purposes; as amended.

The SPEAKER pro tempore, Mr. ZELDIN, recognized Mr. NEWHOUSE and Mr. SABLAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ZELDIN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶123.26 ALBUQUERQUE INDIAN SCHOOL LAND TRANSFER

Mr. NEWHOUSE moved to suspend the rules and pass the bill of the Senate (S. 986) to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

The SPEAKER pro tempore, Mr. ZELDIN, recognized Mr. NEWHOUSE and Mr. SABLAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ZELDIN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶123.27 ESTABLISHING A SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

Ms. FOXX, by direction of the Committee on Rules, submitted a privileged report (Rept. No. 114–288) on the resolution (H. Res. 461) establishing a Select Investigative Panel of the Committee on Energy and Commerce; referred to the House Calendar and ordered printed.

¶123.28 PROVIDING FOR CONSIDERATION OF H.R. 3192

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 114–289) the resolution (H. Res. 462) providing for consideration of the bill (H.R. 3192) to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes, and providing for proceedings during the period from October 12, 2015, through October 19, 2015.

When said resolution and report were referred to the House Calendar and ordered printed.

¶123.29 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2835. An Act to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection officers.

¶123.30 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 5, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 1624. An Act to amend title I of the Patient Protection and Affordable Care Act and title XXVII of the Public Health Service Act to revise the definition of small employer.

¶123.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HUDSON, for today and October 7.

And then,

¶123.32 ADJOURNMENT

On motion of Mr. MURPHY of Pennsylvania, at 9 o'clock and 9 minutes p.m., the House adjourned.

¶123.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 1525. A bill to require the Securities and Exchange Commission to make certain improvements to form 10–K and regulation S–K, and for other purposes (Rept. 114–279). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1553. A bill to amend the Federal Deposit Insurance Act to specify which smaller institutions may qualify for an 18-month examination cycle (Rept. 114–280). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1839. A bill to amend the Securities Act of 1933 to exempt certain transactions involving purchases by accredited investors, and for other purposes; with an amendment (Rept. 114–281). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2091. A bill to amend the Fair Credit Reporting Act to clarify the ability to request consumer reports in certain cases to establish and enforce child support payments and awards (Rept. 114–282). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3102. A bill to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes; with an amendment (Rept. 114–283). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3510. A bill to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to develop a cybersecurity strategy for the Department of Homeland Security, and for other purposes; with an amendment (Rept. 114–284). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2295. A bill to amend the Mineral Leasing Act to require the Secretary of the Interior to identify and designate National Energy Security Corridors for the construction of natural gas pipelines on Federal land, and for other purposes; with an amendment (Rept. 114–285). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2288. A bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; with an amendment (Rept. 114–286). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2358. A bill to amend the Federal Land Policy and Management Act of 1976 to enhance the reliability of the electricity grid and reduce the threat of wildfires to and from electric transmission and distribution facilities on Federal lands by facilitating vegetation management on such lands; with an amendment (Rept. 114–287, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 461. Resolution establishing a Select Investigative Panel of the Committee on Energy and Commerce (Rept. 114–288). Referred to the House Calendar.

Mr. STIVERS: Committee on Rules. House Resolution 462. Resolution providing for consideration of the bill (H.R. 3192) to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes, and providing for proceedings during the period from October 12, 2015, through October 19, 2015 (Rept. 114–289). Referred to the House Calendar.

¶123.34 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 2358 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶123.35 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. HUNTER, Mr. RUSSELL, Mr. SCOTT of Virginia, and Ms. SEWELL of Alabama):

H.R. 3684. A bill to amend the Higher Education Act of 1965 to provide that an individual may remain eligible to participate in the teacher loan forgiveness program under title IV of such Act if the individual's period of consecutive years of employment as a full-time teacher is interrupted because the individual is the spouse of a member of the Armed Forces who is relocated during the school year pursuant to military orders for a permanent change of duty station, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MOONEY of West Virginia:

H.R. 3685. A bill to direct the United States Trade Representative to initiate negotiations with the Government of the Republic of Turkey to seek to enter into a bilateral free trade agreement with Turkey; to the Committee on Ways and Means.

By Mr. EMMER of Minnesota (for himself and Mr. WALZ):

H.R. 3686. A bill to direct the Inspector General of the Department of Veterans Affairs to make certain reports publicly available and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRAWFORD (for himself, Mr. CONAWAY, and Mr. POE of Texas):

H.R. 3687. A bill to modify the prohibition on United States assistance and financing for certain exports to Cuba under the Trade Sanctions Reform and Export Enhancement Act of 2000, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUELLAR:

H.R. 3688. A bill to provide for the authority for the successors and assigns of the Starr-Camargo Bridge Company to maintain and operate a toll bridge across the Rio Grande near Rio Grande City, Texas, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 3689. A bill to establish a worker adjustment assistance program to provide assistance and job retraining for workers who have lost their jobs due to unplanned closures of coal and coal dependent industries, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POCAN (for himself, Ms. DELAURO, Ms. NORTON, Mrs. WATSON COLEMAN, Mrs. BUSTOS, Mr. CONYERS, Mr. CARTWRIGHT, Ms. KAPTUR, Mr. SCOTT of Virginia, Mr. TAKANO, Mr. NORCROSS, Mr. RANGEL, Mr. GRIJALVA, Ms. JUDY CHU of California, Ms. FUDGE, Ms. HAHN, Mr. SERRANO, Mr. PAYNE, Ms. MOORE, Mr. ELLISON, Mr. MCDERMOTT, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. HONDA):

H.R. 3690. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. TONKO, Ms. CLARKE of New York, Ms. MATSUI, and Mr. CÁRDENAS):

H.R. 3691. A bill to amend the Public Health Service Act to reauthorize the residential treatment programs for pregnant and postpartum women and to establish a pilot program to provide grants to State substance abuse agencies to promote innovative service delivery models for such women; to the Committee on Energy and Commerce.

By Mr. GARAMENDI (for himself, Mr. FARR, Mr. HONDA, Mr. LOWENTHAL, and Mr. THOMPSON of California):

H.R. 3692. A bill to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas:

H.R. 3693. A bill to require a report on whether Iran's Islamic Revolutionary Guard Corps is a terrorist entity, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TROTT (for himself and Mr. DEUTCH):

H.R. 3694. A bill to combat trafficking in human organs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ZELDIN:

H.R. 3695. A bill to simplify and improve the Federal student loan program through income-contingent repayment to provide stronger protections for borrowers, encourage responsible borrowing, and save money for taxpayers; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H. Res. 463. A resolution recognizing October 7th as National Trigeminal Neuralgia Awareness Day; to the Committee on Energy and Commerce.

By Mr. CONAWAY (for himself, Mr. ALLEN, Mr. CARTER of Texas, Mr. COLLINS of New York, Mr. BABIN, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. FARENTHOLD, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. HUDSON, Mr. HURT of Virginia, Mr. LAMALFA, Mr. LAMBORN, Mr. LUCAS, Mr. LUETKEMEYER, Mr. MARCHANT, Mr. MCHENRY, Mr. MOONEY of West Virginia, Mr. OLSON, Mr. PEARCE, Mr. ROKITA, Mr. SALMON, Mr. SESSIONS, Mr. SMITH of Texas, Mr. STIVERS, Mr. WEBER of Texas, and Mr. YOUNG of Indiana):

H. Res. 464. A resolution affirming that private equity plays an important role in growing and strengthening United States businesses throughout all sectors of the economy and in every State and congressional district and that it has fostered significant investment in the United States economy; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H. Res. 465. A resolution expressing the sense of the House of Representatives that the justices of the United States Supreme Court should make themselves subject to the existing and operative ethics guidelines set out in the Code of Conduct for United States Judges, or should promulgate their own code of conduct; to the Committee on the Judiciary.

¶123.36 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 10: Mr. COLE, Mr. DESANTIS, Mr. BISHOP of Utah, Ms. FOXX, and Mrs. COMSTOCK.

H.R. 167: Mr. DENHAM and Ms. KUSTER.

H.R. 174: Mr. MCHENRY.

H.R. 192: Mr. BROOKS of Alabama.

H.R. 213: Mr. GUTIÉRREZ and Mr. PRICE of North Carolina.

H.R. 228: Ms. JACKSON LEE.

H.R. 302: Mr. COOPER.

H.R. 403: Mr. LOEBSACK.

H.R. 410: Mr. VAN HOLLEN.

H.R. 446: Ms. EDWARDS.

H.R. 542: Ms. GRAHAM.

H.R. 546: Mr. RICHMOND.

H.R. 563: Mrs. BEATTY and Ms. BONAMICI.

H.R. 581: Mr. CONYERS.

H.R. 590: Mrs. KIRKPATRICK.

H.R. 662: Ms. BROWN of Florida.

H.R. 670: Mr. MURPHY of Pennsylvania and Mr. KATKO.

H.R. 699: Mr. ZELDIN.

H.R. 721: Mrs. WATSON COLEMAN.

H.R. 757: Mr. SAM JOHNSON of Texas.

H.R. 814: Mr. BYRNE.

H.R. 829: Ms. TSONGAS.

H.R. 837: Mr. GENE GREEN of Texas.

H.R. 870: Ms. PELOSI, Mr. CONYERS, Mr. JOHNSON of Georgia, Mr. BECERRA, Ms. BORDALLO, Mr. DEUTCH, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. NORTON, Mr. RANGEL, Mr. SABLAN, Mr. SERRANO, and Ms. VELÁZQUEZ.

H.R. 879: Mr. WALKER and Mr. POMPEO.

H.R. 953: Mr. HANNA, Mr. NEAL, Mr. HASTINGS, Mr. LANGEVIN, and Ms. FRANKEL of Florida.

H.R. 957: Mr. ASHFORD.

H.R. 969: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. JOHNSON of Ohio.

H.R. 986: Mr. HILL.

H.R. 1055: Ms. KAPTUR.

H.R. 1093: Mr. RYAN of Ohio.

H.R. 1107: Mr. COSTA.

H.R. 1148: Mr. SHIMKUS.

H.R. 1188: Mrs. WATSON COLEMAN.

H.R. 1197: Mr. CARNEY.

H.R. 1217: Ms. BONAMICI, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARNEY, Mr. CARSON of Indiana, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Mr. CONYERS, Mr. COOPER, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GALLEGO, Mr. GARAMENDI, Mr. HASTINGS, Mr. HECK of Washington, Mr. HIGGINS, Mr. HIMES, Ms. NORTON, Ms. JACKSON LEE, Ms. KELLY of Illinois, Mr. KILMER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Mr. O'ROURKE, Mr. PASCRELL, Ms. PELOSI, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SIRES, Ms. SLAUGHTER, Mr. SWALWELL of California, Mr. TAKANO, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr.

YARMUTH, Mr. BLUMENAUER, Ms. JUDY CHU of California, Mr. CLYBURN, Mr. DANNY K. DAVIS of Illinois, Ms. HAHN, Mr. LEWIS, Ms. MATSUI, Mr. PERLMUTTER, Mr. RICHMOND, Mr. SCOTT of Virginia, Mr. VISCLOSKY, Mr. FARR, Mr. BECERRA, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1233: Mr. ASHFORD and Mr. LAMBORN.

H.R. 1256: Ms. BROWNLEY of California.

H.R. 1258: Ms. MENG, Mr. DANNY K. DAVIS of Illinois, and Mr. HUFFMAN.

H.R. 1283: Mr. CROWLEY.

H.R. 1288: Mr. GRIJALVA and Ms. JENKINS of Kansas.

H.R. 1309: Mr. ASHFORD and Mr. SHERMAN.

H.R. 1312: Mr. GRAVES of Missouri and Mr. TONKO.

H.R. 1401: Mr. RIBBLE.

H.R. 1422: Mr. SHERMAN.

H.R. 1427: Mr. GUTHRIE and Mrs. CAPPS.

H.R. 1453: Mr. LAMBORN.

H.R. 1475: Mr. FARR, Mr. BEYER, Ms. JENKINS of Kansas, Mr. LYNCH, Mr. SIRES, Mr. CÁRDENAS, Ms. ROYBAL-ALLARD, and Mr. LUCAS.

H.R. 1482: Ms. MAXINE WATERS of California.

H.R. 1516: Mr. WALBERG.

H.R. 1550: Mr. VARGAS and Mr. HIMES.

H.R. 1567: Ms. DUCKWORTH, Mr. ELLISON, Mrs. CAPPS, and Mr. VARGAS.

H.R. 1571: Mr. FATTAH.

H.R. 1603: Mr. GARRETT and Mrs. LOVE.

H.R. 1608: Mr. CAPUANO and Mr. BISHOP of Georgia.

H.R. 1625: Mr. MURPHY of Florida.

H.R. 1632: Mr. LOWENTHAL, Mr. LAMALFA, and Mr. MOONEY of West Virginia.

H.R. 1653: Ms. KAPTUR.

H.R. 1684: Mrs. CAPPS.

H.R. 1728: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1737: Mr. CRAWFORD, Ms. BROWN of Florida, Mrs. LOVE, Mr. POMPEO, and Mr. ZINKE.

H.R. 1752: Mr. BLUM and Mr. FLORES.

H.R. 1761: Mr. RYAN of Ohio.

H.R. 1769: Mr. LAMALFA, Mr. TONKO, Ms. CLARKE of New York, and Mrs. CAPPS.

H.R. 1786: Mrs. COMSTOCK, Mr. PITTENGER, Ms. JENKINS of Kansas, Mr. CLEAVER, Mr. HINOJOSA, and Mr. LARSEN of Washington.

H.R. 1814: Mr. LARSON of Connecticut and Ms. GRAHAM.

H.R. 1843: Ms. SCHAKOWSKY.

H.R. 1850: Mr. NADLER.

H.R. 1854: Mr. COSTELLO of Pennsylvania.

H.R. 1877: Mr. VISCLOSKY.

H.R. 1919: Ms. JUDY CHU of California.

H.R. 1934: Ms. ESHOO.

H.R. 1941: Mr. MICA.

H.R. 1942: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HONDA, Mr. ROSKAM, Mr. KATKO, Ms. DEGETTE, Mr. PERLMUTTER, and Mr. HUFFMAN.

H.R. 2009: Ms. MCSALLY and Mrs. KIRKPATRICK.

H.R. 2013: Mr. BEYER.

H.R. 2050: Mr. RUIZ, Mrs. CAPPS, Mr. SHERMAN, and Mr. CÁRDENAS.

H.R. 2083: Mr. WALZ.

H.R. 2090: Ms. DELAURO.

H.R. 2293: Ms. MENG, Mr. DANNY K. DAVIS of Illinois, Mr. LIPINSKI, Mr. HUFFMAN, Mr. FOSTER, Mr. HECK of Washington, and Mr. HURD of Texas.

H.R. 2304: Mrs. MIMI WALTERS of California and Mr. BUCK.

H.R. 2315: Mr. SMITH of New Jersey and Mr. SCHRADER.

H.R. 2368: Ms. DELBENE, Ms. CASTOR of Florida, and Mr. VARGAS.

H.R. 2404: Mr. FLORES.

H.R. 2405: Mr. NADLER.

H.R. 2406: Mr. PALAZZO, Mr. WENSTRUP, Mr. VALADAO, and Mr. YOUNG of Alaska.

H.R. 2460: Mr. RUSSELL, Mr. REED, and Mrs. LOVE.

H.R. 2473: Mr. WILSON of South Carolina and Ms. NORTON.

H.R. 2492: Mr. CRENSHAW.

H.R. 2513: Mr. TOM PRICE of Georgia.

H.R. 2519: Mrs. ELLMERS of North Carolina.

H.R. 2540: Mr. PRICE of North Carolina.

H.R. 2568: Mr. JENKINS of West Virginia.

H.R. 2597: Mr. CURBELO of Florida, Mr. DOLD, and Mr. ROSKAM.

H.R. 2611: Mr. LAMBORN.

H.R. 2646: Mr. CHABOT, Mr. SCHWEIKERT, Mr. KING of New York, and Mr. ROUZER.

H.R. 2661: Mr. POCAN, Ms. MATSUI, and Mr. GARAMENDI.

H.R. 2663: Mr. SCHRADER.

H.R. 2675: Mr. HENSARLING.

H.R. 2698: Mr. LUETKEMEYER and Mr. POMPEO.

H.R. 2710: Mr. WENSTRUP and Mr. MEADOWS.

H.R. 2726: Mr. HONDA and Ms. BROWN of Florida.

H.R. 2728: Ms. DELBENE.

H.R. 2737: Ms. JACKSON LEE, Ms. ESHOO, Ms. ROYBAL-ALLARD, and Mr. HECK of Washington.

H.R. 2759: Mr. HASTINGS.

H.R. 2799: Mr. RUPPERSBERGER and Mr. TONKO.

H.R. 2802: Mr. TROTT.

H.R. 2855: Mrs. WATSON COLEMAN.

H.R. 2858: Mr. TED LIEU of California, Mr. LIPINSKI, Ms. MENG, Mr. HUFFMAN, Mr. TAKANO, Mr. HECK of Washington, and Mrs. CAPPS.

H.R. 2869: Mr. WOMACK.

H.R. 2872: Mr. STIVERS.

H.R. 2873: Mr. MEEKS.

H.R. 2880: Mr. CARTER of Georgia, Mr. SCOTT of Virginia, and Mr. DAVID SCOTT of Georgia.

H.R. 2903: Mr. MOOLENAAR.

H.R. 2906: Mr. TAKANO.

H.R. 2916: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2917: Mr. ELLISON, Mrs. CAROLYN B. MALONEY of New York, Ms. KELLY of Illinois, Mr. HASTINGS, and Mr. RANGEL.

H.R. 2920: Mr. FOSTER.

H.R. 2922: Mrs. MIMI WALTERS of California, Mr. PERRY, and Mr. KNIGHT.

H.R. 2948: Mr. BOUSTANY.

H.R. 2957: Mr. MCGOVERN.

H.R. 2962: Ms. WASSERMAN SCHULTZ.

H.R. 2965: Mr. TROTT.

H.R. 2987: Mrs. LOWEY, Ms. MOORE, Ms. KAPTUR, Mr. PEARCE, and Mr. COLLINS of New York.

H.R. 3011: Mr. MULVANEY.

H.R. 3018: Mr. FLEMING.

H.R. 3033: Mr. POSEY, Mr. HULTGREN, Mr. CARTER of Texas, Ms. ESTY, and Mr. SESSIONS.

H.R. 3081: Mr. YOUNG of Iowa.

H.R. 3099: Mr. O'ROURKE.

H.R. 3119: Mr. LOBIONDO, Ms. DELAURO, Ms. CLARKE of New York, and Mr. AMODEI.

H.R. 3193: Mr. LYNCH.

H.R. 3221: Mr. MEEKS.

H.R. 3223: Mrs. BUSTOS, Ms. DUCKWORTH, and Mr. BOST.

H.R. 3255: Mr. CARNEY.

H.R. 3286: Mr. HURD of Texas.

H.R. 3293: Mr. ROUZER and Mr. HENSARLING.

H.R. 3308: Mr. BLUMENAUER and Ms. KAPTUR.

H.R. 3310: Mr. KELLY of Pennsylvania.

H.R. 3326: Mr. JOHNSON of Georgia, Mr. CICILLINE, Ms. JACKSON LEE, Mr. CONNOLLY, Mr. LUETKEMEYER, Mr. BUCK, Mr. ABRAHAM, and Mr. TAKAI.

H.R. 3337: Mr. MCDERMOTT and Mr. KILMER.

H.R. 3338: Mr. YODER.

H.R. 3381: Mr. HARPER and Ms. ESHOO.

H.R. 3411: Mr. BEYER and Ms. VELÁZQUEZ.

H.R. 3412: Mr. TED LIEU of California and Ms. BASS.

H.R. 3428: Mr. PEARCE, Mr. HUELSKAMP, and Mr. ROUZER.

H.R. 3463: Ms. CLARKE of New York.

H.R. 3471: Mr. COSTELLO of Pennsylvania, Mr. LAMBORN, Mr. CARSON of Indiana, and Mr. SHUSTER.

H.R. 3473: Mr. FITZPATRICK, Mr. BROOKS of Alabama, Mr. MURPHY of Pennsylvania, and Mr. ABRAHAM.

H.R. 3477: Mr. COLE and Mr. CRAMER.

H.R. 3480: Mr. WESTMORELAND, Mr. LEWIS, and Mr. ALLEN.

H.R. 3497: Mr. LYNCH and Ms. EDWARDS.

H.R. 3510: Mr. MCCAUL and Mr. THOMPSON of Mississippi.

H.R. 3514: Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. VELA, Mr. SIRES, Mr. AGUILAR, Mr. YARMUTH, and Ms. TITUS.

H.R. 3516: Mr. PERRY, Mr. BLUM, Mr. ZINKE, and Mr. POE of Texas.

H.R. 3517: Mrs. TORRES.

H.R. 3519: Ms. SLAUGHTER.

H.R. 3549: Mr. ROE of Tennessee.

H.R. 3573: Mr. WILLIAMS.

H.R. 3623: Ms. JENKINS of Kansas.

H.R. 3626: Mr. BUCK.

H.R. 3643: Mr. SESSIONS and Mr. HENSARLING.

H.R. 3644: Mr. POSEY and Mr. CRENSHAW.

H.R. 3646: Mr. BISHOP of Michigan.

H.R. 3651: Mr. LUETKEMEYER, Mr. LUCAS, Ms. ADAMS, Mr. AMODEI, Mr. GUTIÉRREZ, Mr. BLUM, Mr. KING of New York, Mr. GROTHMAN, Ms. KUSTER, Mr. RANGEL, Mr. FRANKS of Arizona, Mrs. BLACK, Mr. BRAT, Mr. TIBERI, Mr. HOLDING, Mr. GARAMENDI, Mr. VELA, Ms. BONAMICI, Mr. MCGOVERN, Mr. CONNOLLY, Ms. KELLY of Illinois, Mr. MESSER, Mr. RICHMOND, Mr. PETERSON, Mr. WOMACK, Mr. CRAMER, Mr. CURBELO of Florida, Mr. WEBSTER of Florida, Mr. SIRES, Mr. THOMPSON of Mississippi, Mrs. KIRKPATRICK, Mr. HENSARLING, Mr. FOSTER, Mr. NUNES, Mr. RICE of South Carolina, Mr. BRIDENSTINE, Mr. SMITH of Missouri, and Mr. KELLY of Mississippi.

H.R. 3665: Mr. MCGOVERN, Mr. MEEKS, Mr. QUIGLEY, Mr. NADLER, Ms. BROWN of Florida, and Mr. RODNEY DAVIS of Illinois.

H.R. 3666: Mr. MCGOVERN.

H.R. 3678: Mr. POMPEO and Mr. KINZINGER of Illinois.

H. Con. Res. 56: Mr. POE of Texas.

H. Con. Res. 65: Ms. BASS, Mr. ROTHFUS, and Mr. KENNEDY.

H. Con. Res. 75: Mr. KINZINGER of Illinois, Mrs. BROOKS of Indiana, Mr. LOWENTHAL, Mr. TROTT, Mr. BISHOP of Michigan, Mr. LAHOOD, Ms. SPEIER, Mrs. LOVE, and Mr. PITTS.

H. Res. 54: Mr. CICILLINE and Mr. COSTELLO of Pennsylvania.

H. Res. 112: Mr. CICILLINE.

H. Res. 130: Mr. AL GREEN of Texas.

H. Res. 230: Mr. WALDEN.

H. Res. 354: Mr. PERRY.

H. Res. 396: Mr. TROTT.

H. Res. 422: Mr. SHUSTER, Mr. COSTELLO of Pennsylvania, Mr. FITZPATRICK, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PITTS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DENT, Mr. MURPHY of Pennsylvania, Mr. CARTWRIGHT, and Mr. FATTAH.

H. Res. 428: Mrs. DAVIS of California, Mr. MCGOVERN, and Mrs. CAPPS.

H. Res. 429: Mr. ROUZER, Mrs. LOWEY, Mrs. CAROLYN B. MALONEY of New York, Ms. DELAURO, and Mrs. ROBY.

H. Res. 436: Ms. ESHOO.

H. Res. 437: Ms. SCHAKOWSKY and Mr. FOSTER.

H. Res. 443: Mr. CÁRDENAS.

H. Res. 445: Mr. MOULTON.

H. Res. 451: Mr. BROOKS of Alabama, Mr. JONES, Ms. JENKINS of Kansas, Mr. ZINKE, Mr. THOMPSON of California, Mr. FLEMING, Mr. RUSSELL, Mr. MURPHY of Pennsylvania, Mr. ABRAHAM, Mr. MARINO, and Mr. POSEY.

H. Res. 452: Mr. NOLAN.

## WEDNESDAY, OCTOBER 7, 2015 (124)

¶124.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore,

Mr. STEWART, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 7, 2015.*

I hereby appoint the Honorable CHRIS STEWART to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶124.2 RECESS—10:40 A.M.

The SPEAKER pro tempore, Mr. STEWART, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 40 minutes a.m., until noon.

¶124.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶124.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, October 6, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶124.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3071. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's Chemical Demilitarization Program Semi-Annual Report to Congress, pursuant to 50 U.S.C. 1521(j); to the Committee on Armed Services.

3072. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — National Environmental Policy Act; Environmental Assessments for Tobacco Products; Categorical Exclusions [Docket No.: FDA-2013-N-1282] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3073. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — 2015 Edition Health Information Technology (Health IT) Certification Criteria, 2015 Edition Base Electronic Health Record (EHR) Definition, and ONC Health IT Certification Program Modifications (RIN: 0991-AB93) received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3074. A letter from the Deputy Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Technology Transitions [GN Docket No.: 13-5]; Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers [RM-11358]; Special Access for Price Cap Local Exchange Carriers [WC Docket No.: 05-25]; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services [RM-10593] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3075. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — 17.5 Quality Assurance Program Description — Design Certification, Early Site Permit and New License Applicants (NUREG-0800) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3076. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-032; to the Committee on Foreign Affairs.

3077. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-069; to the Committee on Foreign Affairs.

3078. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Secs. 36(c) and 36(d) of the Arms Export Control Act, Transmittal No.: DDTC 15-062; to the Committee on Foreign Affairs.

3079. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's combined reports on ''U.S. Assistance for Palestinian Security Forces'' and ''Benchmarks for Palestinian Security Assistance Funds'', pursuant to the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (Division J, Pub. L. 113-235); to the Committee on Foreign Affairs.

3080. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements, other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, 1 U.S.C. 112b; to the Committee on Foreign Affairs.

3081. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Overtime Pay for Border Patrol Agents (RIN: 3206-AN19) received September 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3082. A letter from the Chairman and Members, United States Capitol Police Board, transmitting the Board's letter commending the United States Capitol Police and a number of Senate, House and Congressional support offices for their tireless work over the past six months to plan, coordinate, choreograph and execute the Papal visit to the United States Congress; to the Committee on House Administration.

3083. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Disturbance Monitoring and Reporting Requirements Reliability Standard [Docket No.: RM15-4-000; Order No.: 814] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3084. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE183) received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3085. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Gray Triggerfish; July Through December Season [Docket No.: 141107936-5399-02] (RIN: 0648-XE004) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3086. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120328229-4949-02] (RIN: 0648-XE095) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3087. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction [Docket No.: 130312235-3658-02] (RIN: 0648-XE126) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3088. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Surfclam and Ocean Quahog Fisheries; 2016 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs; and Suspension of Minimum Atlantic Surfclam Size Limit [Docket No.: 900124-0127] (RIN: 0648-XE164) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3089. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE203) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3090. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No.: 140117052-4402-02] (RIN: 0648-XE096) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3091. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's modification of fishing seasons — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions #22 through #29 [Docket No.: 150316270-5270-01] (RIN: 0648-XE121) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3092. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Na-

tional Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No.: 140117052-4402-02] (RIN: 0648-XE162) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3093. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE152) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3094. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE170) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3095. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer) Airplanes [Docket No.: FAA-2014-0586; Directorate Identifier 2013-NM-255-AD; Amendment 39-18256; AD 2015-17-23] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3096. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0753; Directorate Identifier 2014-NM-128-AD; Amendment 39-18270; AD 2015-19-08] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3097. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company [Docket No.: FAA-2014-0126; Directorate Identifier 2013-NM-236-AD; Amendment 39-18267; AD 2015-19-04] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3098. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-1071; Directorate Identifier 2013-NM-204-AD; Amendment 39-18264; AD 2015-19-01] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3099. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0127; Directorate Identifier 2013-NM-237-AD; Amendment 39-18265; AD 2015-19-02] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3100. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0194; Directorate Identifier 2014-NM-022-AD; Amendment 39-18266; AD 2015-19-03] (RIN: 2120-AA64) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3101. A letter from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Extension of Import Restrictions on Certain Categories of Archaeological Material From the Pre-Hispanic Cultures of the Republic of Nicaragua [CBP Dec. 15-13] (RIN: 1515-AE05) received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3102. A letter from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting the Department's Major interim final rule — Automated Commercial Environment (ACE) Filings for Electronic Entry/Entry Summary (Cargo Release and Related Entry) [USCBP-2015-0045] (RIN: 1515-AE03) received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3103. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Request for Comments on Definitions of Section 48 Property [Notice 2015-70] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3104. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2015 Marginal Production Rates [Notice 2015-65] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3105. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2015 Section 43 Inflation Adjustment [Notice 2015-64] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3106. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rules — Medicare and Medicaid Programs; Electronic Health Record Incentive Program — Stage 3 and Modifications to Meaningful Use in 2015 through 2017 [CMS-3310-FC and CMS-3311-FC] (RINs: 0938-AS26 and 0938-AS58) received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Ways and Means and Energy and Commerce.

## ¶124.6 NOTICE REQUIREMENT—CONSIDERATION OF RESOLUTION—QUESTION OF PRIVILEGES

Ms. SLAUGHTER, pursuant to clause 2(a)(1) of rule IX, announced her intention to call up the following resolution, as a question of the privileges of the House:

Whereas the attacks in Benghazi, Libya, on September 11, 2012, took the lives of U.S. Ambassador Christopher Stevens, Foreign Service Officer Sean Smith, and former Navy SEALs Tyrone Woods and Glen Doherty;

Whereas the events leading up to and in the immediate aftermath of the attacks on the U.S. consulate in Benghazi were rightfully and thoroughly examined to honor the memory of the victims and to improve the safety of the men and women serving our country overseas;

Whereas the independent Accountability Review Board convened by the U.S. State Department investigated the events in Benghazi and found no evidence of deliberate wrongdoing;

Whereas five committees in the U.S. House of Representatives investigated the events in Benghazi and found no evidence of deliberate wrongdoing;

Whereas four committees in the U.S. Senate investigated the events in Benghazi and found no evidence of deliberate wrongdoing;

Whereas in each fiscal year, more than $4 billion is appropriated to run the Congress, with untold amounts of this taxpayer money expended by nine Congressional committees to investigate the events in Benghazi, none of which produced any evidence of deliberate wrongdoing;

Whereas after the exhaustive, thorough, and costly investigations by nine Congressional committees and the independent Accountability Review Board found no evidence of deliberate wrongdoing, Republican leaders in the House insisted on using taxpayer dollars to fund a new, duplicative ''Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi,'' (hereafter the Select Committee) to re-examine the matter;

Whereas this taxpayer-funded committee was given broad powers to pursue its investigations, including an unlimited, taxpayer-funded budget and granting the Chairman the legal authority to subpoena documents and compel testimony without any debate or a vote;

Whereas the ongoing Republican-led investigation into the events in Benghazi is now one of the longest running and least productive investigations in Congressional history;

Whereas a widely-quoted statement made on September 29th, 2015 by Representative KEVIN MCCARTHY, the Republican Leader of the House of Representatives, has called into question the integrity of the proceedings of the Select Committee and the House of Representatives as a whole;

Whereas this statement by Representative MCCARTHY demonstrates that the Select Committee established by Republican leaders in the House of Representatives was created to influence public opinion of a presidential candidate;

Whereas the Select Committee has been in existence for 17 months but has held only three hearings;

Whereas the Select Committee abandoned its plans to obtain public testimony from Defense Department and Intelligence Community leaders;

Whereas the Select Committee excluded Democratic Members from interviews of witnesses who provided exculpatory information related to its investigation;

Whereas information obtained by the Select Committee has been selectively and inaccurately leaked to influence the electoral standing of a candidate for public office;

Whereas such actions represent an abuse of power that demonstrates the partisan nature of the Select Committee;

Whereas the Select Committee has spent more than $4.5 million in taxpayer funds to date to advance its partisan efforts;

Whereas this amount does not include the costs of the independent Accountability Review Board; the hearings and reports by nine Congressional committees; the time, money,

and resources consumed by Federal agencies to comply with Select Committee requests; or the opportunity cost of not spending this money elsewhere, such as improving security for our diplomatic officers abroad;

Whereas it is an outrage that more than $4.5 million in taxpayer funds have been used by Republicans in the House of Representatives, not to run the government, but to interfere inappropriately with an election for president of the United States;

Whereas the use of taxpayer dollars by the House of Representatives for campaign purposes is a violation of the Rules of the House and Federal law;

*Resolved*, That: (1) this misuse of the official resources of the House of Representatives for political purposes undermines the integrity of the proceedings of the House and brings discredit to the House; (2) the integrity of the proceedings of the House can be fully restored only by the dissolution of the Select Committee; and (3) the Select Committee shall be dismantled and is hereby directed to make public within thirty days transcripts of all unclassified interviews and depositions it has conducted.

The SPEAKER pro tempore, Mr. DENHAM, responded to the foregoing notice, and said:

''Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Chair within two legislative days after the resolution is properly noticed.

''Pending that designation, the form of the resolution noticed by the gentlewoman from New York [Ms. SLAUGHTER] will appear in the CONGRESSIONAL RECORD at this point.

''The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.''.

### ¶124.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. FARENTHOLD, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 7, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 7, 2015 at 11:05 a.m.:

That the Senate passed with an amendment H.R. 34.

That the Senate passed with an amendment H.R. 3116.

That the Senate agreed to S. Con Res. 22.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

### ¶124.8 PROVIDING FOR CONSIDERATION OF H.R. 3192

Mr. STIVERS, by direction of the Committee on Rules, called up the following resolution (H. Res. 462):

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3192) to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 2. On any legislative day during the period from October 12, 2015, through October 19, 2015—

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

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

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

When said resolution was considered.

After debate,

On motion of Mr. STIVERS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. YODER, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

### ¶124.9 PRIVILEGES OF THE HOUSE

Ms. SLAUGHTER, pursuant to rule IX, rose to a question of the privileges of the House and submitted the following resolution:

Whereas the attacks in Benghazi, Libya, on September 11, 2012, took the lives of U.S. Ambassador Christopher Stevens, Foreign Service Officer Sean Smith, and former Navy SEALs Tyrone Woods and Glen Doherty;

Whereas the events leading up to and in the immediate aftermath of the attacks on the U.S. consulate in Benghazi were rightfully and thoroughly examined to honor the memory of the victims and to improve the safety of the men and women serving our country overseas;

Whereas the independent Accountability Review Board convened by the U.S. State Department investigated the events in Benghazi and found no evidence of deliberate wrongdoing;

Whereas five committees in the U.S. House of Representatives investigated the events in Benghazi and found no evidence of deliberate wrongdoing;

Whereas four committees in the U.S. Senate investigated the events in Benghazi and found no evidence of deliberate wrongdoing;

Whereas in each fiscal year, more than $4 billion is appropriated to run the Congress, with untold amounts of this taxpayer money expended by nine Congressional committees to investigate the events in Benghazi, none of which produced any evidence of deliberate wrongdoing;

Whereas after the exhaustive, thorough, and costly investigations by nine Congressional committees and the independent Accountability Review Board found no evidence of deliberate wrongdoing, Republican leaders in the House insisted on using taxpayer dollars to fund a new, duplicative ''Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi,'' (hereafter the Select Committee) to re-examine the matter;

Whereas this taxpayer-funded committee was given broad powers to pursue its investigations, including an unlimited, taxpayer-funded budget and granting the Chairman the legal authority to subpoena documents and compel testimony without any debate or a vote;

Whereas the ongoing Republican-led investigation into the events in Benghazi is now one of the longest running and least productive investigations in Congressional history;

Whereas a widely-quoted statement made on September 29th, 2015 by Representative Kevin McCarthy, the Republican Leader of the House of Representatives, has called into question the integrity of the proceedings of the Select Committee and the House of Representatives as a whole;

Whereas this statement by Representative McCarthy demonstrates that the Select Committee established by Republican leaders in the House of Representatives was created to influence public opinion of a presidential candidate;

Whereas the Select Committee has been in existence for 17 months but has held only three hearings;

Whereas the Select Committee abandoned its plans to obtain public testimony from Defense Department and Intelligence Community leaders;

Whereas the Select Committee excluded Democratic Members from interviews of witnesses who provided exculpatory information related to its investigation;

Whereas information obtained by the Select Committee has been selectively and inaccurately leaked to influence the electoral standing of a candidate for public office;

Whereas such actions represent an abuse of power that demonstrates the partisan nature of the Select Committee;

Whereas the Select Committee has spent more than $4.5 million in taxpayer funds to date to advance its partisan efforts;

Whereas this amount does not include the costs of the independent Accountability Review Board; the hearings and reports by nine Congressional committees; the time, money, and resources consumed by Federal agencies to comply with Select Committee requests; or the opportunity cost of not spending this money elsewhere, such as improving security for our diplomatic officers abroad;

Whereas it is an outrage that more than $4.5 million in taxpayer funds have been used by Republicans in the House of Representatives, not to run the government, but to interfere inappropriately with an election for president of the United States;

Whereas the use of taxpayer dollars by the House of Representatives for campaign purposes is a violation of the Rules of the House and Federal law;

*Resolved,* That:

1) this misuse of the official resources of the House of Representatives for political purposes undermines the integrity of the proceedings of the House and brings discredit to the House;

2) the integrity of the proceedings of the House can be fully restored only by the dissolution of the Select Committee; and

3) the Select Committee shall be dismantled and is hereby directed to make public within thirty days transcripts of all unclassified interviews and depositions it has conducted.

The SPEAKER pro tempore, Mr. YODER, spoke and said:

''The Chair would entertain argument on whether the resolution qualifies as a question of the privileges of the House.

''Does any Member seek recognition?

''If not, the Chair will rule.''.

The SPEAKER pro tempore, Mr. YODER, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

''The gentlewoman from New York seeks to offer a resolution as a question of the privileges of the House under rule IX. The resolution alleges that a select committee established by order of the House has misused House resources for a political purpose and proposes to dismantle the select committee.

''In evaluating the resolution under rule IX, the Chair must determine whether the resolution affects 'the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.' In addition, Cannon's Precedents, volume 6, section 395 cites the precedent of September 24, 1917, for the proposition that 'the presence of unprivileged matter destroys the privilege of a resolution otherwise privileged.' That ruling is the foundation for the principle that either the entire resolution is privileged, or none of it is.

''Section 706 of the House Rules and Manual documents several precedents holding that a resolution alleging a question of the privileges of the House may not collaterally challenge a rule of the House.

''One such precedent occurred on January 23, 1984. On that date, Speaker O'Neill ruled that a resolution directing a change in political ratios of committee membership did not qualify as a question of privilege because that issue could be otherwise presented to the House in a privileged manner. The Speaker noted that the resolution itself did not constitute a change in the rules of the House, but nevertheless held that the resolution did not qualify because it presented a collateral challenge to an adopted rule of the House.

''The Chair would also note the events of January 31, 1996, when a resolution directing the Speaker to withdraw an invitation for a foreign head of state to address a joint meeting of Congress was held not to present a question of privilege because it proposed a collateral change in a previous order of the House.

''In each of these cases, the crucial question was whether the resolution presented a collateral challenge to an existing rule or order of the House.

''The resolution offered by the gentlewoman from New York proposes to dismantle the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, which was established in the 114th Congress by section 4(a) of House Resolution 5, adopted by the House on January 6, 2015. The resolution presents a collateral challenge to that order of the House. As such, the resolution does not constitute a question of the privileges of the House.''.

Ms. SLAUGHTER appealed the ruling of the Chair.

The question being stated,

Will the decision of the Chair stand as the judgment of the House?

Mr. STIVERS moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. YODER, announced that the ayes had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 240 / Nays ..... 183

¶124.10 [Roll No. 536]

YEAS—240

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

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

NOT VOTING—11

Dingell
Granger
Hinojosa
Hudson
Lummis
Payne
Scott (VA)
Sinema
Smith (TX)
Walorski
Williams

So the motion to lay the appeal on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to

was, by unanimous consent, laid on the table.

¶124.11 H. RES. 462—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 462) providing for consideration of the bill (H.R. 3192) to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes, and providing for proceedings during the period from October 12, 2015, through October 19, 2015.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 238 Nays ..... 181

¶124.12 [Roll No. 537]

YEAS—238

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

NAYS—181

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

NOT VOTING—15

| | | |
|---|---|---|
| Dingell | Lummis | Speier |
| Forbes | Payne | Velázquez |
| Granger | Scott (VA) | Walberg |
| Hinojosa | Sinema | Walorski |
| Hudson | Smith (TX) | Williams |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶124.13 ORDER OF BUSINESS—ON A MOTION TO RECOMMIT ON H.R. 3192

On motion of Mr. HENSARLING, by unanimous consent,

*Ordered*, That it may be in order that the question of adopting a motion to recommit on the bill (H.R. 3192) to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes, may be subject to postponement as though under clause 8 of rule XX.

¶124.14 HOMEBUYERS ASSISTANCE

Mr. HENSARLING, pursuant to House Resolution 462, called up for consideration the bill (H.R. 3192) to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

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

Mr. MOULTON moved to recommit the bill to the Committee on Financial Services with instructions to report the bill back to the House forthwith with the following amendment:

Add at the end of the bill the following new section:

**SEC. 3. PROTECTING SERVICEMEMBERS AND OTHERS.**

The safe harbor provided by section 2 shall not apply to private suits filed by servicemembers, veterans, seniors, students, and family members of servicemembers, veterans, seniors, and students.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, announced that the noes had it.

Mr. MOULTON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, pursuant to clause 8 of rule XX, and the previous order of the House, announced that further proceedings on the question were postponed.

¶124.15 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the

bill (H.R. 1735) ''An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''.

¶124.16 ESTABLISHING A SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

Ms. FOXX, by direction of the Committee on Rules, called up the following resolution (H. Res. 461):

*Resolved,* That there is hereby established a Select Investigative Panel of the Committee on Energy and Commerce (hereinafter ''select panel'').

SEC. 2. (a) The select panel shall be composed of not more than 13 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom not more than five shall be appointed on the recommendation of the minority leader. Any vacancy in the select panel shall be filled in the same manner as the original appointment.

(b) Each member appointed to the select panel shall be treated as though a member of the Committee on Energy and Commerce for purposes of the select panel.

(c) No member may serve on the select panel in an ex officio capacity.

(d) The Speaker shall designate as chair of the select panel a member elected to the Committee on Energy and Commerce.

SEC. 3. (a) The select panel is authorized and directed to conduct a full and complete investigation and study and issue a final report of its findings (and such interim reports as it may deem necessary) regarding—

(1) medical procedures and business practices used by entities involved in fetal tissue procurement;

(2) any other relevant matters with respect to fetal tissue procurement;

(3) Federal funding and support for abortion providers;

(4) the practices of providers of second and third trimester abortions, including partial birth abortion and procedures that may lead to a child born alive as a result of an attempted abortion;

(5) medical procedures for the care of a child born alive as a result of an attempted abortion; and

(6) any changes in law or regulation necessary as a result of any findings made under this subsection.

(b) The chair of the Committee on Energy and Commerce shall cause any such report to be printed and made publicly available in electronic form.

SEC. 4. Rule XI and the rules of the Committee on Energy and Commerce shall apply to the select panel in the same manner as a subcommittee except as follows:

(1) The chair of the select panel may authorize and issue subpoenas pursuant to clause 2(m) of rule XI in the investigation and study conducted pursuant to section 3, including for the purpose of taking depositions.

(2) The chair of the select panel, upon consultation with the ranking minority member, may order the taking of depositions, under oath and pursuant to notice or subpoena, by a member of the select panel or a counsel of the select panel. Such depositions shall be governed by the regulations issued by the chair of the Committee on Rules pursuant to section 3(b)(2) of House Resolution 5, One Hundred Fourteenth Congress, and printed in the Congressional Record. The select panel shall be deemed to be a committee for purposes of such regulations.

(3) The chair of the select panel may, after consultation with the ranking minority member, recognize—

(A) members of the select panel to question a witness for periods longer than five minutes as though pursuant to clause 2(j)(2)(B) of rule XI; and

(B) staff of the select panel to question a witness as though pursuant to clause 2(j)(2)(C) of rule XI.

SEC. 5. Service on the select panel shall not count against the limitations in clause 5(b)(2)(A) of rule X.

SEC. 6. The select panel shall cease to exist 30 days after filing the final report required under section 3.

When said resolution was considered.

After debate,

Ms. FOXX submitted the following amendment:

Page 1, line 7, strike ''five'' and insert ''six''.

Page 1, line 5, strike ''13'' and insert ''14''.

Page 3, line 12, insert '', consistent with the notification, consultation, and reporting requirements of rule 16 of the rules of the Committee on Energy and Commerce,'' after ''select panel''.

On motion of Ms. FOXX, the previous question was ordered on the amendment and the resolution to their adoption or rejection.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

So the amendment was agreed to.

The question being put, viva voce,

Will the House agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 242 / Nays ..... 184

¶124.17 [Roll No. 538]

YEAS—242

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

NAYS—184

| | | |
|---|---|---|
| Adams | Davis, Danny | Johnson, E. B. |
| Aguilar | DeFazio | Jolly |
| Ashford | DeGette | Kaptur |
| Bass | Delaney | Keating |
| Beatty | DeLauro | Kelly (IL) |
| Becerra | DelBene | Kennedy |
| Bera | DeSaulnier | Kildee |
| Beyer | Deutch | Kilmer |
| Bishop (GA) | Doggett | Kind |
| Blumenauer | Doyle, Michael F. | Kirkpatrick |
| Bonamici | Duckworth | Kuster |
| Boyle, Brendan F. | Edwards | Langevin |
| Brady (PA) | Ellison | Larsen (WA) |
| Brown (FL) | Engel | Larson (CT) |
| Brownley (CA) | Eshoo | Lawrence |
| Bustos | Esty | Lee |
| Butterfield | Farr | Levin |
| Capps | Fattah | Lewis |
| Capuano | Foster | Lieu, Ted |
| Cárdenas | Frankel (FL) | Loebsack |
| Carney | Fudge | Lofgren |
| Carson (IN) | Gabbard | Lowenthal |
| Cartwright | Gallego | Lowey |
| Castor (FL) | Garamendi | Lujan Grisham (NM) |
| Castro (TX) | Graham | Luján, Ben Ray (NM) |
| Chu, Judy | Grayson | Lynch |
| Cicilline | Green, Al | Maloney, Carolyn |
| Clark (MA) | Green, Gene | Maloney, Sean |
| Clarke (NY) | Grijalva | Matsui |
| Clay | Gutiérrez | McCollum |
| Cleaver | Hahn | McDermott |
| Clyburn | Hastings | McGovern |
| Cohen | Heck (WA) | McNerney |
| Connolly | Higgins | Meeks |
| Conyers | Himes | Meng |
| Cooper | Honda | Moore |
| Costa | Hoyer | Moulton |
| Courtney | Huffman | Murphy (FL) |
| Crowley | Israel | Nadler |
| Cuellar | Jackson Lee | Napolitano |
| Cummings | Jeffries | |
| Davis (CA) | Johnson (GA) | |

Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Dingell
Granger
Hinojosa
Hudson
Sinema
Smith (TX)
Walorski
Williams

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶124.18 H.R. 3192—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, and the previous order of the House, announced the unfinished business to be the motion to recommit with instructions on the bill (H.R. 3192) to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 185 / Nays ..... 240 }

¶124.19 [Roll No. 539]

YEAS—185

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

NAYS—240

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

NOT VOTING—9

Dingell
Granger
Hinojosa
Hudson
Sinema
Smith (TX)
Walorski
Webster (FL)
Williams

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that ayes had it.

Ms. Maxine WATERS of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 303 / Nays ..... 121 }

¶124.20 [Roll No. 540]

YEAS—303

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Beyer
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Cárdenas
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
DeLaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Sean
Marchant

Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Stefanik
Stewart
Stivers
Stutzman
Takai
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Wagner
Walberg
Walden
Walker
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—121

Adams
Bass
Beatty
Becerra
Bishop (GA)
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Gallego
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings
Higgins
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowey
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Pallone
Pascrell
Payne
Pelosi
Pocan
Price (NC)
Rangel
Richmond
Roybal-Allard
Ruiz
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Scott (VA)
Serrano
Sewell (AL)
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Van Hollen
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Dingell
Granger
Hinojosa
Hudson
Kline
Sinema
Smith (TX)
Walorski
Whitfield
Williams

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶124.21 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—COMMISSION ON CARE

The SPEAKER pro tempore, Mr. POE of Texas, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC*, OCTOBER 7, 2015.

Hon. JOHN BOEHNER,
*Speaker of the House, U.S. Capitol*
*Washington, DC.*

DEAR SPEAKER BOEHNER: Pursuant to section 202(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146), I am pleased to recommend the following individual to the Commission on Care.

Ms. Lucretia M. McClenney, Locust Grove, Virginia

Best regards,

NANCY PELOSI,
*House Democratic Leader*.

*Ordered*, That the Clerk notify the Senate of the foregoing appointment.

¶124.22 PROVIDING FOR CONSIDERATION OF H.R. 538 AND H.R. 702

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 114–290) the resolution (H. Res. 466) providing for consideration of the bill (H.R. 538) to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes, and providing for consideration of the bill (H.R. 702) to adapt to changing crude oil market conditions.

When said resolution and report were referred to the House Calendar and ordered printed.

¶124.23 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 22. A concurrent resolution recognizing the 50th anniversary of the White House Fellows program; to the Committee on Oversight and Government Reform.

¶124.24 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 986. An Act to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

S. 1300. An Act to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 2078. An Act to reauthorize the United States Commission on International Religious Freedom, and for other purposes.

¶124.25 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. GRANGER, for today.

And then,

¶124.26 ADJOURNMENT

On motion of Mr. SWALWELL of California, at 7 o'clock and 14 minutes p.m., the House adjourned.

¶124.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE: Committee on Rules. House Resolution 466. Resolution providing for consideration of the bill (H.R. 538) to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes, and providing for consideration of the bill (H.R. 702) to adapt to changing crude oil market conditions (Rept. 114–290). Referred to the House Calendar.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 3442. A bill to provide further means of accountability of the United States debt and promote fiscal responsibility (Rept. 114–291). Referred to the Committee of the Whole House on the state of the Union.

¶124.28 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. TITUS:

H.R. 3696. A bill to amend title XVIII of the Social Security Act to prevent Medicare part B premium and deductible increases for 2016; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 3697. A bill to modernize and improve the program for economic opportunities for low-income persons under section 3 of the Housing and Urban Development Act of 1968, and for other purposes; to the Committee on Financial Services.

By Mr. COFFMAN (for himself, Mr. VARGAS, Mr. KING of New York, and Ms. DUCKWORTH):

H.R. 3698. A bill to amend title 10, United States Code, to authorize the enlistment in the Armed Forces of additional persons who are residing in the United States and to lawfully admit for permanent residence certain enlistees who are not citizens or other nationals of the United States; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WESTMORELAND (for himself, Mr. BROOKS of Alabama, and Mr. SMITH of Missouri):

H.R. 3699. A bill to amend title 31, United States Code, to require an annual report from the Financial Management Service within the Department of the Treasury regarding amounts paid or payable by Federal agencies to the judgement fund, and for other purposes; to the Committee on the Judiciary.

By Mr. LUETKEMEYER:

H.R. 3700. A bill to provide housing opportunities in the United States through mod-

ernization of various housing programs, and for other purposes; to the Committee on Financial Services.

By Mrs. BLACK (for herself and Mr. MCDERMOTT):

H.R. 3701. A bill to require that the Secretary of the Treasury make available an Internet platform for Form 1099 filings; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself, Mr. COLE, and Mr. BECERRA):

H.R. 3702. A bill to provide for additional space for the protection and preservation of national collections held by the Smithsonian Institution; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. KELLY of Pennsylvania):

H.R. 3703. A bill to amend the Internal Revenue Code of 1986 to extend qualified zone academy bonds for 2 years and to reduce the private business contribution requirement with respect to such bonds; to the Committee on Ways and Means.

By Mr. MEADOWS (for himself and Mr. BUTTERFIELD):

H.R. 3704. A bill to clarify that nonprofit organizations such as Habitat for Humanity can accept donated mortgage appraisals, and for other purposes; to the Committee on Financial Services.

By Mr. PITTENGER:

H.R. 3705. A bill to require certain financial regulators to determine whether new regulations or orders are duplicative or inconsistent with existing Federal regulations, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Ms. MCCOLLUM, Ms. LEE, and Mr. MCCAUL):

H.R. 3706. A bill to implement policies to end preventable maternal, newborn, and child deaths globally; to the Committee on Foreign Affairs.

By Ms. TSONGAS:

H.R. 3707. A bill to authorize the Secretary of the Interior, in consultation with the Groundwork USA national office, to provide grants to certain nonprofit organizations; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## ¶124.29 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

142. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 10, requesting that the Congress of the United States take immediate action to extend the federal investment tax credit in Sections 48 and 25D of Title 26 of the United States Code; to the Committee on Ways and Means.

143. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 17, urging the President and the Congress of the United States to enact Senate Bill 664, known as the Foster Care Tax Credit Act, which would provide tax relief to short-term foster parents by helping to cover the actual costs of caring for a foster child; to the Committee on Ways and Means.

144. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 54, urging the President and the Congress of the United States to consider imposing tariffs on imported anthracite coal in order to preserve American jobs; to the Committee on Ways and Means.

145. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 136, condemning the International Boycott, Divestment and Sanctions movement and its activities in Pennsylvania for seeking to undermine the Jewish peoples' right to self-determination, which they are fulfilling in the State of Israel; jointly to the Committees on Foreign Affairs and the Judiciary.

## ¶124.30 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 10: Mr. MULVANEY and Mr. BLUM.

H.R. 140: Mr. HUDSON.

H.R. 167: Mr. SMITH of New Jersey and Mr. POSEY.

H.R. 223: Mr. TURNER.

H.R. 224: Mr. GALLEGO, Ms. PLASKETT, Ms. LEE, Mrs. NAPOLITANO, Mr. DANNY K. DAVIS of Illinois, Mrs. BEATTY, Ms. FUDGE, Mr. CICILLINE, Mr. DAVID SCOTT of Georgia, Ms. CLARK of Massachusetts, Ms. DEGETTE, Ms. SCHAKOWSKY, Mr. ELLISON, Ms. FRANKEL of Florida, Ms. DUCKWORTH, Mr. DELANEY, Mr. PRICE of North Carolina, Mr. HASTINGS, and Ms. ADAMS.

H.R. 226: Mr. ELLISON.

H.R. 241: Mr. COFFMAN.

H.R. 244: Mrs. ROBY.

H.R. 257: Ms. JACKSON LEE.

H.R. 346: Mr. LYNCH.

H.R. 390: Mr. POLIS.

H.R. 410: Mr. DEUTCH and Mr. BLUMENAUER.

H.R. 482: Mr. JODY B. HICE of Georgia.

H.R. 539: Mr. VISCLOSKY and Ms. DUCKWORTH.

H.R. 546: Mr. ASHFORD.

H.R. 592: Mr. POMPEO, Mr. ASHFORD, Mr. MOONEY of West Virginia, and Mrs. ROBY.

H.R. 711: Mr. WEBER of Texas.

H.R. 748: Mr. HONDA.

H.R. 775: Mr. WALDEN, Mr. CICILLINE, Mr. NORCROSS, Mr. YOUNG of Iowa, and Mr. COOK.

H.R. 823: Ms. DUCKWORTH.

H.R. 842: Mr. GUTIÉRREZ.

H.R. 851: Mrs. RADEWAGEN.

H.R. 921: Mr. HENSARLING and Mr. MOONEY of West Virginia.

H.R. 953: Mr. DAVID SCOTT of Georgia, Ms. DELBENE, Mr. ELLISON, Mr. DESAULNIER, and Mrs. BEATTY.

H.R. 985: Mrs. DINGELL.

H.R. 1062: Mr. HULTGREN.

H.R. 1078: Mr. BERA.

H.R. 1090: Mr. SMITH of Texas, Mr. BROOKS of Alabama, Mr. HECK of Nevada, Mr. ABRAHAM, Mrs. BLACK, Mrs. MIMI WALTERS of California, Mr. HUDSON, and Mr. FLORES.

H.R. 1093: Ms. NORTON.

H.R. 1094: Mr. JONES.

H.R. 1192: Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Mr. HUNTER, and Mr. YODER.

H.R. 1217: Mr. SERRANO, Mr. ISRAEL, Mrs. TORRES, Mr. BERA, Mr. NOLAN, Ms. WILSON of Florida, Mr. BEYER, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CICILLINE, Mr. COHEN, Mr. CROWLEY, Mrs. DAVIS of California, Ms. DEGETTE, Mr. HOYER, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. MCDERMOTT, Mr. MCNERNEY, Mr. PALLONE, Ms. ROYBAL-ALLARD, Ms. MAXINE WATERS of California, Ms. DUCKWORTH, Mr. KENNEDY, Mr. SHERMAN, Mr. WELCH, Mr. LIPINSKI, Mr. HONDA, Mr. MURPHY of Florida, Mr. COURTNEY, and Mr. JEFFRIES.

H.R. 1218: Mr. ASHFORD.

H.R. 1220: Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. DINGELL, Mr. VELA, Mr. MOONEY of West Virginia, Mr. COFFMAN, Mr. BRIDENSTINE, Mr. LUETKEMEYER, Mr. ASHFORD, and Mr. LOBIONDO.

H.R. 1233: Mr. HURD of Texas, Mr. MICA, and Mr. ROONEY of Florida.

H.R. 1258: Mrs. WAGNER and Mrs. WATSON COLEMAN.

H.R. 1292: Mr. ROSS, Mr. TAKANO, Mr. WELCH, Mrs. NAPOLITANO, Ms. PINGREE, Ms. BROWNLEY of California, and Ms. LOFGREN.

H.R. 1309: Mr. GENE GREEN of Texas, Mr. LONG, and Mr. ROONEY of Florida.

H.R. 1356: Mr. ZELDIN and Mr. MOULTON.

H.R. 1405: Mr. FOSTER and Ms. SCHAKOWSKY.

H.R. 1421: Ms. LOFGREN.

H.R. 1475: Mr. VARGAS, Mr. RIBBLE, Mr. GRIFFITH, Mr. TED LIEU of California, Mr. DENHAM, and Mr. MILLER of Florida.

H.R. 1479: Mr. HENSARLING.

H.R. 1559: Mr. HURD of Texas and Mr. YODER.

H.R. 1586: Mr. ELLISON and Mr. BEYER.

H.R. 1594: Mr. HILL and Mr. LOWENTHAL.

H.R. 1603: Mr. MOOLENAAR, Mr. YODER, Mr. AMODEI, and Mr. VALADAO.

H.R. 1608: Mr. MEADOWS.

H.R. 1610: Mr. GUTHRIE.

H.R. 1655: Mrs. CAPPS, Mr. KING of Iowa, Mr. EMMER of Minnesota, and Mrs. KIRKPATRICK.

H.R. 1666: Mr. COFFMAN.

H.R. 1671: Mr. RIBBLE and Mr. KELLY of Mississippi.

H.R. 1716: Mr. NUGENT.

H.R. 1736: Mrs. BROOKS of Indiana.

H.R. 1737: Mr. NORCROSS, Mr. NUNES, Mr. ALLEN, and Mr. HUDSON.

H.R. 1784: Mr. YODER and Mr. LATTA.

H.R. 1786: Mrs. DINGELL, Mr. COSTELLO of Pennsylvania, Ms. BASS, Mr. FOSTER, Mr. LEVIN, Mr. HOYER, and Mr. PETERSON.

H.R. 1859: Mr. GIBSON.

H.R. 1877: Mr. AGUILAR and Mr. ASHFORD.

H.R. 1942: Mr. SABLAN, Ms. PINGREE, Mrs. WATSON COLEMAN, Mr. SALMON, and Ms. NORTON.

H.R. 2017: Mr. SMITH of New Jersey.

H.R. 2043: Mr. ZINKE, Mr. KELLY of Pennsylvania, and Mr. LATTA.

H.R. 2046: Mrs. BROOKS of Indiana.

H.R. 2067: Mr. FRELINGHUYSEN.

H.R. 2083: Ms. BASS.

H.R. 2090: Ms. ADAMS and Ms. FUDGE.

H.R. 2114: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2156: Mr. ZINKE.

H.R. 2172: Mr. PIERLUISI.

H.R. 2205: Mr. MOOLENAAR and Mrs. NAPOLITANO.

H.R. 2216: Mr. ELLISON.

H.R. 2248: Mr. FATTAH.

H.R. 2255: Mr. SMITH of Nebraska.

H.R. 2315: Ms. MOORE.

H.R. 2327: Mr. KIND.

H.R. 2342: Ms. MOORE and Mrs. BEATTY.

H.R. 2350: Mr. MURPHY of Florida.

H.R. 2368: Ms. LOFGREN and Mr. BLUMENAUER.

H.R. 2400: Mr. SCHWEIKERT, Mr. KNIGHT, and Mr. CALVERT.

H.R. 2404: Mr. MOULTON and Mrs. TORRES.

H.R. 2406: Mr. RATCLIFFE.

H.R. 2450: Mrs. NAPOLITANO, Ms. LOFGREN, Mr. NADLER, and Ms. TITUS.

H.R. 2451: Mrs. KIRKPATRICK.

H.R. 2463: Ms. DUCKWORTH.

H.R. 2494: Mr. KATKO and Mr. CARTER of Georgia.

H.R. 2553: Ms. WASSERMAN SCHULTZ, Mr. BEYER, and Ms. FRANKEL of Florida.

H.R. 2597: Ms. SINEMA.

H.R. 2639: Mr. FATTAH.

H.R. 2646: Mr. ASHFORD and Mr. YODER.

H.R. 2652: Mr. FLEMING.

H.R. 2654: Mrs. DINGELL and Mr. FATTAH.

H.R. 2671: Ms. SINEMA, Mr. MCGOVERN, Ms. BORDALLO, and Mrs. BROOKS of Indiana.
H.R. 2672: Ms. SINEMA, Mr. MCGOVERN, Ms. BORDALLO, and Mrs. BROOKS of Indiana.
H.R. 2673: Ms. SINEMA, Mr. MCGOVERN, Ms. BORDALLO, and Mrs. BROOKS of Indiana.
H.R. 2674: Ms. SINEMA, Mr. MCGOVERN, Ms. BORDALLO, and Mrs. BROOKS of Indiana.
H.R. 2675: Mr. PETERSON.
H.R. 2680: Mr. FATTAH.
H.R. 2698: Mr. HANNA and Mr. SIMPSON.
H.R. 2699: Mr. DEUTCH.
H.R. 2713: Ms. BASS.
H.R. 2726: Mr. KNIGHT.
H.R. 2732: Mr. DEUTCH.
H.R. 2759: Mr. DAVID SCOTT of Georgia, Mr. RYAN of Ohio, and Mr. ASHFORD.
H.R. 2805: Mr. COSTELLO of Pennsylvania.
H.R. 2847: Mr. BERA and Mr. WALZ.
H.R. 2867: Ms. LOFGREN, Mr. WALZ, and Mr. VISCLOSKY.
H.R. 2896: Mr. MICA.
H.R. 2901: Mr. MARINO.
H.R. 2903: Mr. RYAN of Ohio and Mrs. NAPOLITANO.
H.R. 2911: Mr. PETERSON, Mr. HENSARLING, Mr. SWALWELL of California, Mr. STIVERS, Mr. ASHFORD, Mr. WALBERG, Mr. HECK of Washington, and Mr. MULLIN.
H.R. 2918: Mr. HASTINGS.
H.R. 2922: Mr. YODER.
H.R. 3024: Mr. KATKO.
H.R. 3033: Mr. NEUGEBAUER.
H.R. 3036: Mr. MCCLINTOCK, Mr. MEEKS, and Ms. KUSTER.
H.R. 3048: Mr. BRIDENSTINE and Mr. MULLIN.
H.R. 3051: Mr. DEUTCH, Mr. ELLISON, and Mr. DESAULNIER.
H.R. 3052: Mr. YOUNG of Alaska.
H.R. 3084: Mr. TAKANO.
H.R. 3094: Mr. LOUDERMILK and Mr. ALLEN.
H.R. 3099: Mr. AMODEI and Ms. DUCKWORTH.
H.R. 3108: Mr. CARTWRIGHT.
H.R. 3132: Mr. DESAULNIER and Ms. FUDGE.
H.R. 3136: Mr. RIBBLE.
H.R. 3187: Mr. GROTHMAN.
H.R. 3221: Mr. WITTMAN.
H.R. 3222: Mr. HILL.
H.R. 3286: Mr. TAKANO and Ms. KUSTER.
H.R. 3294: Mr. HECK of Washington.
H.R. 3304: Mr. LYNCH.
H.R. 3309: Mrs. WALORSKI.
H.R. 3314: Mr. YODER and Mr. PALMER.
H.R. 3326: Mr. RATCLIFFE, Mr. CARTER of Georgia, Mr. BOST, and Mr. SMITH of Missouri.
H.R. 3339: Mr. PAYNE.
H.R. 3459: Mr. FARENTHOLD, Mrs. BROOKS of Indiana, Mr. LATTA, Mr. SHIMKUS, Mr. BURGESS, Ms. MCSALLY, Mr. FINCHER, Mr. COFFMAN, Mr. ASHFORD, Mr. HULTGREN, and Mr. WESTERMAN.
H.R. 3463: Mr. LATTA, Mr. RODNEY DAVIS of Illinois, and Mr. KIND.
H.R. 3466: Mr. BLUMENAUER.
H.R. 3471: Mr. LOWENTHAL.
H.R. 3480: Mr. LOUDERMILK and Mr. JODY B. HICE of Georgia.
H.R. 3484: Mr. SCHIFF, Mr. LOWENTHAL, and Ms. ROYBAL-ALLARD.
H.R. 3531: Mr. CARTER of Georgia.
H.R. 3532: Mr. BISHOP of Michigan.
H.R. 3539: Mr. REED.
H.R. 3542: Ms. ADAMS.
H.R. 3564: Mr. POE of Texas.
H.R. 3568: Mr. PAULSEN and Mr. BLUMENAUER.
H.R. 3573: Mr. BOUSTANY.
H.R. 3589: Ms. FRANKEL of Florida.
H.R. 3611: Mr. DENT and Mr. CALVERT.
H.R. 3616: Mr. JONES, Mr. ROUZER, Mr. BISHOP of Utah, Mr. ASHFORD, Mr. MILLER of Florida, Mr. NUGENT, Mr. COOK, Mr. TURNER, and Mr. WITTMAN.
H.R. 3621: Ms. NORTON.
H.R. 3626: Mr. SAM JOHNSON of Texas, Mr. GOSAR, Mr. MOOLENAAR, and Mr. SMITH of Missouri.
H.R. 3632: Mr. POCAN.
H.R. 3640: Mr. KNIGHT.
H.R. 3641: Mr. ASHFORD.
H.R. 3648: Mr. MCGOVERN.
H.R. 3665: Ms. CASTOR of Florida and Ms. WILSON of Florida.
H.R. 3679: Mr. VAN HOLLEN.
H.R. 3687: Mr. ABRAHAM.
H.R. 3690: Mr. VAN HOLLEN and Mr. TED LIEU of California.
H.J. Res. 59: Mr. RODNEY DAVIS of Illinois, Mr. BLUM, Mr. LUETKEMEYER, Mr. SALMON, Mr. PERRY, Mr. WESTMORELAND, Mr. NEWHOUSE, and Mr. SIMPSON.
H.J. Res. 60: Mr. KIND.
H. Con. Res. 75: Mr. BECERRA, Mrs. CAPPS, Mr. COSTA, Mrs. DAVIS of California, Mr. FARR, Mr. GARAMENDI, Ms. HAHN, Ms. MATSUI, Mr. PETERS, Mr. SHERMAN, Mr. TAKANO, Mr. THOMPSON of California, and Mrs. TORRES.
H. Res. 54: Mr. VALADAO and Mr. ASHFORD.
H. Res. 210: Mr. JONES.
H. Res. 218: Mr. RIBBLE.
H. Res. 377: Mr. JONES.
H. Res. 393: Mr. HECK of Washington, Mr. SERRANO, and Ms. BROWN of Florida.
H. Res. 396: Mr. KIND.
H. Res. 428: Mr. PETERS and Mr. MURPHY of Florida.
H. Res. 431: Mr. RIBBLE and Mrs. WAGNER.
H. Res. 443: Mr. KING of New York.
H. Res. 445: Mrs. LOWEY.
H. Res. 451: Mr. POE of Texas, Mr. SAM JOHNSON of Texas, Mr. ROYCE, Mr. RIBBLE, Mr. MILLER of Florida, Mr. MURPHY of Florida, Mrs. WALORSKI, and Mr. LAMALFA.

## THURSDAY, OCTOBER 8, 2015 (125)

### ¶125.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. DUNCAN of Tennessee, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 8, 2015.*

I hereby appoint the Honorable JOHN J. DUNCAN, Jr. to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

### ¶125.2 RECESS—10:52 A.M.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 52 minutes a.m., until noon.

### ¶125.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

### ¶125.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 7, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶125.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3107. A letter from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Fee Increases for Overtime Services [Docket No.: APHIS-2009-0047] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3108. A letter from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's interim rule — Golden Nematode; Removal of Regulated Areas in Orleans, Nassau, and Suffolk Counties, New York [Docket No.: APHIS-2015-0040] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3109. A letter from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Importation of Tomato Plantlets in Approved Growing Media From Mexico [Docket No.: APHIS-2014-0099] (RIN: 0579-AE06) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3110. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Greene County, PA, et al.) [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8401] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3111. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Reportable Events and Certain Other Notification Requirements (RIN: 1212-AB06) received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3112. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3113. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Multiemployer Plans; Electronic Filing Requirements (RIN: 1212-AB28) received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3114. A letter from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting the Department's report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran'', the twenty-third in a series of reports required by Sec. 1245(d)(4)(A) of the National Defense Authorization Act for FY 2012; to the Committee on Energy and Commerce.

3115. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt From Certification; Mica-Based Pearlescent Pigments [Docket No.: FDA-2015-C-1154] received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3116. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions to the Minor New Source Review (NSR) State Implementation Plan (SIP) for Portable Facilities [EPA-R06-OAR-2010-0283; FRL-9935-04-Region 6] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3117. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alabama; Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards [EPA-R04-OAR-2013-0185; FRL-9935-21-Region 4] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3118. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Butanedioic Acid, 2-Methylene-, Homopolymer, Sodium Salt; Inert Ingredient Tolerance Exemption [EPA-HQ-OPP-2015-0395; FRL-9933-74] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3119. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Sulfur Content of Fuels [EPA-R01-OAR-2014-0605; A-1-FRL-9935-31-Region 1] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3120. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2008 Ozone, 2008 Lead, and 2010 NO2 National Ambient Air Quality Standards; North Dakota [EPA-R08-OAR-2012-0974; FRL-9935-15-Region 8] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3121. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dimethyl sulfoxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0630; FRL-9934-17] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3122. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Kentucky Infrastructure Requirements for the 2008 Lead NAAQS [EPA-R04-OAR-2014-0443; FRL-9935-19-Region 4] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3123. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Kentucky: New Sources in or Impacting Nonattainment Areas [EPA-R04-OAR-2015-0384; FRL-9935-22-Region 4] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3124. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2012-0696; FRL-9935-24-Region 4] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3125. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Maine; General Permit Regulations for Nonmetallic Mineral Processing Plants and Concrete Batch Plants [EPA-R01-OAR-2015-0527; A-1-FRL-9935-33-Region 1] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3126. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Trans-1,3,3,3-tetrafluoroprop-1-ene; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0043; FRL-9934-74] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3127. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cellulose Carboxymethyl Ether, Potassium Salt; Tolerance Exemption [EPA-HQ-OPP-2015-0482; FRL-9934-45] received October 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3128. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; MI; Infrastructure SIP Requirements for the 2008 Ozone, 2010 NO2, 2010 SO2, and 2012 PM2.5 NAAQS [EPA-R05-OAR-2014-0657; FRL-9935-18-Region 5] received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3129. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Infrastructure for the 2010 Sulfur Dioxide National Ambient Air Quality Standards [EPA-R06-OAR-2014-0205; FRL-9935-44-Region 6] received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3130. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Oregon: Lane Regional Air Protection Agency Open Burning Rules and Oregon Department of Environmental Quality Enforcement Procedures [EPA-R10-OAR-2014-0562; FRL-9935-48-Region 10] received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3131. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Governmentwide Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards [FRL-9926-01-OARM] (RIN: 2030-AA99) received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3132. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Greenhouse Gas Reporting Rule: 2015 Revisions and Confidentiality Determinations for Petroleum and Natural Gas Systems [EPA-HQ-OAR-2014-0831; FRL-9935-50-OAR] (RIN: 2060-AS37) received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3133. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing [EPA-HQ-OAR-2013-0290 and EPA-HQ-OAR-2013-0291; FRL-9933-13-OAR] (RIN: 2060-AP69) received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3134. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to Sec. 1512 of the Strom Thurmond National Defense Authorization Act for FY 1999 (Pub. L. 105-261), as amended by Sec. 146 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for FY 1999 (Pub. L. 105-277), and the President's September 29, 2009 delegation of authority [74 Fed. Reg. 50,913 (Oct. 2, 2009)]; to the Committee on Foreign Affairs.

3135. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 of April 1, 2015, as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

3136. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014, as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

3137. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

3138. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule and technical amendment — Ocean Dumping: Expansion of an Ocean Dredged Material Disposal Site Offshore of Jacksonville, Florida [EPA-R04-OW-2014-0372; FRL-9934-57-Region 4] received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3139. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category [EPA-HQ-OW-2009-0819; FRL-9930-48-OW] (RIN: 2040-AF14) received October 7, 2015,

pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3140. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Women-Owned Small Business Federal Contract Program (RIN: 3245-AG72) received October 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Small Business.

3141. A letter from the Secretary, Department of the Treasury, transmitting a letter respectfully urging Congress to take action as soon as possible and raise the debt limit well before Treasury exhausts its extraordinary measures; to the Committee on Ways and Means.

3142. A letter from the Acting Commissioner, Social Security Administration, transmitting the Administration's Annual Report on Continuing Disability Reviews for FY 2013, pursuant to Sec. 221(i) of the Social Security Act; to the Committee on Ways and Means.

3143. A letter from the General Counsel, Department of Commerce, transmitting draft legislation to implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and for other purposes; jointly to the Committees on Natural Resources and the Judiciary.

### ¶125.6 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to, without amendment, a concurrent resolution of the House of the following title:

H. Con. Res. 81. A concurrent resolution providing for corrections to the enrollment of the bill H.R. 1735.

The message also announced that the Senate has passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 623. An Act to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

The message also announced that the Senate has passed bills of the following titles, in which the concurrence of the House is requested:

S. 32. An Act to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes.

S. 2162. An Act to establish a 10-year term for the service of the Librarian of Congress.

### ¶125.7 RECESS—12:02 P.M.

The SPEAKER, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 2 minutes p.m., subject to the call of the Chair.

### ¶125.8 AFTER RECESS—1:01 P.M.

The SPEAKER pro tempore, Mr. WOMACK, called the House to order.

### ¶125.9 PROVIDING FOR CONSIDERATION OF H.R. 538 AND H.R. 702

Mr. BYRNE, by direction of the Committee on Rules, called up the following resolution (H. Res. 466):

*Resolved,* That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 538) to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-30. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 702) to adapt to changing crude oil market conditions. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-29. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. BYRNE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. WOMACK, announced that the ayes had it.

Mr. HASTINGS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 244 / Nays ..... 183

¶125.10 [Roll No. 541]

YEAS—244

| | | |
|---|---|---|
| Abraham | Cramer | Guinta |
| Aderholt | Crawford | Guthrie |
| Allen | Crenshaw | Hanna |
| Amash | Culberson | Hardy |
| Amodei | Curbelo (FL) | Harper |
| Babin | Davis, Rodney | Harris |
| Barletta | Denham | Hartzler |
| Barr | Dent | Heck (NV) |
| Barton | DeSantis | Hensarling |
| Benishek | DesJarlais | Herrera Beutler |
| Bilirakis | Diaz-Balart | Hice, Jody B. |
| Bishop (MI) | Dold | Hill |
| Bishop (UT) | Donovan | Holding |
| Black | Duffy | Huelskamp |
| Blackburn | Duncan (SC) | Huizenga (MI) |
| Blum | Duncan (TN) | Hultgren |
| Bost | Ellmers (NC) | Hunter |
| Boustany | Emmer (MN) | Hurd (TX) |
| Brady (TX) | Farenthold | Hurt (VA) |
| Brat | Fincher | Issa |
| Bridenstine | Fitzpatrick | Jenkins (KS) |
| Brooks (AL) | Fleischmann | Jenkins (WV) |
| Brooks (IN) | Fleming | Johnson (OH) |
| Buchanan | Flores | Johnson, Sam |
| Buck | Forbes | Jolly |
| Bucshon | Fortenberry | Jones |
| Burgess | Foxx | Jordan |
| Byrne | Franks (AZ) | Joyce |
| Calvert | Frelinghuysen | Katko |
| Carter (GA) | Garrett | Kelly (MS) |
| Carter (TX) | Gibbs | Kelly (PA) |
| Chabot | Gibson | King (IA) |
| Chaffetz | Gohmert | King (NY) |
| Clawson (FL) | Goodlatte | Kinzinger (IL) |
| Coffman | Gosar | Kline |
| Cole | Gowdy | Knight |
| Collins (GA) | Granger | Labrador |
| Collins (NY) | Graves (GA) | LaHood |
| Comstock | Graves (LA) | LaMalfa |
| Conaway | Graves (MO) | Lamborn |
| Cook | Griffith | Lance |
| Costello (PA) | Grothman | Latta |

LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—183

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

NOT VOTING—7

Cleaver
Connolly
Dingell
Hudson
Sinema
Vela
Wilson (SC)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. WOMACK, announced that the ayes had it.

Mr. HASTINGS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 244 / Noes ..... 185

¶125.11 [Roll No. 542]

AYES—244

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

NOES—185

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

NOT VOTING—5

Cleaver
Dingell
Gibson
Hudson
Sinema

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶125.12 NATIVE AMERICAN ENERGY

The SPEAKER pro tempore, Mr. WOMACK, pursuant to House Resolu-

tion 466 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 538) to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes.

The SPEAKER pro tempore, Mr. WOMACK, by unanimous consent, designated Mr. ROUZER as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. HOLDING, assumed the Chair.

When Ms. FOXX, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 466, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Native American Energy Act''.

**SEC. 2. APPRAISALS.**

(a) AMENDMENT.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

**''SEC. 2607. APPRAISAL REFORMS.**

''(a) OPTIONS TO INDIAN TRIBES.—With respect to a transaction involving Indian land or the trust assets of an Indian tribe that requires the approval of the Secretary, any appraisal relating to fair market value required to be conducted under applicable law, regulation, or policy may be completed by—

''(1) the Secretary;

''(2) the affected Indian tribe; or

''(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

''(b) TIME LIMIT ON SECRETARIAL REVIEW AND ACTION.—Not later than 30 days after the date on which the Secretary receives an appraisal conducted by or for an Indian tribe pursuant to paragraphs (2) or (3) of subsection (a), the Secretary shall—

''(1) review the appraisal; and

''(2) provide to the Indian tribe a written notice of approval or disapproval of the appraisal.

''(c) FAILURE OF SECRETARY TO APPROVE OR DISAPPROVE.—If, after 60 days, the Secretary has failed to approve or disapprove any appraisal received, the appraisal shall be deemed approved.

''(d) OPTION TO INDIAN TRIBES TO WAIVE APPRAISAL.—

''(1) An Indian tribe wishing to waive the requirements of subsection (a), may do so after it has satisfied the requirements of paragraphs (2) and (3).

''(2) An Indian tribe wishing to forego the necessity of a waiver pursuant to this section must provide to the Secretary a written resolution, statement, or other unambiguous indication of tribal intent, duly approved by the governing body of the Indian tribe.

''(3) The unambiguous indication of intent provided by the Indian tribe to the Secretary under paragraph (2) must include an express waiver by the Indian tribe of any claims for damages it might have against the United States as a result of the lack of an appraisal undertaken.

''(e) DEFINITION.—For purposes of this subsection, the term 'appraisal' includes appraisals and other estimates of value.

''(f) REGULATIONS.—The Secretary shall develop regulations for implementing this section, including standards the Secretary shall use for approving or disapproving an appraisal.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (42 U.S.C. 13201 note) is amended by adding at the end of the items relating to title XXVI the following:

''Sec. 2607. Appraisal reforms.''.

**SEC. 3. STANDARDIZATION.**

As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall implement procedures to ensure that each agency within the Department of the Interior that is involved in the review, approval, and oversight of oil and gas activities on Indian lands shall use a uniform system of reference numbers and tracking systems for oil and gas wells.

**SEC. 4. ENVIRONMENTAL REVIEWS OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.**

Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended by inserting ''(a) IN GENERAL.—'' before the first sentence, and by adding at the end the following:

''(b) REVIEW OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.—

''(1) REVIEW AND COMMENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the statement required under subsection (a)(2)(C) for a major Federal action regarding an activity on Indian lands of an Indian tribe shall only be available for review and comment by the members of the Indian tribe, other individuals residing within the affected area, and State, federally recognized tribal, and local governments within the affected area.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to a statement for a major Federal action regarding an activity on Indian lands of an Indian tribe related to gaming under the Indian Gaming Regulatory Act.

''(2) REGULATIONS.—The Chairman of the Council on Environmental Quality shall develop regulations to implement this section, including descriptions of affected areas for specific major Federal actions, in consultation with Indian tribes.

''(3) DEFINITIONS.—In this subsection, each of the terms 'Indian land' and 'Indian tribe' has the meaning given that term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

''(4) CLARIFICATION OF AUTHORITY.—Nothing in the Native American Energy Act, except section 6 of that Act, shall give the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act lands.''.

**SEC. 5. JUDICIAL REVIEW.**

(a) TIME FOR FILING COMPLAINT.—Any energy related action must be filed not later than the end of the 60-day period beginning on the date of the final agency action. Any energy related action not filed within this time period shall be barred.

(b) DISTRICT COURT VENUE AND DEADLINE.—All energy related actions—

(1) shall be brought in the United States District Court for the District of Columbia; and

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause of action is filed.

(c) APPELLATE REVIEW.—An interlocutory order or final judgment, decree or order of the district court in an energy related action may be reviewed by the United States Court of Appeals for the District of Columbia Circuit. The District of Columbia Circuit Court of Appeals shall resolve such appeal as expeditiously as possible, and in any event not more than 180 days after such interlocutory order or final judgment, decree or order of the district court was issued.

(d) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 504 of title 5, United States Code, or under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections, to any person or party in an energy related action.

(e) LEGAL FEES.—In any energy related action in which the plaintiff does not ultimately prevail, the court shall award to the defendant (including any intervenor-defendants), other than the United States, fees and other expenses incurred by that party in connection with the energy related action, unless the court finds that the position of the plaintiff was substantially justified or that special circumstances make an award unjust. Whether or not the position of the plaintiff was substantially justified shall be determined on the basis of the administrative record, as a whole, which is made in the energy related action for which fees and other expenses are sought.

(f) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) AGENCY ACTION.—The term ''agency action'' has the same meaning given such term in section 551 of title 5, United States Code.

(2) INDIAN LAND.—The term ''Indian Land'' has the same meaning given such term in section 203(c)(3) of the Energy Policy Act of 2005 (Public Law 109–58; 25 U.S.C. 3501), including lands owned by Native Corporations under the Alaska Native Claims Settlement Act (Public Law 92–203; 43 U.S.C. 1601).

(3) ENERGY RELATED ACTION.—The term ''energy related action'' means a cause of action that—

(A) is filed on or after the effective date of this Act; and

(B) seeks judicial review of a final agency action to issue a permit, license, or other form of agency permission allowing:

(i) any person or entity to conduct activities on Indian Land, which activities involve the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity; or

(ii) any Indian Tribe, or any organization of two or more entities, at least one of which is an Indian tribe, to conduct activities involving the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of where such activities are undertaken.

(4) ULTIMATELY PREVAIL.—The phrase ''ultimately prevail'' means, in a final enforceable judgment, the court rules in the party's favor on at least one cause of action which is an underlying rationale for the preliminary injunction, administrative stay, or other relief requested by the party, and does not include circumstances where the final agency action is modified or amended by the issuing agency unless such modification or amendment is required pursuant to a final enforceable judgment of the court or a court-ordered consent decree.

**SEC. 6. TRIBAL BIOMASS DEMONSTRATION PROJECT.**

The Tribal Forest Protection Act of 2004 is amended by inserting after section 2 (25 U.S.C. 3115a) the following:

**''SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.**

''(a) IN GENERAL.—For each of fiscal years 2016 through 2020, the Secretary shall enter

into stewardship contracts or other agreements, other than agreements that are exclusively direct service contracts, with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

''(b) DEFINITIONS.—The definitions in section 2 shall apply to this section.

''(c) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, the Secretary shall enter into contracts or other agreements described in subsection (a) to carry out at least 4 new demonstration projects that meet the eligibility criteria described in subsection (d).

''(d) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or other agreement under this subsection, an Indian tribe shall submit to the Secretary an application—

''(1) containing such information as the Secretary may require; and

''(2) that includes a description of—

''(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

''(B) the demonstration project proposed to be carried out by the Indian tribe.

''(e) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary—

''(1) shall take into consideration the factors set forth in paragraphs (1) and (2) of section 2(e) of Public Law 108–278; and whether a proposed demonstration project would—

''(A) increase the availability or reliability of local or regional energy;

''(B) enhance the economic development of the Indian tribe;

''(C) improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

''(D) improve the forest health or watersheds of Federal land or Indian forest land or rangeland; or

''(E) otherwise promote the use of woody biomass; and

''(2) shall exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

''(f) IMPLEMENTATION.—The Secretary shall—

''(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

''(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

''(g) REPORT.—Not later than one year subsequent to the date of enactment of this section, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

''(1) each individual tribal application received under this section; and

''(2) each contract and agreement entered into pursuant to this section.

''(h) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agreement, to the extent practicable, management plans (including forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

''(i) TERM.—A stewardship contract or other agreement entered into under this section—

''(1) shall be for a term of not more than 20 years; and

''(2) may be renewed in accordance with this section for not more than an additional 10 years.

**''SEC. 4. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.**

''The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects by which federally recognized Indian tribes or tribal organizations may contract to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).''.

**SEC. 7. TRIBAL RESOURCE MANAGEMENT PLANS.**

Unless otherwise explicitly exempted by Federal law enacted after the date of the enactment of this Act, any activity conducted or resources harvested or produced pursuant to a tribal resource management plan or an integrated resource management plan approved by the Secretary of the Interior under the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) or the American Indian Agricultural Resource Management Act (25 U.S.C. 3701 et seq.), shall be considered a sustainable management practice for purposes of any Federal standard, benefit, or requirement that requires a demonstration of such sustainability.

**SEC. 8. LEASES OF RESTRICTED LANDS FOR THE NAVAJO NATION.**

Subsection (e)(1) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(e)(1); commonly referred to as the ''Long-Term Leasing Act''), is amended—

(1) by striking '', except a lease for'' and inserting '', including leases for'';

(2) in subparagraph (A), by striking ''25'' the first place it appears and all that follows and inserting ''99 years;'';

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

(4) by adding at the end the following:

''(C) in the case of a lease for the exploration, development, or extraction of mineral resources, including geothermal resources, 25 years, except that any such lease may include an option to renew for one additional term not to exceed 25 years.''.

**SEC. 9. NONAPPLICABILITY OF CERTAIN RULES.**

No rule promulgated by the Department of the Interior regarding hydraulic fracturing used in the development or production of oil or gas resources shall have any effect on any land held in trust or restricted status for the benefit of Indians except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. Ben Ray LUJAN of New Mexico, moved to recommit the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

**SEC. 10. PHYSICAL INTEGRITY OF SACRED SITES.**

Nothing in this Act shall contravene the authority of the President to avoid adversely affecting the physical integrity of any site, identified as sacred by virtue of established religious significance to, or ceremonial use by, an Indian religion, under Executive Order 13007 (May 24, 1996).

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. HOLDING, announced that the noes had it.

Mr. Ben Ray LUJAN of New Mexico, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 184 / Nays ..... 239

¶125.13 [Roll No. 543]

YEAS—184

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

NAYS—239

| | | |
|---|---|---|
| Abraham | Black | Byrne |
| Aderholt | Blackburn | Calvert |
| Allen | Blum | Carter (GA) |
| Amash | Bost | Carter (TX) |
| Amodei | Boustany | Chabot |
| Babin | Brady (TX) | Chaffetz |
| Barletta | Bridenstine | Clawson (FL) |
| Barr | Brooks (AL) | Coffman |
| Barton | Brooks (IN) | Cole |
| Benishek | Buchanan | Collins (GA) |
| Bilirakis | Buck | Collins (NY) |
| Bishop (MI) | Bucshon | Comstock |
| Bishop (UT) | Burgess | Conaway |

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

NOT VOTING—11

Brat
Cleaver
Dingell
Hinojosa
Hudson
Payne
Pittenger
Reed
Sinema
Stutzman
Thornberry

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mrs. BLACK, announced that the ayes had it.

Mr. YOUNG of Alaska, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 254 Nays ..... 173

¶125.14 [Roll No. 544]

YEAS—254

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

NAYS—173

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

NOT VOTING—7

Cleaver
Dingell
Hinojosa
Hudson
Payne
Pittenger
Sinema

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶125.15 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore, Mr. BABIN, pursuant to 22 United States Code 6913, and the order of the House of January 6, 2015, announced that the Speaker appointed the following Member on the part of the House to the Congressional-Executive Commission on the People's Republic of China: Mrs. BLACK.

*Ordered*, That the Clerk notify the Senate of the foregoing appointment.

¶125.16 COUNCIL ON DISABILITY

The SPEAKER pro tempore, Mr. BABIN, pursuant to section 451 of the Workforce Innovation and Opportunity Act (Public Law 113-128), and the order of the House of January 6, 2015, announced that the Speaker appointed the following individual on the part of the House to the National Council on Disability: Lt. Colonel Daniel M. Gade, PhD., New Windsor, New York.

*Ordered*, That the Clerk notify the Senate of the foregoing appointment.

¶125.17 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's

table and, under the rule, referred as follows:

S. 32. An Act to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary; in addition, to the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2162. An Act to establish a 10-year term for the service of the Librarian of Congress; to the Committee on House Administration.

¶125.18 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 7, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 2835. An Act to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

¶125.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HUDSON, for today and October 9.

And then,

¶125.20 ADJOURNMENT

On motion of Mr. KILDEE, at 6 o'clock and 28 minutes p.m., the House adjourned.

¶125.21 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. VAN HOLLEN (for himself, Mrs. LOWEY, Ms. DELAURO, Mr. YARMUTH, Mr. PASCRELL, Mr. RYAN of Ohio, Ms. MOORE, Ms. CASTOR of Florida, Mr. MCDERMOTT, Ms. LEE, Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. DINGELL, Mr. TED LIEU of California, Mr. NORCROSS, and Mr. MOULTON):

H.R. 3708. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide for an increase in the discretionary spending limit for fiscal year 2016, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIQUIN (for himself and Mrs. KIRKPATRICK):

H.R. 3709. A bill to make permanent the pilot program administered by the Secretary of Veterans Affairs regarding enhanced contract care authority for the health care needs of veterans located in highly rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAMALFA (for himself, Mr. COSTA, Mr. LUCAS, Mr. DENHAM, Mr. AUSTIN SCOTT of Georgia, Mr. ROONEY of Florida, Mr. DESJARLAIS, Mr. FINCHER, Mr. ROUZER, Mrs. ELLMERS of North Carolina, and Mr. YOHO):

H.R. 3710. A bill to amend the Plant Protection Act with respect to authorized uses of methyl bromide, and for other purposes; to the Committee on Agriculture.

By Mr. VARGAS:

H.R. 3711. A bill to authorize the Secretary of the Interior to conduct a special resource study of Chicano Park, located in San Diego, California, and for other purposes; to the Committee on Natural Resources.

By Ms. LEE (for herself, Ms. BROWN of Florida, Mr. HONDA, Ms. CLARKE of New York, Ms. BORDALLO, Mrs. WATSON COLEMAN, Mr. GRIJALVA, and Ms. NORTON):

H.R. 3712. A bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. CONYERS, Ms. JACKSON LEE, Mr. LABRADOR, Mr. BISHOP of Michigan, Ms. JUDY CHU of California, Mr. CHABOT, Mr. NADLER, Mr. CHAFFETZ, Mr. COHEN, Mr. COLLINS of Georgia, Mr. DEUTCH, Mrs. MIMI WALTERS of California, Ms. DELBENE, Mr. TROTT, Mr. CICILLINE, Mr. ROONEY of Florida, and Mr. PIERLUISI):

H.R. 3713. A bill to reform sentencing laws, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOST (for himself, Ms. MENG, Mr. CHABOT, Mr. CURBELO of Florida, and Mr. ROONEY of Florida):

H.R. 3714. A bill to amend the Small Business Act to allow the Small Business Administration to establish size standards for small agricultural enterprises using the same process for establishing size standards for small business concerns, and for other purposes; to the Committee on Small Business.

By Ms. BROWN of Florida:

H.R. 3715. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to permit interments, funerals, memorial services, and ceremonies of deceased veterans at national cemeteries and State cemeteries receiving grants from the Department of Veterans Affairs during certain weekends if requested for religious reasons; to the Committee on Veterans' Affairs.

By Mr. BUCSHON (for himself, Mr. WELCH, and Mr. BUTTERFIELD):

H.R. 3716. A bill to amend title XIX of the Social Security Act to require States to provide to the Secretary of Health and Human Services certain information with respect to provider terminations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FATTAH:

H.R. 3717. A bill to provide for the establishment of a grant program to support United States-Israel cooperation for neuroscience-related research and related technological innovation, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROSKAM (for himself and Mr. CARNEY):

H.R. 3718. A bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUINTA (for himself and Ms. KUSTER):

H.R. 3719. A bill to provide for the comprehensive approach to eradication of the heroin epidemic, to develop the best practices in law enforcement and prescription medication prescribing practices, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Ms. NORTON, Mrs. KIRKPATRICK, Mr. HUFFMAN, Mr. LOWENTHAL, Ms. TSONGAS, Mrs. NAPOLITANO, Mr. HONDA, Mr. TONKO, Ms. BORDALLO, Mr. THOMPSON of California, Mr. BLUMENAUER, Ms. MATSUI, Mr. GARAMENDI, Mr. TED LIEU of California, Mr. PETERS, Mr. CONNOLLY, Mr. PERLMUTTER, and Mrs. TORRES):

H.R. 3720. A bill to encourage water efficiency; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, Armed Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINOJOSA (for himself, Mr. POLIS, and Mr. GRIJALVA):

H.R. 3721. A bill to expand the use of open textbooks in order to achieve savings for students; to the Committee on Education and the Workforce.

By Ms. MCSALLY (for herself, Mr. ASHFORD, Mr. CUELLAR, Mr. PETERSON, Mr. MCCAUL, Mrs. MIMI WALTERS of California, Mr. WALZ, and Mr. CURBELO of Florida):

H.R. 3722. A bill to strengthen our mental health system and improve public safety; to the Committee on the Judiciary, and in addition to the Committees on Science, Space, and Technology, Veterans' Affairs, Appropriations, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mr. CONNOLLY, Mr. QUIGLEY, and Mr. POE of Texas):

H.R. 3723. A bill to provide for media coverage of Federal appellate court proceedings, and for other purposes; to the Committee on the Judiciary.

By Mrs. NOEM (for herself and Mr. ROSKAM):

H.R. 3724. A bill to amend the Internal Revenue Code of 1986 to prohibit the Commissioner of the Internal Revenue Service from rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct; to the Committee on Ways and Means.

By Mr. PIERLUISI:

H.R. 3725. A bill to authorize the Secretary of the Treasury to guarantee principal and interest payments on bonds issued by the government of the U.S. territory of Puerto Rico, including its public corporations and instrumentalities, on the condition that the government of the territory demonstrates meaningful improvement in the management of its public finances, and for other purposes; to the Committee on Financial Services.

By Mr. ROONEY of Florida:

H.R. 3726. A bill to amend title 23, United States Code, to authorize States to issue special permits to allow the operation of vehicles of up to 95,000 pounds on Interstate System highways for the hauling of livestock; to the Committee on Transportation and Infrastructure.

By Ms. SCHAKOWSKY (for herself, Mr. DEUTCH, Mr. GRIJALVA, Mr. RANGEL,

Ms. NORTON, Ms. DELAURO, Mr. MCDERMOTT, Mr. TAKANO, Mrs. CAPPS, Mr. GUTIÉRREZ, and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 3727. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Energy and Commerce.

By Mr. SCHWEIKERT:

H.R. 3728. A bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to modify the requirement to impose sanctions with respect to the provision of specialized financial messaging services to the Central Bank of Iran and other sanctioned Iranian financial institutions, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. OLSON, and Mr. DUFFY):

H.R. 3729. A bill to amend the Public Health Service Act to prohibit certain research on human fetal tissue obtained pursuant to an abortion; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER:

H.R. 3730. A bill to authorize unused visas numbers made available under section 101(a)(15)(E)(iii) of the Immigration and Nationality Act to be made available to nationals of Ireland, and for other purposes; to the Committee on the Judiciary.

By Mr. CARNEY:

H.J. Res. 69. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DEFAZIO (for himself, Mr. WALDEN, Mr. BLUMENAUER, Mr. SCHRADER, and Ms. BONAMICI):

H. Con. Res. 85. Concurrent resolution condemning the senseless murder and wounding of 18 people, sons, daughters, fathers, mothers, uncles, aunts, cousins, students, and teachers, in Roseburg, Oregon on October 1, 2015; to the Committee on Oversight and Government Reform.

By Mr. THOMPSON of California (for himself, Ms. ESTY, Mr. FATTAH, Ms. KELLY of Illinois, Mrs. NAPOLITANO, Mr. NOLAN, Mr. PERLMUTTER, Mr. PRICE of North Carolina, Miss RICE of New York, Mr. SCOTT of Virginia, Ms. SPEIER, Mr. THOMPSON of Mississippi, and Ms. PELOSI):

H. Res. 467. A resolution establishing the Select Committee on Gun Violence Prevention; to the Committee on Rules.

By Mr. DENT (for himself, Mr. LARSON of Connecticut, Ms. ESTY, Mr. COSTA, Ms. DELAURO, Mr. GIBSON, Ms. HAHN, and Mr. MICHAEL F. DOYLE of Pennsylvania):

H. Res. 468. A resolution expressing support for designation of October 8, 2015, as ''National Hydrogen and Fuel Cell Day''; to the Committee on Oversight and Government Reform.

By Mr. BISHOP of Michigan (for himself, Mr. TURNER, Mr. ZINKE, Mr. DONOVAN, Ms. MCSALLY, Mr. RIBBLE, Ms. KAPTUR, Mr. TED LIEU of California, Mr. WILSON of South Carolina, Mrs. ROBY, Mr. RUSSELL, and Mr. BYRNE):

H. Res. 469. A resolution urging North Atlantic Treaty Organization (NATO) member countries to meet or exceed the two percent gross domestic product commitment to spending on defense; to the Committee on Foreign Affairs.

By Mrs. CAPPS (for herself and Mr. JOYCE):

H. Res. 470. A resolution congratulating the National Institute of Nursing Research on the occasion of its 30th Anniversary; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself, Ms. JUDY CHU of California, Mr. VARGAS, Mr. TED LIEU of California, Mr. MCDERMOTT, Ms. JACKSON LEE, Mr. SCOTT of Virginia, Ms. GABBARD, Mr. KILMER, Mr. GRIJALVA, Ms. LOFGREN, Ms. MENG, Mr. SWALWELL of California, Mr. FARR, Mr. BECERRA, Mr. PETERS, Ms. LEE, Ms. BORDALLO, Mr. SCHIFF, Ms. ESHOO, and Ms. BASS):

H. Res. 471. A resolution recognizing Filipino American History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; to the Committee on Oversight and Government Reform.

By Mr. HONDA (for himself, Mr. LARSEN of Washington, Ms. NORTON, Mr. PERLMUTTER, Mr. TONKO, Mr. NADLER, Mr. KILMER, Mr. SERRANO, Ms. EDWARDS, Mr. BLUMENAUER, Mr. LIPINSKI, Mr. DEFAZIO, Mr. HECK of Washington, Mr. POLIS, Mr. VAN HOLLEN, Mr. FOSTER, Mr. LOWENTHAL, Mrs. DAVIS of California, Mr. CÁRDENAS, Ms. BONAMICI, Ms. MCCOLLUM, Mr. PETERS, Mr. KEATING, Ms. LOFGREN, Mr. TED LIEU of California, Ms. SPEIER, Mr. COSTA, Mr. BECERRA, Mr. KENNEDY, Mr. BUTTERFIELD, Mr. FATTAH, Mr. SWALWELL of California, Mr. FARR, Ms. CLARK of Massachusetts, Mr. MCNERNEY, Mr. TAKANO, and Mr. TAKAI):

H. Res. 472. A resolution expressing support for designation of the week of October 11, 2015, through October 17, 2015, as ''Earth Science Week''; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H. Res. 473. A resolution expressing support for the designation of June as National Gun Violence Awareness Month and calling on Congress to address gun violence; to the Committee on the Judiciary, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## ¶125.22 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 10: Mr. MEADOWS.
H.R. 167: Mr. WHITFIELD.
H.R. 288: Mr. JOLLY.
H.R. 304: Ms. BONAMICI.
H.R. 546: Mr. ROHRABACHER.
H.R. 592: Ms. ROYBAL-ALLARD.
H.R. 602: Mr. CONYERS, Mr. YOUNG of Alaska, and Mr. DENT.
H.R. 674: Mrs. NAPOLITANO and Mr. CURBELO of Florida.
H.R. 771: Mrs. NOEM.
H.R. 775: Mr. DENT.
H.R. 776: Mr. VALADAO.
H.R. 793: Ms. JUDY CHU of California.
H.R. 845: Mr. RYAN of Wisconsin.
H.R. 855: Mr. LONG.
H.R. 870: Ms. DELAURO.
H.R. 953: Mr. YARMUTH.
H.R. 969: Mrs. TORRES, Mrs. CAROLYN B. MALONEY of New York, and Mr. GRAVES of Louisiana.
H.R. 985: Mrs. NOEM and Mr. SIRES.
H.R. 1142: Mr. YOUNG of Iowa.
H.R. 1149: Mr. JODY B. HICE of Georgia.
H.R. 1188: Ms. PINGREE.
H.R. 1197: Mr. BERA, Ms. FUDGE, and Mr. CRENSHAW.
H.R. 1217: Ms. ADAMS, Mr. AGUILAR, Ms. BASS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CASTRO of Texas, Mr. CLEAVER, Ms. FUDGE, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. GABBARD, Mr. FATTAH, Mr. GUTIÉRREZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KEATING, Ms. KUSTER, Ms. LEE, Mr. LEVIN, Mr. LOEBSACK, Mr. MOULTON, Mr. NEAL, Mr. PAYNE, Mr. RUPPERSBERGER, Mr. RUSH, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Ms. SPEIER, Mr. TAKAI, Mr. VEASEY, Mrs. BEATTY, Ms. BROWN of Florida, Ms. CLARKE of New York, Mr. CLAY, Mr. COSTA, Mr. GRIJALVA, Mr. HINOJOSA, Ms. KAPTUR, Ms. PLASKETT, Mr. RUIZ, Mr. SARBANES, Mr. DAVID SCOTT of Georgia, and Mrs. WATSON COLEMAN.
H.R. 1233: Mr. MOONEY of West Virginia.
H.R. 1258: Mr. FATTAH.
H.R. 1388: Mr. PEARCE.
H.R. 1401: Ms. BORDALLO.
H.R. 1427: Mr. CUMMINGS, Ms. BASS, and Mr. SMITH of Missouri.
H.R. 1453: Mr. VARGAS and Mr. SENSENBRENNER.
H.R. 1516: Mr. DUNCAN of Tennessee.
H.R. 1550: Ms. SEWELL of Alabama and Mr. NEUGEBAUER.
H.R. 1559: Mr. PERRY.
H.R. 1603: Mr. CÁRDENAS.
H.R. 1608: Mr. TURNER, Mr. KENNEDY, and Mr. ROONEY of Florida.
H.R. 1627: Mr. PIERLUISI and Mr. CURBELO of Florida.
H.R. 1671: Mr. POMPEO.
H.R. 1686: Mr. COSTELLO of Pennsylvania.
H.R. 1786: Ms. WASSERMAN SCHULTZ and Mr. O'ROURKE.
H.R. 1853: Mr. BISHOP of Michigan.
H.R. 1854: Mr. CHABOT.
H.R. 1877: Mr. YARMUTH.
H.R. 1986: Mr. YOHO.
H.R. 2017: Mr. ROTHFUS and Mr. VALADAO.
H.R. 2077: Mr. DUNCAN of Tennessee.
H.R. 2217: Ms. MOORE.
H.R. 2237: Mr. JONES.
H.R. 2248: Mr. ENGEL.
H.R. 2266: Mr. DUNCAN of Tennessee and Mr. VEASEY.
H.R. 2293: Ms. ROYBAL-ALLARD, Mrs. WATSON COLEMAN, and Mr. HANNA.
H.R. 2322: Mr. NADLER.
H.R. 2366: Mr. DESJARLAIS.
H.R. 2368: Ms. BROWNLEY of California.
H.R. 2450: Mr. MCGOVERN.
H.R. 2477: Ms. STEFANIK, Mr. WALBERG, and Ms. DUCKWORTH.
H.R. 2493: Mr. FOSTER.
H.R. 2494: Mr. HANNA.
H.R. 2513: Mr. VALADAO.
H.R. 2597: Mr. SENSENBRENNER.
H.R. 2646: Mr. SIMPSON, Mr. STEWART, and Mr. ROYCE.
H.R. 2657: Mr. TROTT.
H.R. 2667: Mrs. BROOKS of Indiana.
H.R. 2698: Mrs. NOEM and Mr. GIBBS.
H.R. 2710: Mr. ROGERS of Alabama and Mr. PALAZZO.
H.R. 2713: Mr. FATTAH.
H.R. 2716: Mr. SCHWEIKERT.
H.R. 2730: Mr. HASTINGS.
H.R. 2732: Mr. BLUMENAUER.
H.R. 2759: Mr. POCAN.
H.R. 2808: Mrs. DAVIS of California.
H.R. 2855: Ms. JUDY CHU of California and Mr. MCGOVERN.
H.R. 2863: Mr. DESANTIS.
H.R. 2880: Mr. HONDA, Mrs. WATSON COLEMAN, Mr. DESAULNIER, Mr. MURPHY of Florida, and Mr. CONNOLLY.
H.R. 2894: Mr. FITZPATRICK.
H.R. 2896: Mr. BUCK.

H.R. 2903: Mr. MARCHANT, Ms. LOFGREN, and Mr. ROSS.
H.R. 2923: Mr. BOUSTANY.
H.R. 2994: Mr. MOULTON.
H.R. 3024: Mr. NUNES.
H.R. 3033: Mr. ASHFORD, Mr. MESSER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PALAZZO, and Mr. SMITH of New Jersey.
H.R. 3036: Mr. REED.
H.R. 3151: Mr. FORBES.
H.R. 3221: Mr. HONDA.
H.R. 3222: Mr. WOMACK.
H.R. 3225: Mr. THORNBERRY.
H.R. 3229: Mr. DESJARLAIS, Mr. REED, Mr. HARPER, and Mr. LOEBSACK.
H.R. 3299: Mr. HUNTER.
H.R. 3314: Mr. BRADY of Texas.
H.R. 3351: Mr. LOEBSACK and Mr. CUMMINGS.
H.R. 3364: Mr. POCAN.
H.R. 3366: Ms. JUDY CHU of California and Mr. SWALWELL of California.
H.R. 3381: Ms. JUDY CHU of California and Mr. DUFFY.
H.R. 3384: Mr. FARR.
H.R. 3418: Mr. HIGGINS and Mrs. TORRES.
H.R. 3423: Mrs. BEATTY.
H.R. 3463: Mr. HASTINGS.
H.R. 3468: Mrs. BUSTOS.
H.R. 3471: Ms. JUDY CHU of California.
H.R. 3473: Mr. MCCLINTOCK.
H.R. 3480: Mr. COLLINS of Georgia and Mr. DAVID SCOTT of Georgia.
H.R. 3488: Mr. CRAMER, Mr. BUCK, and Ms. STEFANIK.
H.R. 3513: Mr. CARTWRIGHT.
H.R. 3518: Mr. BEYER.
H.R. 3532: Mr. MCCLINTOCK and Ms. KUSTER.
H.R. 3559: Mr. CONNOLLY.
H.R. 3573: Mr. HENSARLING.
H.R. 3580: Mr. STIVERS.
H.R. 3628: Mr. LOUDERMILK.
H.R. 3634: Mr. SWALWELL of California.
H.R. 3640: Mr. HASTINGS.
H.R. 3652: Mr. DEUTCH, Mr. BLUMENAUER, Ms. EDWARDS, and Mr. CICILLINE.
H.R. 3664: Mr. SWALWELL of California and Mr. TED LIEU of California.
H.R. 3666: Mr. GRAVES of Missouri, Mr. LONG, and Mr. FITZPATRICK.
H.R. 3696: Mr. LEVIN, Mr. PALLONE, Ms. SCHAKOWSKY, and Mr. BLUMENAUER.
H.R. 3707: Ms. NORTON and Ms. MOORE.
H. Con. Res. 75: Ms. JUDY CHU of California, Ms. ESTY, and Mr. SWALWELL of California.
H. Res. 112: Mrs. HARTZLER.
H. Res. 203: Mr. BUTTERFIELD.
H. Res. 289: Mr. BLUMENAUER.
H. Res. 348: Mr. DONOVAN and Mr. DESANTIS.
H. Res. 354: Mr. LIPINSKI.
H. Res. 416: Mrs. CAROLYN B. MALONEY of New York, Ms. SLAUGHTER, and Mr. DAVID SCOTT of Georgia.
H. Res. 419: Mr. DEUTCH.
H. Res. 429: Mr. HONDA.
H. Res. 440: Mr. MOOLENAAR, Mr. WEBER of Texas, Ms. ESHOO, and Mr. BISHOP of Michigan.
H. Res. 445: Ms. ADAMS.
H. Res. 456: Ms. FUDGE.

## FRIDAY, OCTOBER 9, 2015 (126)

¶126.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. GRAVES of Louisiana, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 9, 2015.*

I hereby appoint the Honorable GARRET GRAVES to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

¶126.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced he had examined and approved the Journal of the proceedings of Thursday, October 8, 2015.

Mr. HECK of Washington, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that the ayes had it.

Mr. HECK of Washington, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶126.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3144. A letter from the Legal Counsel, Equal Employment Opportunity Commission, transmitting the Commission's correcting amendments — Apprenticeship Programs; Corrections (RIN: 3046-AA72) received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3145. A letter from the Deputy Chief, Auctions and Spectrum Access Division, Wireline Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Procedures for Competitive Bidding in Auction 1000, Including Initial Clearing Target Determination, Qualifying to Bid, and Bidding in Auctions 1001 (Reverse) and 1002 (Forward) [AU Docket No.: 14-252] [GN Docket No.: 12-268] [WT Docket No.: 12-269] [MB Docket No.: 15-146] received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3146. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment to the Commission's Rules Concerning Market Modification; Implementation of Section 102 of the STELA Reauthorization Act of 2014 [MB Docket No.: 15-71] received October 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3147. A letter from the Secretary, Department of Veterans Affairs, transmitting a letter reporting the FY 2015 expenditures from the Pershing Hall Revolving Fund for projects, activities, and facilities that support the mission of the Department of Veterans Affairs, pursuant to Public Law 102-86, Sec. 403(d)(6)(C); to the Committee on Veterans' Affairs.

3148. A letter from the Under Secretary, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's annual report to Congress on the Defense Environmental Programs for FY 2014, pursuant to 10 U.S.C. 2711; jointly to the Committees on Armed Services and Energy and Commerce.

¶126.4 RECESS—9:13 A.M.

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, pursuant to clause 12(a) of rule I, declared the House in recess at 9 o'clock and 13 minutes a.m., subject to the call of the Chair.

¶126.5 AFTER RECESS—10:02 A.M.

The SPEAKER pro tempore, Mr. BOST, called the House to order.

¶126.6 CRUDE OIL MARKET CONDITIONS

The SPEAKER pro tempore, Mr. BOST, pursuant to House Resolution 466 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 702) to adapt to changing crude oil market conditions.

The SPEAKER pro tempore, Mr. BOST, by unanimous consent, designated Mr. HULTGREN as Chairman of the Committee of the Whole; and after some time spent therein,

¶126.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in Part B of House Report 114-290, submitted by Mr. AMASH:

Page 2, lines 3 through 15, strike paragraphs (5) and (6).

Page 3, line 18, through page 4, line 21, strike section 6.

It was decided in the negative ..... { Ayes ..... 109 / Noes ..... 306

¶126.8 [Roll No. 545]

AYES—109

| | | |
|---|---|---|
| Allen | Hice, Jody B. | Pitts |
| Amash | Holding | Polis |
| Amodei | Huelskamp | Pompeo |
| Barr | Huizenga (MI) | Posey |
| Bilirakis | Hultgren | Ratcliffe |
| Black | Hurt (VA) | Renacci |
| Blackburn | Jenkins (KS) | Ribble |
| Blumenauer | Johnson, Sam | Rice (SC) |
| Brat | Jones | Rohrabacher |
| Brooks (AL) | Jordan | Rokita |
| Buck | Kelly (MS) | Rooney (FL) |
| Bucshon | Kelly (PA) | Roskam |
| Burgess | King (IA) | Rothfus |
| Carter (GA) | Labrador | Royce |
| Chabot | LaHood | Salmon |
| Clawson (FL) | Lamborn | Schweikert |
| Coffman | Loudermilk | Scott, Austin |
| Collins (GA) | Love | Sensenbrenner |
| Conaway | Luetkemeyer | Smith (MO) |
| Culberson | Marchant | Smith (NE) |
| DeSantis | Massie | Smith (TX) |
| DesJarlais | McClintock | Stewart |
| Duffy | McHenry | Stutzman |
| Duncan (SC) | McMorris Rodgers | Tipton |
| Emmer (MN) | Meadows | Wagner |
| Farenthold | Messer | Walker |
| Fortenberry | Miller (FL) | Walters, Mimi |
| Foxx | Moolenaar | Weber (TX) |
| Gohmert | Mooney (WV) | Wenstrup |
| Gosar | Mulvaney | Westmoreland |
| Gowdy | Neugebauer | Williams |
| Graves (GA) | Newhouse | Woodall |
| Grothman | Palmer | Yoder |
| Guthrie | Paulsen | Yoho |
| Harris | Perry | Young (IA) |
| Heck (NV) | Pittenger | Young (IN) |
| Herrera Beutler | | |

NOES—306

| | | |
|---|---|---|
| Abraham | Babin | Becerra |
| Adams | Barletta | Benishek |
| Aderholt | Barton | Bera |
| Aguilar | Bass | Beyer |
| Ashford | Beatty | Bishop (GA) |

Bishop (MI)
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Guinta
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Hensarling
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—19

Bishop (UT)
Blum
Clyburn
DeFazio
DeLauro
Dingell
Foster
Frankel (FL)
Grijalva
Gutiérrez
Hudson
Kaptur
Kind
Knight
Payne
Sanford
Sinema
Wilson (FL)
Wilson (SC)

So the amendment was not agreed to.

¶126.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in Part B of House Report 114-290, submitted by Mr. MESSER:

Page 3, line 15, strike ''or''.

Page 3, line 17, after ''(42 U.S.C. 6271 et seq.)'' insert the following: '', the Trading With the Enemy Act (50 U.S.C. App. 1 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a foreign government that is designated as a state sponsor of terrorism,''.

It was decided in the affirmative ..... { Ayes ..... 414 / Noes ..... 1

¶126.10 [Roll No. 546]

AYES—414

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—1

Speier

NOT VOTING—19

Clyburn
DeFazio
DeLauro
Dingell
Grijalva
Hudson
Hurt (VA)
Issa
Kind
Knight
Luján, Ben Ray (NM)
Marchant
Nunes
Payne
Sanford
Sinema
Smith (NJ)
Wilson (FL)
Wilson (SC)

So the amendment was agreed to.

¶126.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment numbered 6, printed in Part B of House Report 114-290, submitted by Mr. MESSER:

Add at the end the following:

**SEC. 7. PROHIBITION ON EXPORTS OF CRUDE OIL, REFINED PETROLEUM PRODUCTS, AND PETROCHEMICAL PRODUCTS TO THE ISLAMIC REPUBLIC OF IRAN.**

Nothing in this Act shall be construed to authorize the export of crude oil, refined petroleum products, and petrochemical products by or through any entity or person, wherever located, subject to the jurisdiction of the United States to any entity or person located in, subject to the jurisdiction of, or sponsored by the Islamic Republic of Iran.

It was decided in the affirmative ..... { Ayes ..... 419 / Noes ..... 0

¶126.12 [Roll No. 547]

AYES—419

| | | |
|---|---|---|
| Abraham | Conaway | Granger |
| Adams | Connolly | Graves (GA) |
| Aderholt | Conyers | Graves (LA) |
| Aguilar | Cook | Graves (MO) |
| Allen | Cooper | Grayson |
| Amash | Costa | Green, Al |
| Amodei | Costello (PA) | Green, Gene |
| Ashford | Courtney | Griffith |
| Babin | Cramer | Grothman |
| Barletta | Crawford | Guinta |
| Barr | Crenshaw | Guthrie |
| Barton | Crowley | Gutiérrez |
| Bass | Cuellar | Hahn |
| Beatty | Culberson | Hanna |
| Becerra | Cummings | Hardy |
| Benishek | Curbelo (FL) | Harper |
| Bera | Davis (CA) | Harris |
| Beyer | Davis, Danny | Hartzler |
| Bilirakis | Davis, Rodney | Hastings |
| Bishop (GA) | DeGette | Heck (NV) |
| Bishop (MI) | Delaney | Heck (WA) |
| Bishop (UT) | DelBene | Hensarling |
| Black | Denham | Herrera Beutler |
| Blackburn | Dent | Hice, Jody B. |
| Blum | DeSantis | Higgins |
| Blumenauer | DeSaulnier | Hill |
| Bonamici | DesJarlais | Himes |
| Bost | Deutch | Hinojosa |
| Boustany | Diaz-Balart | Holding |
| Boyle, Brendan F. | Doggett | Honda |
| | Dold | Hoyer |
| Brady (PA) | Donovan | Huelskamp |
| Brady (TX) | Doyle, Michael F. | Huffman |
| Brat | | Huizenga (MI) |
| Bridenstine | Duckworth | Hultgren |
| Brooks (AL) | Duffy | Hunter |
| Brooks (IN) | Duncan (SC) | Hurd (TX) |
| Brown (FL) | Duncan (TN) | Hurt (VA) |
| Brownley (CA) | Edwards | Israel |
| Buchanan | Ellison | Issa |
| Buck | Ellmers (NC) | Jackson Lee |
| Bucshon | Emmer (MN) | Jeffries |
| Burgess | Engel | Jenkins (KS) |
| Bustos | Eshoo | Jenkins (WV) |
| Butterfield | Esty | Johnson (GA) |
| Byrne | Farenthold | Johnson (OH) |
| Calvert | Farr | Johnson, E. B. |
| Capps | Fattah | Johnson, Sam |
| Capuano | Fincher | Jolly |
| Cárdenas | Fitzpatrick | Jones |
| Carney | Fleischmann | Jordan |
| Carson (IN) | Fleming | Joyce |
| Carter (GA) | Flores | Kaptur |
| Carter (TX) | Forbes | Katko |
| Cartwright | Fortenberry | Keating |
| Castor (FL) | Foster | Kelly (IL) |
| Castro (TX) | Foxx | Kelly (MS) |
| Chabot | Frankel (FL) | Kelly (PA) |
| Chaffetz | Franks (AZ) | Kennedy |
| Chu, Judy | Frelinghuysen | Kildee |
| Cicilline | Fudge | Kilmer |
| Clark (MA) | Gabbard | King (IA) |
| Clarke (NY) | Gallego | King (NY) |
| Clawson (FL) | Garamendi | Kinzinger (IL) |
| Clay | Garrett | Kirkpatrick |
| Cleaver | Gibbs | Kline |
| Coffman | Gibson | Kuster |
| Cohen | Gohmert | Labrador |
| Cole | Goodlatte | LaHood |
| Collins (GA) | Gosar | Lamborn |
| Collins (NY) | Gowdy | Lance |
| Comstock | Graham | Langevin |
| Larsen (WA) | O'Rourke | Sherman |
| Larson (CT) | Olson | Shimkus |
| Latta | Palazzo | Shuster |
| Lawrence | Pallone | Simpson |
| Lee | Palmer | Sires |
| Levin | Pascrell | Slaughter |
| Lewis | Paulsen | Smith (MO) |
| Lieu, Ted | Pearce | Smith (NE) |
| Lipinski | Pelosi | Smith (NJ) |
| LoBiondo | Perlmutter | Smith (TX) |
| Loebsack | Perry | Smith (WA) |
| Lofgren | Peters | Speier |
| Long | Peterson | Stefanik |
| Loudermilk | Pingree | Stewart |
| Love | Pittenger | Stivers |
| Lowenthal | Pitts | Stutzman |
| Lowey | Pocan | Swalwell (CA) |
| Lucas | Poe (TX) | Takai |
| Luetkemeyer | Poliquin | Takano |
| Lujan Grisham (NM) | Polis | Thompson (CA) |
| | Pompeo | Thompson (MS) |
| Luján, Ben Ray (NM) | Price (NC) | Thompson (PA) |
| | Price, Tom | Thornberry |
| Lummis | Quigley | Tiberi |
| Lynch | Rangel | Tipton |
| MacArthur | Ratcliffe | Titus |
| Maloney, Carolyn | Reed | Tonko |
| | Reichert | Torres |
| Maloney, Sean | Renacci | Trott |
| Marchant | Ribble | Tsongas |
| Marino | Rice (NY) | Turner |
| Massie | Rice (SC) | Upton |
| Matsui | Richmond | Valadao |
| McCarthy | Rigell | Van Hollen |
| McCaul | Roby | Vargas |
| McClintock | Roe (TN) | Veasey |
| McCollum | Rogers (AL) | Vela |
| McDermott | Rogers (KY) | Velázquez |
| McGovern | Rohrabacher | Visclosky |
| McHenry | Rokita | Wagner |
| McKinley | Rooney (FL) | Walberg |
| McMorris Rodgers | Ros-Lehtinen | Walden |
| | Roskam | Walker |
| McNerney | Ross | Walorski |
| McSally | Rothfus | Walters, Mimi |
| Meadows | Rouzer | Walz |
| Meehan | Roybal-Allard | Wasserman Schultz |
| Meeks | Royce | |
| Meng | Ruiz | Waters, Maxine |
| Messer | Ruppersberger | Watson Coleman |
| Mica | Rush | Weber (TX) |
| Miller (FL) | Russell | Webster (FL) |
| Miller (MI) | Ryan (OH) | Welch |
| Moolenaar | Ryan (WI) | Wenstrup |
| Mooney (WV) | Salmon | Westerman |
| Moore | Sánchez, Linda T. | Westmoreland |
| Moulton | | Whitfield |
| Mullin | Sanchez, Loretta | Williams |
| Mulvaney | Sarbanes | Wittman |
| Murphy (FL) | Scalise | Womack |
| Murphy (PA) | Schakowsky | Woodall |
| Nadler | Schiff | Yarmuth |
| Napolitano | Schrader | Yoder |
| Neal | Schweikert | Yoho |
| Neugebauer | Scott (VA) | Young (AK) |
| Newhouse | Scott, Austin | Young (IA) |
| Noem | Scott, David | Young (IN) |
| Nolan | Sensenbrenner | Zeldin |
| Norcross | Serrano | Zinke |
| Nugent | Sessions | |
| Nunes | Sewell (AL) | |

NOT VOTING—15

| | | |
|---|---|---|
| Clyburn | Hudson | Posey |
| DeFazio | Kind | Sanford |
| DeLauro | Knight | Sinema |
| Dingell | LaMalfa | Wilson (FL) |
| Grijalva | Payne | Wilson (SC) |

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. DOLD, assumed the Chair.

When Mr. HULTGREN, Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 466, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. FINDINGS.**

The Congress finds the following:

(1) The United States has enjoyed a renaissance in energy production, establishing the United States as the world's leading oil producer.

(2) By authorizing crude oil exports, the Congress can spur domestic energy production, create and preserve jobs, help maintain and strengthen our independent shipping fleet that is essential to national defense, and generate State and Federal revenues.

(3) An energy-secure United States that is a net exporter of energy has the potential to transform the security environment around the world, notably in Europe and the Middle East.

(4) For our European allies and Israel, the presence of more United States oil in the market will offer more secure supply options, which will strengthen United States strategic alliances and help curtail the use of energy as a political weapon.

(5) The 60-ship Maritime Security Fleet is a vital element of our military's strategic sealift and global response capability. It assures United States-flag ships and United States crews will be available to support the United States military when it needs to mobilize to protect our allies, and is the most prudent and economical solution to meet current and projected sealift requirements for the United States.

(6) The Maritime Security Fleet program provides a labor base of skilled American mariners who are available to crew the United States Government-owned strategic sealift fleet, as well as the United States commercial fleet, in both peace and war.

(7) The United States has reduced its oil consumption over the past decade, and increasing investment in clean energy technology and energy efficiency will lower energy prices, reduce greenhouse gas emissions, and increase national security.

**SEC. 2. REPEAL.**

Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) and the item relating thereto in the table of contents of that Act are repealed.

**SEC. 3. NATIONAL POLICY ON OIL EXPORT RESTRICTION.**

Notwithstanding any other provision of law, to promote the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including fossil fuels, no official of the Federal Government shall impose or enforce any restriction on the export of crude oil.

**SEC. 4. STUDY AND RECOMMENDATIONS.**

(a) STRATEGIC PETROLEUM RESERVE.—Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall conduct a study and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate recommendations on the appropriate size, composition, and purpose of the Strategic Petroleum Reserve.

(b) GREENHOUSE GAS EMISSIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall conduct, and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of, a study on the net greenhouse gas emissions that will result from the repeal of the crude oil export ban under section 2.

(c) STRATEGIC PETROLEUM RESERVE STUDY.—Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall conduct a study and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate recommendations on the appropriate size, composition, and purpose of the Strategic Petroleum Reserve.

(d) CRUDE OIL EXPORT STUDY.—

(1) IN GENERAL.—The Department of Commerce, in consultation with the Department of Energy, and other departments as appropriate, shall conduct a study of the State and national implications of lifting the crude oil export ban with respect to consumers and the economy.

(2) CONTENTS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the economic impact that exporting crude oil will have on the economy of the United States;

(B) the economic impact that exporting crude oil will have on consumers, taking into account impacts on energy prices;

(C) the economic impact that exporting crude oil will have on domestic manufacturing, taking into account impacts on employment; and

(D) the economic impact that exporting crude oil will have on the refining sector, taking into account impacts on employment.

(3) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Bureau of Industry and Security shall submit to Congress a report containing the results of the study conducted under paragraph (1).

**SEC. 5. SAVINGS CLAUSE.**

Nothing in this Act limits the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the Enemy Act (50 U.S.C. App. 1 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a foreign government that is designated as a state sponsor of terrorism, to prohibit exports.

**SEC. 6. NATIONAL DEFENSE SEALIFT ENHANCEMENT.**

(a) PAYMENTS.—Section 53106(a)(1) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking the comma before ''for each'';

(2) in subparagraph (C), by striking ''2016, 2017, and 2018;'' and inserting ''and 2016'';

(3) by redesignating subparagraph (E) as subparagraph (G); and

(4) by striking subparagraph (D) and inserting the following:

''(D) $4,999,950 for fiscal year 2017;

''(E) $5,000,000 for each of fiscal years 2018, 2019, and 2020;

''(F) $5,233,463 for fiscal year 2021; and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 53111 of title 46, United States Code, is amended—

(1) in paragraph (3), by striking ''2016, 2017, and 2018;'' and inserting ''and 2016'';

(2) by redesignating paragraph (5) as paragraph (7); and

(3) by striking paragraph (4) and inserting the following:

''(4) $299,997,000 for fiscal year 2017;

''(5) $300,000,000 for each of fiscal years 2018, 2019, and 2020;

''(6) $314,007,780 for fiscal year 2021; and''.

**SEC. 7. PARTNERSHIPS WITH MINORITY SERVING INSTITUTIONS.**

(a) IN GENERAL.—The Department of Energy shall continue to develop and broaden partnerships with minority serving institutions, including Hispanic Serving Institutions (HSI) and Historically Black Colleges and Universities (HBCUs) in the areas of oil and gas exploration, production, midstream, and refining.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—The Department of Energy shall encourage public-private partnerships between the energy sector and minority serving institutions, including Hispanic Serving Institutions and Historically Black Colleges and Universities.

**SEC. 8. REPORT.**

Not later than 10 years after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report that reviews the impact of lifting the oil export ban under this Act as it relates to promoting United States energy and national security.

**SEC. 9. REPORT TO CONGRESS.**

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report analyzing how lifting the ban on crude oil exports will help create opportunities for veterans and women in the United States, while promoting energy and national security.

**SEC. 10. PROHIBITION ON EXPORTS OF CRUDE OIL, REFINED PETROLEUM PRODUCTS, AND PETROCHEMICAL PRODUCTS TO THE ISLAMIC REPUBLIC OF IRAN.**

Nothing in this Act shall be construed to authorize the export of crude oil, refined petroleum products, and petrochemical products by or through any entity or person, wherever located, subject to the jurisdiction of the United States to any entity or person located in, subject to the jurisdiction of, or sponsored by the Islamic Republic of Iran.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. HUFFMAN moved to recommit the bill to the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

Page 3, line 17, insert ''Nothing in this Act prevents the President or any other Federal official from enforcing Federal laws or regulations necessary to protect human health, the environment, or public safety, including the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Hazardous Liquid Pipeline Act of 1979 (Pub. L. 96–129), the Pipeline Safety Improvement Act of 2002 (Pub. L. 107–355), the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (Pub. L. 109–468), or the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Pub. L. 112–90).'' after ''prohibit exports.''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. DOLD, announced that the noes had it.

Mr. HUFFMAN demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Ayes ..... 179 / Noes ..... 242

¶126.13 [Roll No. 548]

AYES—179

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

NOES—242

| | | |
|---|---|---|
| Abraham | Costello (PA) | Guinta |
| Aderholt | Cramer | Guthrie |
| Allen | Crawford | Hanna |
| Amash | Crenshaw | Hardy |
| Amodei | Culberson | Harper |
| Ashford | Curbelo (FL) | Harris |
| Babin | Davis, Rodney | Hartzler |
| Barletta | Denham | Heck (NV) |
| Barr | Dent | Hensarling |
| Barton | DeSantis | Herrera Beutler |
| Benishek | DesJarlais | Hice, Jody B. |
| Bilirakis | Diaz-Balart | Hill |
| Bishop (MI) | Dold | Holding |
| Bishop (UT) | Donovan | Huelskamp |
| Black | Duffy | Huizenga (MI) |
| Blackburn | Duncan (SC) | Hultgren |
| Blum | Duncan (TN) | Hunter |
| Bost | Ellmers (NC) | Hurd (TX) |
| Boustany | Emmer (MN) | Hurt (VA) |
| Brady (TX) | Farenthold | Issa |
| Brat | Fincher | Jenkins (KS) |
| Bridenstine | Fitzpatrick | Jenkins (WV) |
| Brooks (AL) | Fleischmann | Johnson (OH) |
| Brooks (IN) | Fleming | Johnson, Sam |
| Buchanan | Flores | Jolly |
| Buck | Forbes | Jordan |
| Bucshon | Fortenberry | Joyce |
| Burgess | Foxx | Katko |
| Byrne | Franks (AZ) | Kelly (MS) |
| Calvert | Frelinghuysen | Kelly (PA) |
| Carter (GA) | Garrett | King (IA) |
| Carter (TX) | Gibbs | King (NY) |
| Chabot | Gibson | Kinzinger (IL) |
| Chaffetz | Gohmert | Kline |
| Clawson (FL) | Goodlatte | Labrador |
| Coffman | Gosar | LaHood |
| Cole | Gowdy | LaMalfa |
| Collins (GA) | Granger | Lamborn |
| Collins (NY) | Graves (GA) | Lance |
| Comstock | Graves (LA) | Latta |
| Conaway | Graves (MO) | LoBiondo |
| Cook | Griffith | Long |
| Cooper | Grothman | Loudermilk |

Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—13

Clyburn
DeFazio
DeLauro
Dingell
Grijalva
Hudson
Kind
Knight
Payne
Sanford
Shuster
Sinema
Wilson (SC)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. DOLD, announced that the ayes had it.

Mr. PALLONE demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 261 Noes ..... 159

¶126.14 [Roll No. 549]

AYES—261

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

NOES—159

Adams
Aguilar
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Pelosi
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Rice (SC)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—14

Bass
Clyburn
DeFazio
DeLauro
Diaz-Balart
Dingell
Grijalva
Hudson
Kind
Knight
Payne
Sanford
Sinema
Wilson (SC)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶126.15 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DOLD, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, October 8, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. DOLD, announced that the ayes had it.

So the Journal was approved.

¶126.16 PERMISSION TO FILE REPORT

On motion of Mr. SESSIONS, by unanimous consent, that the Committee on the Budget may, at any time before 6 p.m. on Friday, October 16, 2015, file a privileged report to accompany a measure to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2016.

¶126.17 ADJOURNMENT OVER

On motion of Mr. WOODALL, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet at 2 p.m. on Tuesday, October 13, 2015, and that the order of the House of January 6, 2015, regarding morning-hour debate not apply on that day.

¶126.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DEFAZIO, for today; and

To Mr. PAYNE, for today.

¶126.19 MOTION TO DISCHARGE COMMITTEE

Mr. FINCHER, pursuant to clause 2 of rule XV, and supported by the signatures of 218 Members, entered a motion to discharge the Committee on Rules from further consideration of the resolution (H. Res. 450) providing for the consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes, which was referred to said Committee September 30, 2015.

When said motion was referred to the Calendar of Motions To Discharge Committees.

The names of the Members who signed said petition, are as follows:

Stephen Lee Fincher, Frank D. Lucas, Markwayne Mullin, E. Scott Rigell, Raul M. Grijalva, Billy Long, Thomas MacArthur, Chris Collins, Richard L. Hanna, Gregg Harper, Mike Bost, David W. Jolly, Carlos Curbelo, Larry Bucshon, Charles W. Boustany, James B. Renacci, Mark E. Amodei, Bill Johnson, Renee L. Ellmers, Ryan A. Costello, Dan Newhouse, James E. Clyburn, Michael K. Simpson, Mike Quigley, Denny Heck, Tom Reed, Adam Kinzinger, John R. Moolenaar, Lou Barletta, Tom Marino, Mike Kelly, David G. Reichert, Elise M. Stefanik, Robert J. Dold, Duncan Hunter, John L. Mica, Stephen Knight, Charles W. Dent, Andre Carson, Steve Stivers, Glenn Thompson, Joyce Beatty, Bill Foster, Keith Ellison, Gene Green, David Scott, Zoe Lofgren, Nita M. Lowey, Mark Takai, John Lewis, Nancy Pelosi, Steny H. Hoyer, Jose E. Serrano, Sheila Jackson Lee, John K. Delaney, Timothy J. Walz, Mike Rogers, Carolyn B. Maloney, Patrick J. Tiberi, Jerry McNerney, Suzan K. DelBene, Kurt Schrader, Anna G. Eshoo, Brad Ashford, Derek Kilmer, Ron Kind, Earl L. ''Buddy'' Carter, Kevin Cramer, Lois Frankel, John C. Carney, Mark Pocan, Gwen Moore, John Katko, Karen Bass, Joaquin Castro, Ann Kirkpatrick, Julia Brownley, David Loebsack, Steve Israel, Brian Higgins, Kathleen M. Rice, Eric Swalwell, Janice Hahn, Joseph Crowley, Tony Cardenas, Louise McIntosh Slaughter, Eddie Bernice Johnson, Brendan F. Boyle, Frank Pallone, Bonnie Watson Coleman, Michael F. Doyle, Michael E. Capuano, Doris O. Matsui, Beto O'Rourke, Joe Courtney, Ruben Hinojosa, Paul Tonko, Robin L. Kelly, Linda T. Sanchez, Jim Cooper, Michelle Lujan Grisham, Sean Patrick Maloney, Jared Polis, Ben Ray Lujan, Alma S. Adams, Pete Aguilar, Barbara Lee, Henry Cuellar, Marcia L. Fudge, Brenda L. Lawrence, Mike Thompson, Lois Capps, Hakeem S. Jeffries, David E. Price, Albio Sires, Kathy Castor, Jim McDermott, Bill Pascrell, Tim Ryan, Debbie Dingell, David N. Cicilline, Robert C. ''Bobby'' Scott, Rosa L. DeLauro, Janice D. Schakowsky, G. K. Butterfield, Theodore E. Deutch, Ted Lieu, Raul Ruiz, Ann M. Kuster, Terri A. Sewell, Ed Perlmutter, Patrick Murphy, C. A. Dutch Ruppersberger, Jim Costa, Elijah E. Cummings, Suzanne Bonamici, Richard M. Nolan, Collin C. Peterson, John Garamendi, Jared Huffman, Scott H. Peters, Sam Farr, Earl Blumenauer, Lucille Roybal-Allard, Gwen Graham, Katherine M. Clark, Jerrold Nadler, Rick Larsen, Matt Cartwright, Robert A. Brady, John B. Larson, Bobby L. Rush, James A. Himes, Susan A. Davis, Sanford D. Bishop, Marc A. Veasey, Henry C. ''Hank'' Johnson, Ed Whitfield, Elizabeth H. Esty, Daniel T. Kildee, Emanuel Cleaver, John P. Sarbanes, Donna F. Edwards, Yvette D. Clarke, Nydia M. Velazquez, Joseph P. Kennedy, John A. Yarmuth, Betty McCollum, William R. Keating, Cedric L. Richmond, Jackie Speier, Mark Takano, Sander M. Levin, Daniel Lipinski, James P. McGovern, Stephen F. Lynch, Adam B. Schiff, Judy Chu, Steve Cohen, Ruben Gallego, John Conyers, Adam Smith, Danny K. Davis, Chellie Pingree, Juan Vargas, Diana DeGette, Wm. Lacy Clay, Mark DeSaulnier, Grace Meng, Bennie G. Thompson, Alan S. Lowenthal, Norma J. Torres, Niki Tsongas, Seth Moulton, Charles B. Rangel, Donald Norcross, Chaka Fattah, Eliot L. Engel, Ami Bera, Donald S. Beyer, Gregory W. Meeks, Cheri Bustos, Debbie Wasserman Schultz, Richard E. Neal, Filemon Vela, Gerald E. Connolly, Tammy Duckworth, Alcee L. Hastings, Corrine Brown, Lloyd Doggett, Chris Van Hollen, Xavier Becerra, Grace F. Napolitano, Luis V. Gutierrez, Tulsi Gabbard, Loretta Sanchez, Dina Titus, and Maxine Waters.

And then,

## ¶126.20 ADJOURNMENT

On motion of Mr. WOODALL, pursuant to the previous order of the House, at 2 o'clock and 24 minutes p.m., the House adjourned until 2 p.m. on Tuesday, October 13, 2015.

## ¶126.21 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. VARGAS (for himself and Mr. ROONEY of Florida):

H.R. 3731. A bill to establish a Rare Disease Therapeutics Corporation to encourage the development of high-risk, high-return therapies for rare diseases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself, Mr. LARSON of Connecticut, Mr. TIBERI, Mr. NEAL, and Mr. PAULSEN):

H.R. 3732. A bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Mr. BEYER, Mr. CARTWRIGHT, Mr. COHEN, Mr. CONYERS, Mr. DESAULNIER, Mr. ELLISON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HONDA, Mr. HUFFMAN, Mr. LANGEVIN, Ms. LEE, Mr. LOEBSACK, Ms. LOFGREN, Ms. MCCOLLUM, Mr. MURPHY of Florida, Mr. NADLER, Ms. NORTON, Mr. PERLMUTTER, Ms. PINGREE, Mr. POCAN, Ms. SPEIER, Mr. TAKANO, Mr. VAN HOLLEN, and Mr. KENNEDY):

H.R. 3733. A bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the renewable energy credit, and for other purposes; to the Committee on Ways and Means.

By Mr. HARDY (for himself and Mr. PERLMUTTER):

H.R. 3734. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide support to mining schools, and for other purposes; to the Committee on Natural Resources.

By Ms. ADAMS (for herself, Mr. BUTTERFIELD, Mrs. ELLMERS of North Carolina, Mr. JONES, Mr. PRICE of North Carolina, Ms. FOXX, Mr. WALKER, Mr. ROUZER, Mr. HUDSON, Mr. PITTENGER, Mr. MCHENRY, Mr. MEADOWS, and Mr. HOLDING):

H.R. 3735. A bill to designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the ''Maya Angelou Memorial Post Office''; to the Committee on Oversight and Government Reform.

By Ms. BONAMICI:

H.R. 3736. A bill to provide for the restoration of Federal recognition to the Clatsop-Nehalem Confederated Tribes of Oregon, and for other purposes; to the Committee on Natural Resources.

By Mr. WELCH:

H.R. 3737. A bill to responsibly pay our Nation's bills on time by temporarily extending the public debt limit, and for other purposes; to the Committee on Ways and Means.

By Mr. ROYCE (for himself and Mr. MURPHY of Florida):

H.R. 3738. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to improve the transparency, accountability, governance, and operations of the Office of Financial Research, and for other purposes; to the Committee on Financial Services.

By Mr. WOODALL (for himself, Mr. WALZ, Mr. RIBBLE, Mr. DAVID SCOTT of Georgia, Mr. MASSIE, Ms. BROWNLEY of California, Mr. WESTMORELAND, Mr. CRAWFORD, Mr. DENHAM, Mr. HANNA, Mr. MEADOWS, and Mr. FARENTHOLD):

H.R. 3739. A bill to provide for qualified physicians to perform a medical certification for an operator of a commercial motor vehicle who is a veteran, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MAXINE WATERS of California (for herself, Ms. LEE, Mr. CARSON of Indiana, Mr. KILDEE, Ms. SCHAKOWSKY, Mr. BRADY of Pennsylvania, Mr. MEEKS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SERRANO, Ms. JACKSON LEE, and Mr. RANGEL):

H.R. 3740. A bill to amend title 23, United States Code, to add a national goal and performance measure to improve road conditions in economically distressed urban communities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CONNOLLY (for himself, Mr. LANGEVIN, Mr. ISRAEL, Mr. FOSTER, Mr. MEEKS, Mr. BERA, Mr. KILDEE, Mr. CICILLINE, Miss RICE of New York, Mr. DELANEY, and Mr. HANNA):

H.R. 3741. A bill to establish the Commission to Verify Iranian Nuclear Compliance; to the Committee on Foreign Affairs.

By Mr. CRAMER:

H.R. 3742. A bill to amend the Patient Protection and Affordable Care Act to allow for certain third party payments; to the Committee on Energy and Commerce.

By Mr. CRAMER:

H.R. 3743. A bill to prohibit the Secretary of an executive department from maintaining a private email server for conducting official Government business; to the Committee on Oversight and Government Reform.

By Mr. CURBELO of Florida (for himself, Mr. GRAYSON, Ms. ROS-LEHTINEN, and Ms. WASSERMAN SCHULTZ):

H.R. 3744. A bill to adjust the immigration status of certain Venezuelan nationals who are in the United States; to the Committee on the Judiciary.

By Mr. RODNEY DAVIS of Illinois:

H.R. 3745. A bill to amend title XVIII of the Social Security Act to allow chiropractors to

provide items and services through private contracts under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE:

H.R. 3746. A bill to make the Controlled Substances Act inapplicable with respect to marihuana in States that have legalized marijuana and have in effect a statewide regulatory regime to protect certain Federal interests, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH:

H.R. 3747. A bill to amend title 31, United States Code, to adjust for inflation the amount that is exempt from administrative offsets by the Department of Education for defaulted student loans; to the Committee on the Judiciary.

By Mr. HUFFMAN (for himself, Mr. POCAN, Ms. MATSUI, and Mr. LOWENTHAL):

H.R. 3748. A bill to require the Director of the Congressional Budget Office to calculate a carbon score for each bill or resolution; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. KING of New York):

H.R. 3749. A bill to amend title 18, United States Code, to prohibit interference with communication frequencies used by emergency response providers; to the Committee on the Judiciary.

By Mr. ISSA (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. COMSTOCK, Mr. ROYCE, Mr. ENGEL, Mr. WEBER of Texas, Mr. MARINO, and Mr. LOWENTHAL):

H.R. 3750. A bill to waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster; to the Committee on Foreign Affairs.

By Mr. PETERS (for himself, Ms. JUDY CHU of California, Mr. VARGAS, Mr. HIGGINS, Mr. RUSH, Mr. HONDA, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JACKSON LEE, Mr. CROWLEY, and Mr. POCAN):

H.R. 3751. A bill to allow certain student loan borrowers to refinance Federal student loans; to the Committee on Education and the Workforce.

By Mr. POLIS (for himself and Mr. HANNA):

H.R. 3752. A bill to simplify and improve the Federal student loan program through income-contingent repayment to provide stronger protections for borrowers, encourage responsible borrowing, and save money for taxpayers; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHWEIKERT:

H.R. 3753. A bill to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached, to require the sale of Federal assets, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, Financial Services, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 3754. A bill to amend titles 5 and 28, United States Code, to facilitate recovering the costs of litigation and agency adjudications for prevailing parties in an action against the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. TITUS (for herself, Mr. TAKANO, and Mr. BECERRA):

H.R. 3755. A bill to amend title XVIII of the Social Security Act to provide for the disregard of certain resident slots that include Department of Veterans Affairs training in determining payments for direct graduate medical education costs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCCOLLUM (for herself, Mr. RYAN of Ohio, and Mrs. NAPOLITANO):

H. Res. 474. A resolution recognizing the important contribution and added value of mental health and psychosocial support services and the importance of building such capacity in humanitarian and development contexts; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GRAHAM (for herself, Mr. KATKO, Mr. ASHFORD, Mrs. BUSTOS, Mr. COOPER, Mr. THOMPSON of California, Mr. COSTA, Ms. SINEMA, Mrs. KIRKPATRICK, Mr. NOLAN, Mr. O'ROURKE, and Mr. BISHOP of Georgia):

H. Res. 475. A resolution amending the Rules of the House of Representatives to provide for the consideration of continuing resolutions to fund the Government at the current rate of operations if offered not more than 24 hours before funding for the Government expires; to the Committee on Rules.

By Mr. GUTIERREZ (for himself, Ms. BASS, and Ms. JUDY CHU of California):

H. Res. 476. A resolution supporting the establishment of a national Children's Bill of Rights; to the Committee on Education and the Workforce.

By Ms. HAHN:

H. Res. 477. A resolution recommending the designation of a Presidential Special Envoy to the Balkans to evaluate the successes and shortcomings of the implementation of the Dayton Peace Accords in Bosnia and Herzegovina, to provide policy recommendations, and to report back to Congress within one year; to the Committee on Foreign Affairs.

By Ms. JENKINS of Kansas:

H. Res. 478. A resolution commemorating the 150th Anniversary of Ottawa University in Ottawa, Kansas; to the Committee on Education and the Workforce.

By Mr. THOMPSON of California (for himself, Mr. WITTMAN, Mr. KIND, Mr. LOBIONDO, Ms. ESHOO, Mr. FARR, Mrs. DAVIS of California, Ms. MCCOLLUM, Mr. CARTWRIGHT, Mr. HONDA, Mr. PRICE of North Carolina, Mr. LARSEN of Washington, Mr. ISRAEL, Ms. PINGREE, Ms. CASTOR of Florida, Ms. SCHAKOWSKY, Ms. LOFGREN, Mr. CLAWSON of Florida, Mr. WALZ, Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HECK of Washington, Mr. PERLMUTTER, and Mr. COSTELLO of Pennsylvania):

H. Res. 479. A resolution encouraging observance of National Wildlife Refuge Week with appropriate events and activities, and for other purposes; to the Committee on Natural Resources.

### ¶126.22 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 188: Mrs. DAVIS of California.
H.R. 239: Mr. CUMMINGS and Ms. KUSTER.
H.R. 292: Ms. TSONGAS, Ms. SLAUGHTER, and Mr. FORBES.
H.R. 304: Ms. ESHOO.
H.R. 532: Mr. HUFFMAN.
H.R. 590: Ms. LOFGREN.
H.R. 670: Mr. DESAULNIER.
H.R. 674: Mr. DEUTCH.
H.R. 711: Mr. TED LIEU of California.
H.R. 745: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. DEFAZIO, and Ms. BONAMICI.
H.R. 752: Ms. LOFGREN.
H.R. 757: Mr. DOLD.
H.R. 768: Mr. PETERS.
H.R. 793: Mr. JODY B. HICE of Georgia.
H.R. 820: Ms. EDWARDS and Mr. SHERMAN.
H.R. 842: Mr. BERA.
H.R. 870: Mr. HOYER, Ms. KAPTUR, Mr. ISRAEL, and Ms. MENG.
H.R. 920: Mr. QUIGLEY.
H.R. 953: Mrs. KIRKPATRICK.
H.R. 969: Mr. GARAMENDI.
H.R. 985: Ms. MCCOLLUM.
H.R. 987: Mr. POMPEO.
H.R. 1122: Mr. JONES.
H.R. 1130: Mr. POMPEO, Mr. RYAN of Ohio, and Mr. HARPER.
H.R. 1151: Mr. HASTINGS.
H.R. 1174: Mr. LOUDERMILK and Mr. POCAN.
H.R. 1209: Mr. LATTA.
H.R. 1217: Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. NORCROSS, Mr. SMITH of Washington, Mrs. LAWRENCE, Mr. PIERLUISI, and Mr. SABLAN.
H.R. 1221: Mr. SENSENBRENNER.
H.R. 1288: Mr. DENT and Mrs. MILLER of Michigan.
H.R. 1302: Mr. GRAVES of Louisiana.
H.R. 1309: Mr. JODY B. HICE of Georgia.
H.R. 1312: Mr. GARAMENDI and Mr. WITTMAN.
H.R. 1342: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SHUSTER, Mr. YOUNG of Iowa, Ms. HERRERA BEUTLER, Mr. GIBSON, Mr. BERA, and Mr. STIVERS.
H.R. 1343: Mr. PAULSEN.
H.R. 1399: Mr. GRAVES of Louisiana.
H.R. 1441: Mr. GARAMENDI and Mr. HONDA.
H.R. 1475: Mr. LIPINSKI, Mr. HILL, and Mr. BOST.
H.R. 1567: Mr. KIND and Mr. KEATING.
H.R. 1600: Mr. KENNEDY.
H.R. 1603: Mr. UPTON and Ms. MCCOLLUM.
H.R. 1635: Ms. BROWNLEY of California.
H.R. 1650: Mr. PAULSEN.
H.R. 1655: Mr. STIVERS and Mr. PETERSON.
H.R. 1743: Mr. MEEKS.
H.R. 1763: Mr. WALZ and Mr. LARSON of Connecticut.
H.R. 1786: Mr. DEFAZIO, Ms. TSONGAS, and Mr. JOHNSON of Ohio.
H.R. 1814: Mr. SANFORD, Mr. WHITFIELD, and Mr. LIPINSKI.
H.R. 1877: Mrs. KIRKPATRICK and Ms. KUSTER.
H.R. 1902: Mr. ELLISON.
H.R. 1941: Mr. PEARCE.
H.R. 2013: Ms. SCHAKOWSKY.
H.R. 2082: Mr. MCNERNEY.
H.R. 2123: Mr. JOLLY and Mr. SMITH of New Jersey.
H.R. 2132: Mr. FATTAH.
H.R. 2156: Mr. VISCLOSKY and Mr. BUCSHON.

H.R. 2169: Mr. GARAMENDI.
H.R. 2216: Mr. QUIGLEY.
H.R. 2307: Mr. AMODEI.
H.R. 2380: Mrs. LAWRENCE, Mr. MEEKS, and Mr. DEUTCH.
H.R. 2400: Mr. TURNER.
H.R. 2404: Ms. JUDY CHU of California.
H.R. 2406: Mr. MILLER of Florida.
H.R. 2430: Mr. KENNEDY, Mr. MOULTON, Mr. FOSTER, and Mr. KILMER.
H.R. 2461: Mrs. NOEM.
H.R. 2467: Mr. LABRADOR.
H.R. 2566: Mr. DUFFY.
H.R. 2597: Mr. POMPEO.
H.R. 2612: Mr. QUIGLEY.
H.R. 2654: Mr. DOLD.
H.R. 2657: Ms. MCCOLLUM.
H.R. 2661: Mr. BEYER.
H.R. 2699: Mr. BLUMENAUER.
H.R. 2710: Mr. COLLINS of New York.
H.R. 2752: Ms. DUCKWORTH and Mr. BOST.
H.R. 2769: Mr. GARAMENDI.
H.R. 2775: Mr. GARAMENDI.
H.R. 2799: Mr. JOHNSON of Ohio.
H.R. 2844: Mr. COHEN.
H.R. 2855: Mr. SWALWELL of California.
H.R. 2858: Mr. LARSEN of Washington.
H.R. 2873: Mr. KILMER.
H.R. 2886: Mrs. COMSTOCK.
H.R. 2901: Mr. ZINKE.
H.R. 2903: Mr. SAM JOHNSON of Texas, Mr. CONYERS, Ms. ROS-LEHTINEN, and Mr. CRENSHAW.
H.R. 2917: Mr. JOHNSON of Georgia, Ms. WILSON of Florida, Ms. BASS, and Mr. LOWENTHAL.
H.R. 2944: Mr. CHABOT, Mrs. BEATTY, Mr. GROTHMAN, and Ms. MOORE.
H.R. 3041: Mr. TAKAI.
H.R. 3047: Mr. MCKINLEY.
H.R. 3065: Ms. MCCOLLUM.
H.R. 3092: Mr. GRAYSON, Mr. SEAN PATRICK MALONEY of New York, Ms. DELBENE, Mr. BLUM, and Ms. LOFGREN.
H.R. 3094: Mr. GRAVES of Georgia.
H.R. 3099: Ms. JUDY CHU of California.
H.R. 3119: Mr. O'ROURKE, Mr. SENSENBRENNER, Mr. PAULSEN, and Ms. TITUS.
H.R. 3220: Mr. BUCHANAN.
H.R. 3221: Ms. LEE and Mr. KILMER.
H.R. 3229: Mr. KIND.
H.R. 3286: Mr. PETERS.
H.R. 3294: Mr. JOHNSON of Ohio.
H.R. 3309: Mr. FITZPATRICK.
H.R. 3326: Mr. SIMPSON.
H.R. 3339: Mrs. COMSTOCK, Mr. HASTINGS, and Mr. HECK of Nevada.
H.R. 3340: Mr. POLIQUIN.
H.R. 3355: Mr. KIND.
H.R. 3381: Mr. ENGEL, Mr. HASTINGS, Mrs. CAPPS, Mr. GRAYSON, Mr. RIGELL, and Mr. WITTMAN.
H.R. 3420: Mr. TAKAI, Ms. MATSUI, Mr. CARTWRIGHT, and Mr. POLIS.
H.R. 3455: Mr. ENGEL, Ms. MATSUI, Mr. DEUTCH, and Mr. LIPINSKI.
H.R. 3459: Mr. RATCLIFFE, Mr. SMITH of Nebraska, Mr. HURT of Virginia, Mr. HENSARLING, Mr. RIBBLE, Mr. OLSON, Mr. BARR, Mr. TOM PRICE of Georgia, and Mr. SAM JOHNSON of Texas.
H.R. 3463: Mr. POMPEO.
H.R. 3478: Mr. STEWART.
H.R. 3484: Mrs. TORRES and Mr. HONDA.
H.R. 3488: Mr. BENISHEK and Mr. YOHO.
H.R. 3516: Mr. FARENTHOLD.
H.R. 3532: Mr. UPTON.
H.R. 3541: Mr. POCAN.
H.R. 3546: Mr. ROSS, Ms. LOFGREN, Ms. BROWNLEY of California, and Mrs. BEATTY.
H.R. 3556: Mr. PASCRELL and Ms. NORTON.
H.R. 3568: Mr. BECERRA.
H.R. 3573: Mr. BISHOP of Michigan.
H.R. 3640: Ms. MCSALLY.
H.R. 3651: Ms. MCSALLY, Mr. ALLEN, Mr. BOUSTANY, Mr. PASCRELL, Mr. SMITH of Nebraska, Mrs. ELLMERS of North Carolina, Mr. VALADAO, Mr. O'ROURKE, Mr. NOLAN, Mr. YOUNG of Iowa, Mr. VEASEY, Mr. WHITFIELD, Mr. BISHOP of Georgia, Mr. LOWENTHAL, Mr. MOONEY of West Virginia, Mr. RIGELL, Mr. WITTMAN, Ms. MCCOLLUM, Mr. WENSTRUP, and Mr. OLSON.
H.R. 3652: Ms. DELAURO.
H.R. 3655: Mr. PALAZZO.
H.R. 3656: Mr. GRIJALVA.
H.R. 3665: Mr. LOWENTHAL and Ms. FRANKEL of Florida.
H.R. 3666: Mr. STIVERS.
H.R. 3679: Mr. JOYCE.
H.R. 3696: Mr. RYAN of Ohio, Ms. MATSUI, Mr. MCDERMOTT, Mr. RANGEL, Mr. LEWIS, Mr. PASCRELL, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 3707: Mr. MCGOVERN.
H.R. 3710: Mr. BOST.
H.R. 3713: Mr. GUTIERREZ, Ms. BASS, Mr. PETERS, and Mr. YOUNG of Iowa.
H.R. 3720: Mr. TAKANO.
H.R. 3727: Mr. GARAMENDI and Mr. FOSTER.
H.J. Res. 48: Mr. TAKANO.
H. Con. Res. 50: Mr. PETERS.
H. Con. Res. 75: Ms. CLARK of Massachusetts and Mr. CROWLEY.
H. Con. Res. 77: Mr. KENNEDY, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Ms. BASS, Ms. KELLY of Illinois, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. CONYERS, Mrs. LAWRENCE, Ms. CLARKE of New York, Mr. JEFFRIES, Mr. RANGEL, Mr. NADLER, Mr. BUTTERFIELD, and Mr. HONDA.
H. Res. 12: Mr. VALADAO.
H. Res. 112: Mr. GARAMENDI and Mr. WITTMAN.
H. Res. 130: Ms. JACKSON LEE.
H. Res. 276: Mr. STIVERS.
H. Res. 293: Mr. POE of Texas, Mr. BISHOP of Michigan, and Mr. MICA.
H. Res. 346: Mr. BISHOP of Michigan and Ms. LOFGREN.
H. Res. 348: Ms. KELLY of Illinois.
H. Res. 354: Mr. KEATING and Mr. CONNOLLY.
H. Res. 392: Mr. BISHOP of Utah.
H. Res. 416: Mr. VISCLOSKY.
H. Res. 428: Ms. LOFGREN, Mr. SWALWELL of California, and Mr. PRICE of North Carolina.
H. Res. 445: Mr. ASHFORD.
H. Res. 451: Mr. GRAVES of Missouri, Mr. BURGESS, Mr. LOBIONDO, Mr. BLUM, and Mr. WESTERMAN.
H. Res. 467: Mr. DESAULNIER, Mr. VAN HOLLEN, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Mr. SWALWELL of California, Ms. FRANKEL of Florida, Mr. HUFFMAN, Mr. TED LIEU of California, Mr. MCGOVERN, Mrs. CAPPS, Ms. WASSERMAN SCHULTZ, and Mr. TONKO.
H. Res. 469: Mr. LIPINSKI.
H. Res. 472: Mr. SCHRADER.

## TUESDAY, OCTOBER 13, 2015 (127)

¶127.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 13, 2015.*

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

¶127.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to section 2(a) of House Resolution 462, the Journal of the proceedings of Friday, October 9, 2015, was approved.

¶127.3 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 13, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 13, 2015 at 10:40 a.m.:

That the Senate agreed to S. Con Res. 21.

With best wishes, I am

Sincerely,

ROBERT F. REEVES,
*Deputy Clerk of the House.*

¶127.4 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 21. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th Anniversary of the ratification of the 13th Amendment; to the Committee on House Administration.

And then,

¶127.5 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 2(b) of House Resolution 462, at 2 o'clock and 3 minutes p.m., declared the House adjourned until 1:15 p.m. on Friday, October 16, 2015.

¶127.6 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1258: Mr. HIGGINS and Mr. MACARTHUR.
H.R. 1475: Mr. MCKINLEY, Mr. CASTRO of Texas, and Mr. GUINTA.
H.R. 1482: Mrs. WATSON COLEMAN.
H.R. 1675: Mr. KIND.
H.R. 1854: Mr. ROYCE and Mr. HASTINGS.
H.R. 2010: Mr. BISHOP of Utah and Mr. ALLEN.
H.R. 2494: Mr. FORBES.
H.R. 2515: Mr. MCKINLEY.
H.R. 2516: Mr. LOEBSACK.
H.R. 2858: Mr. HIGGINS and Mr. KILMER.
H.R. 2880: Mr. SWALWELL of California and Mr. HUFFMAN.
H.R. 2917: Mr. COHEN and Mr. GUTIÉRREZ.
H.R. 3067: Mr. POE of Texas.
H.R. 3180: Mr. HANNA.
H.R. 3221: Mr. GARAMENDI.
H.R. 3255: Mr. WESTERMAN.
H.R. 3268: Mr. ZINKE, Mr. DANNY K. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HUFFMAN, Mr. WALKER, Mr. BERA, Mr. CROWLEY, Mrs. WATSON COLEMAN, Mr. HIGGINS, and Mr. JOHNSON of Georgia.
H.R. 3326: Mr. CRAWFORD and Mr. JOHNSON of Ohio.
H.R. 3403: Mr. GARAMENDI.
H.R. 3687: Mr. FINCHER and Mr. BOUSTANY.
H.R. 3740: Mr. GRIJALVA, Mr. ELLISON, Ms. MOORE, and Mr. RICHMOND.
H. Res. 265: Mr. MCKINLEY.
H. Res. 479: Ms. LEE.

**FRIDAY, OCTOBER 16, 2015 (128)**

¶128.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 16, 2015.*

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

¶128.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced that, pursuant to section 2(a) of House Resolution 462, the Journal of the proceedings of Tuesday, October 13, 2015, was approved.

¶128.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3149. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Agricultural Worker Protection Standard Revisions [EPA-HQ-OPP-2011-0184; FRL-9931-81] (RIN: 2070-AJ22) received October 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3150. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's Major final rule — Regulatory Capital Rules: Implementation of Risk-based Capital Surcharges for Global Systemically Important Bank Holding Companies [Regulations H and Q; Docket No.: R-1505] (RIN: 7100 AE-26) received October 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3151. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Amendments Relating to Small Creditors and Rural or Underserved Areas Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2015-0004] (RIN: 3170-AA43) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3152. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Implementation Plans; Arizona, Phoenix-Mesa; 2008 Ozone Standard Requirements [EPA-R09-OAR-2015-0240; FRL-9935-56-Region 9] received October 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3153. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Minnesota; Infrastructure SIP Requirements for the 2008 Ozone, 2010 NO2, 2010 SO2, and 2012 PM2.5 NAAQS [EPA-R05-OAR-2014-0503; FRL-9935-17-Region 5] received October 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3154. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Low Emission Vehicle Program [EPA-R03-OAR-2015-0479; FRL-9935-58-Region 3] received October 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3155. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Agency, transmitting the Agency's letter endorsing industry guidance — Endorsement of Electric Power Research Institute Final Draft Report 3002004396, ''High Frequency Program: Application Guidance for Functional Confirmation and Fragility'' received October 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3156. A communication from the President of the United States, transmitting a letter informing the Congress that U.S. Armed Forces personnel began deploying to Cameroon, with the consent of the Government of Cameroon, to conduct airborne intelligence, surveillance, and reconnaissance operations in the region, pursuant to Public Law 93–148; (H. Doc. No. 114—67); to the Committee on Foreign Affairs and ordered to be printed.

3157. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds [Docket No.: FWS-HQ-MB-2014-0064; FF09M21200-156-FXMB1231099BPP0] (RIN: 1018-BA67) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3158. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Final Frameworks for Late-Season Migratory Bird Hunting Regulations [Docket No.: FWS-HQ-MB-2014-0064; FF09M21200-156-FXMB1231099BPP0] (RIN: 1018-BA67) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3159. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2015-16 Late Season [Docket No.: FWS-HQ-MB-2014-0064; FF09M21200-156-FXMB1231099BPP0] (RIN: 1018-BA67) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3160. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2015-16 Early Season [Docket No.: FWS-HQ-MB-2014-0064; FF09M21200-156-FXMB1231099BPP0] (RIN: 1018-BA67) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3161. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands [Docket No.: FWS-HQ-MB-2014-0064] [FF09M21200-156-FXMB1231099BPP0] (RIN: 1018-BA67) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3162. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Final Frameworks for Early-Season Migratory Bird Hunting Regulations [Docket No.: FWS-HQ-MB-2014-0064; FF09M21200-156-FXMB1231099BPP0] (RIN: 1018-BA67) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3163. A letter from the Chief, Branch of Foreign Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Listing the Honduran Emerald Hummingbird (Amazilia luciae) [Docket No.: FWS-R9-ES-2009-0094] (RIN: 1018-AY64) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3164. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper [Docket No.: 130312235-3658-02] (RIN: 0648-XE186) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3165. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's modification of fishing seasons — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions #30 Through #36 [Docket No.: 150316270-5270-01] (RIN: 0648-XE187) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3166. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Bluefish Fishery and Summer Flounder Fishery; Commercial Quota Harvested for the State of Massachusetts [Docket No.: 140214138-4482-02] (RIN: 0648-XE189) received October 13, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3167. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustment for the Common Pool Fishery [Docket No.: 150105004-5355-01] (RIN: 0648-XE155) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3168. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reapportionment of the 2015 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl

Deep-Water and Shallow-Water Fishery Categories [Docket No.: 140918791-4999-02] (RIN: 0648-XE180) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

And then,

¶128.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. HARRIS, pursuant to section 2(b) of House Resolution 462, at 1 o'clock and 17 minutes p.m., declared the House adjourned until noon on Tuesday, October 20, 2015.

¶128.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 10. A bill to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes; with an amendment (Rept. 114–292). Referred to the Committee of the Whole House on the state of the Union.

Mr. TOM PRICE of Georgia: Committee on the Budget. H.R. 3762. A bill to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016 (Rept. 114–293). Referred to the Committee of the Whole House on the state of the Union.

¶128.6 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CURBELO of Florida:

H.R. 3756. A bill to amend the Water Resources Reform and Development Act of 2014 to remove a financial assistance limitation for certain water projects, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOPER:

H.R. 3757. A bill to provide that Members of Congress shall be paid last whenever the Treasury is unable to satisfy the obligations of the United States Government in a timely manner because the public debt limit has been reached; to the Committee on House Administration.

By Mr. COOPER:

H.R. 3758. A bill to prohibit the payment of death gratuities to the surviving heirs of deceased Members of Congress; to the Committee on House Administration.

By Mr. ENGEL:

H.R. 3759. A bill to amend title 23, United States Code, to withhold highway funds from States that do not have in effect laws requiring the use of ignition interlock devices to prevent repeat intoxicated driving, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ENGEL (for himself and Mr. WELCH):

H.R. 3760. A bill to amend the Internal Revenue Code of 1986 to deny certain tax benefits to persons responsible for the discharge of oil or other hazardous substances into navigable waters of the United States; to the Committee on Ways and Means.

By Mr. GRAYSON (for himself, Mr. MCGOVERN, Mr. NOLAN, Mr. FATTAH, Mr. BRADY of Pennsylvania, Mr. CLEAVER, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. DINGELL, Mr. POCAN, Mr. JOHNSON of Georgia, Mr. CONYERS, Ms. MAXINE WATERS of California, Ms. EDWARDS, Mr. VARGAS, Mr. NADLER, Mr. PERLMUTTER, Mr. VEASEY, Mr. RICHMOND, Mr. RANGEL, Mr. O'ROURKE, Mr. CAPUANO, Mr. GUTIÉRREZ, Mr. HINOJOSA, Mrs. TORRES, Mr. CARSON of Indiana, Ms. ROYBAL-ALLARD, Mr. COHEN, Ms. BASS, Mr. THOMPSON of Mississippi, Mr. GALLEGO, Ms. PINGREE, Ms. LEE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTWRIGHT, Mrs. NAPOLITANO, Mr. SIRES, Mr. LOWENTHAL, Ms. JACKSON LEE, Ms. CASTOR of Florida, Ms. KELLY of Illinois, Mr. PAYNE, Mr. VAN HOLLEN, and Mrs. WATSON COLEMAN):

H.R. 3761. A bill to increase Social Security and military retirement benefits by 2.9 percent, and base future cost-of-living increase adjustments to the Consumer Price Index for the elderly; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself and Mr. PITTS):

H. Con. Res. 86. Concurrent resolution welcoming Mr. Muhammad Nawaz Sharif, Prime Minister of Islamic Republic of Pakistan, on his official visit to the United States in October 2015; to the Committee on Foreign Affairs.

¶128.7 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 69: Mr. ROYCE.
H.R. 353: Mr. CARSON of Indiana.
H.R. 664: Mr. CRAWFORD.
H.R. 842: Ms. FUDGE, Mr. SHUSTER, and Ms. ROS-LEHTINEN.
H.R. 1093: Mr. GRAVES of Missouri.
H.R. 1248: Mr. GRAVES of Missouri.
H.R. 1301: Mr. BUCSHON.
H.R. 1399: Mr. RIGELL.
H.R. 1425: Mr. JONES.
H.R. 1441: Ms. DUCKWORTH.
H.R. 1453: Mr. CARTER of Georgia.
H.R. 1457: Ms. SCHAKOWSKY, Mr. COHEN, and Mr. BRADY of Pennsylvania.
H.R. 1475: Mr. PERLMUTTER, Mr. MULLIN, Mr. MEEKS, Miss RICE of New York, Mr. THOMPSON of California, and Mr. WELCH.
H.R. 1608: Mr. BUCHANAN and Mr. MACARTHUR.
H.R. 1688: Mr. ASHFORD.
H.R. 1726: Mr. HASTINGS.
H.R. 1818: Mr. HURD of Texas.
H.R. 1859: Ms. HERRERA BEUTLER and Mr. HASTINGS.
H.R. 1882: Mr. COFFMAN.
H.R. 2096: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2114: Ms. PINGREE.
H.R. 2470: Mr. CICILLINE and Mr. RICHMOND.
H.R. 2515: Mr. PETERS.
H.R. 2646: Mr. DEFAZIO.
H.R. 2716: Mr. MESSER.
H.R. 2902: Mrs. BEATTY, Ms. NORTON, Mr. LOWENTHAL, Mr. LANGEVIN, Ms. CLARKE of New York, Mr. YARMUTH, and Mrs. TORRES.
H.R. 2917: Ms. ROYBAL-ALLARD.
H.R. 2957: Ms. MCCOLLUM.
H.R. 3119: Mr. BARR and Mr. THOMPSON of Mississippi.
H.R. 3164: Mr. MURPHY of Florida and Ms. MOORE.
H.R. 3268: Mr. MCNERNEY, Mr. NEAL, Ms. WASSERMAN SCHULTZ, Mr. REED, Ms. KAPTUR, Mr. ZELDIN, Mrs. NAPOLITANO, Mr. BUTTERFIELD, and Ms. ROS-LEHTINEN.
H.R. 3290: Mr. HONDA.
H.R. 3351: Ms. PINGREE.
H.R. 3381: Ms. LEE, Mr. LYNCH, and Mr. ISRAEL.
H.R. 3384: Ms. ESHOO and Mr. LYNCH.
H.R. 3395: Mr. HASTINGS, Mr. DEUTCH, and Ms. TSONGAS.
H.R. 3427: Mr. POLIS, Mr. ASHFORD, Ms. NORTON, Mr. POCAN, and Mr. FARR.
H.R. 3520: Mr. KELLY of Pennsylvania.
H.R. 3640: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BEN RAY LUJÁN of New Mexico, Mr. HINOJOSA, Mr. VAN HOLLEN, Ms. LEE, Mr. GRAYSON, Ms. EDWARDS, Mr. PERLMUTTER, Ms. LORETTA SANCHEZ of California, Ms. TITUS, Mr. SHERMAN, Ms. DEGETTE, Ms. ROYBAL-ALLARD, and Mr. MACARTHUR.
H.R. 3658: Mr. HASTINGS.
H.R. 3664: Mr. FORBES.
H.R. 3665: Ms. LOFGREN, Mr. PALLONE, and Mr. DUNCAN of Tennessee.
H.R. 3696: Mr. DEFAZIO, Ms. DELAURO, Mr. MURPHY of Florida, Mr. COURTNEY, Mr. BISHOP of Georgia, Mr. CONNOLLY, Mr. BERA, Mr. LARSON of Connecticut, Mr. SARBANES, Mr. HASTINGS, Mr. KILMER, and Mrs. DINGELL.
H.R. 3706: Mr. VAN HOLLEN, Mr. MCDERMOTT, Mr. BLUMENAUER, Ms. CLARKE of New York, and Mrs. KIRKPATRICK.
H.R. 3712: Mr. GUTIÉRREZ, Ms. MOORE, and Mr. COHEN.
H.R. 3739: Mrs. KIRKPATRICK and Ms. BORDALLO.
H.R. 3746: Mr. PERLMUTTER.
H. Con. Res. 77: Mr. DESAULNIER, Ms. MOORE, and Mrs. DINGELL.
H. Res. 220: Mr. KEATING and Mr. KIND.
H. Res. 265: Mr. MCGOVERN, Mr. SERRANO, and Mr. LARSON of Connecticut.
H. Res. 318: Mr. ENGEL.
H. Res. 343: Ms. MATSUI, Ms. ESHOO, Mr. SEAN PATRICK MALONEY of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OLSON, Mr. NOLAN, Mr. STEWART, Mrs. LAWRENCE, and Mr. YOUNG of Indiana.
H. Res. 346: Mr. PETERS.
H. Res. 393: Mr. THOMPSON of Mississippi, Ms. BROWNLEY of California, Mr. LOEBSACK, Mr. KILDEE, Ms. MCCOLLUM, Mr. HUFFMAN, Mr. ISRAEL, Mrs. BEATTY, Mr. LARSEN of Washington, Mr. KILMER, Mr. LANGEVIN, Mr. CÁRDENAS, Mr. CARSON of Indiana, and Mr. KEATING.
H. Res. 428: Mr. ISRAEL and Ms. MCCOLLUM.

## TUESDAY, OCTOBER 20, 2015 (129)

¶129.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. MOOLENAAR, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 20, 2015.*

I hereby appoint the Honorable JOHN R. MOOLENAAR to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶129.2 RECESS—12:08 P.M.

The SPEAKER pro tempore, Mr. MOOLENAAR, pursuant to clause 12(a)

of rule I, declared the House in recess at 12 o'clock and 8 minutes p.m., until 2 p.m.

¶129.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. WOMACK, called the House to order.

¶129.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WOMACK, announced he had examined and approved the Journal of the proceedings of Friday, October 16, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶129.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3169. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Captain William W. Wheeler III, United States Navy, to wear the insignia of the grade of rear admiral (lower half), in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

3170. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Otero County, NM, et al.); [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8403] received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3171. A letter from the Executive Director, NACIQI, Office of Postsecondary Education, Department of Education, transmitting the Department's annual report of the National Advisory Committee on Institutional Quality and Integrity for FY 2015, pursuant to Sec. 114(e) of the Higher Education Act of 1965, as amended; to the Committee on Education and the Workforce.

3172. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's biennial report to Congress entitled Scientific and Clinical Status of Organ Transplantation for 2011-2012, in accordance with Sec. 376 of the Public Health Service Act, 42 U.S.C. 274d; to the Committee on Energy and Commerce.

3173. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's biennial report to Congress entitled Scientific and Clinical Status of Organ Transplantation 2008-2010, in accordance with Sec. 376 of the Public Health Service Act, 42 U.S.C. 274d; to the Committee on Energy and Commerce.

3174. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's NURSE Corps Loan Repayment and Scholarship Programs Report to Congress for FY 2014, in accordance with Sec. 846(h) of the Public Health Service Act; to the Committee on Energy and Commerce.

3175. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-propen-1-aminium, N,N-dimethyl-N-propenyl-, chloride, homopolymer; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0363; FRL-9933-98] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3176. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Michigan; 2006 PM2.5 and 2008 Lead NAAQS State Board Infrastructure SIP Requirements [EPA-R05-OAR-2014-0657; FRL-9935-63-Region 5] received October 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3177. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: The 2016 Critical Use Exemption from the Phaseout of Methyl Bromide [EPA-HQ-OAR-2013-0369; FRL-9935-69-OAR] (RIN: 2060-AS44) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3178. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Redesignation Substitute for the Houston-Galveston-Brazoria 1-Hour Ozone Nonattainment Area; Texas [EPA-R06-OAR-2014-0259; FRL-9935-68-Region 6] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3179. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Revisions to State Boards and Conflict of Interest Provisions [EPA-R06-OAR-2013-0614; FRL-9935-53-Region 6] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3180. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyrimethanil; Pesticide Tolerances [EPA-HQ-OPP-2015-0012; FRL-9935-11] received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3181. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Poly[oxy(methyl-1,2-ethanediyl)], a-[(9Z)-1-oxo-9-octadecen-1-yl]-w-[[(9Z)-1-oxo-9-octadecen-1yl]oxy-]; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0442; FRL-9935-34] received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3182. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Texas: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2015-0109; FRL-9936-00-Region 6] received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3183. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Potassium Salts of Hops Beta acids; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0374; FRL-9933-73] received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3184. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards [EPA-HQ-OAR-2010-0682; FRL-9935-40-OAR] (RIN: 2060-AQ75) received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3185. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — National Ambient Air Quality Standards for Ozone [EPA-HQ-OAR-2008-0699; FRL-9933-18-OAR] (RIN: 2060-AP38) received October 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3186. A letter from the Deputy Chief, CCR Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Ensuring Continuity of 911 Communications [PS Docket No.: 14-174] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3187. A letter from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Improving 911 Reliability [PS Docket No.: 13-75]; Reliability and Continuity of Communications Networks, Including Broadband Technologies [PS Docket No.: 11-60] received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3188. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of a proposed lease to the government of Nicaragua, Transmittal No. 01-16, pursuant to Sec. 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3189. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report entitled ''Report of U.S. Citizen Expropriation Claims and Certain Other Commercial and Investment Disputes'', pursuant to Sec. 527(f) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Pub. L. 103-236; to the Committee on Foreign Affairs.

3190. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

3191. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010 as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

3192. A communication from the President of the United States, transmitting notification that the national emergency, with respect to significant narcotics traffickers centered in Colombia declared in Executive Order 12978 of October 21, 1995, is to continue in effect beyond October 21, 2015, as required by Sec. 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d); (H. Doc. No. 114—68); to the Committee on Foreign Affairs and ordered to be printed.

3193. A letter from the Assistant Director, Senior Executive Management Office, De-

partment of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277, 5 U.S.C. 3345-3349d; to the Committee on Oversight and Government Reform.

3194. A letter from the Executive Analyst (Political), Food and Drug Administration, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277, 5 U.S.C. 3345-3349d; to the Committee on Oversight and Government Reform.

3195. A letter from the Acting Director, U.S. Office of Personnel Management, transmitting the Office's report entitled ''Federal Student Loan Repayment Program Calendar Year 2014'', pursuant to 5 U.S.C. 5379(h)(1); to the Committee on Oversight and Government Reform.

3196. A letter from the Division Chief, Legislative Affairs and Correspondence, Bureau of Land Management, Department of the Interior, transmitting the final map and corridor boundary description for the Crooked Wild and Scenic River, pursuant to Pub. L. 90-542, Sec. 3(b), as amended; 16 U.S.C. 1271-1287; to the Committee on Natural Resources.

3197. A letter from the Branch Chief, Endangered Species Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; 4(d) Rule for the Georgetown Salamander [Docket No.: FWS-R2-ES-2014-0008; 4500030113] (RIN: 1018-BA32) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3198. A letter from the Chief, Branch of Endangered Species Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Diplacus vandenbergensis (Vandenberg Monkeyflower) [Docket No.: FWS-R8-ES-2013-0049] [4500030113] (RIN: 1018-AZ33) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3199. A letter from the Acting Listing Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for Trichomanes punctatum ssp. floridanum (Florida Bristle Fern) [Docket No.: FWS-R4-ES-2014-0044; 4500030113] (RIN: 1018-AY97) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3200. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Ohio Regulatory Program [OH-254-FOR; Docket ID: OSM-2012-0012; S1D1S SS08011000 SX066A000 156S180110; S2D2S SS08011000 SX066A000 15XS501520] received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3201. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Kentucky Regulatory Program [SATS No.: KY-253-FOR; Docket ID: OSM-2009-0014; S1D1S SS08011000 SX064A000 167S180110; S2D2S SS08011000 SX064A000 16X501520] received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3202. A letter from the Acting Branch Chief, Endangered Species Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Status for 16 Species and Threatened Status for 7 Species in Micronesia [Docket No.: FWS-R1-ES-2014-0038] [4500030113] (RIN: 1018-BA13) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3203. A letter from the Acting Branch Chief, Endangered Species Listing, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Dakota Skipper and Poweshiek Skipperling [Docket No.: FWS-R3-ES-2013-0017] [4500030113] (RIN: 1018-AZ58) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3204. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — 2015-2016 Refuge-Specific Hunting and Sport Fishing Regulations [Docket No.: FWS-HQ-NWRS-2015-0029; FXRS12650900000-156-FF09R20000] (RIN: 1018-BA57) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3205. A letter from the Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [SATS No. PA-154-FOR; Docket ID: OSM-2010-0002; S1D1S SS08011000 SX064A000 167S180110 S2D2S SS08011000 SX064A000 16XS501520] received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3206. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE174) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3207. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No.: 140117052-4402-02] (RIN: 0648-XE113) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3208. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2015 Winter II Quota [Docket No.: 140117052-4402-02] (RIN: 0648-XE156) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3209. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No.: 101206604-1758-02] (RIN: 0648-XD779) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3210. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Snowy Grouper [Docket No.: 0907271173-0629-03] (RIN: 0648-XE181) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3211. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition filed on behalf of workers from the Hooker Electrochemical Corporation in Niagara Falls, New York, to be added to the Special Exposure Cohort, pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 and 42 C.F.R. pt. 83; to the Committee on the Judiciary.

3212. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's interim final rule — Visas: Documentation of Nonimmigrants under the Immigration and Nationality Act, as Amended (RIN: 1400-AD17) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3213. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Procedures for Issuing Visas (RIN: 1400-AD84) received October 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3214. A letter from the Assistant Administrator, Office of Procurement, National Aeronautics and Space Administration, transmitting the Department's final rule — NASA Federal Acquisition Regulation Supplement: Drug- and Alcohol-Free Workforce and Mission Critical Systems Personnel Reliability Program (NFS Case 2015-N002) (RIN: 2700-AE17) received October 14, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Science, Space, and Technology.

3215. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Department's final rule — Collection of Administrative Debts [Docket No.: SSA-2011-0053] (RIN: 0960-AH36) received October 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

### ¶129.6 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. WOMACK, laid before the House the following communication from the Chief Administrative Officer:

HOUSE OF REPRESENTATIVES, OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER,

*Washington, DC, October 16, 2015.*

Hon. JOHN A. BOEHNER,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with two grand jury subpoenas for documents issued by the United States

District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I have determined that compliance with one of the subpoenas is consistent with the privileges and rights of the House. After further consultation with counsel, I will make the determinations required by Rule VIII with respect to the second subpoena.

Sincerely,

ED CASSIDY,
*Chief Administrative Officer*.

¶129.7 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. WOMACK, laid before the House the following communication from Michelle Anderson-Lee, Director of Appropriations, office of the Honorable Chaka Fattah:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*October 16, 2015*.

Hon. JOHN A. BOEHNER,
*Speaker, House of Representatives,*
*Washington, DC*.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the Eastern District of Pennsylvania, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

MICHELLE ANDERSON-LEE,
*Director of Appropriations,*
*Office of Congressman Chaka Fattah*.

¶129.8 RECESS—2:07 P.M.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 7 minutes p.m., until approximately 4 p.m.

¶129.9 AFTER RECESS—4 P.M.

The SPEAKER pro tempore, Mr. HULTGREN, called the House to order.

¶129.10 JUDICIAL REDRESS

Mr. GOODLATTE moved to suspend the rules and pass the bill (H.R. 1428) to extend Privacy Act remedies to citizens of certified states, and for other purposes.

The SPEAKER pro tempore, Mr. HULTGREN, recognized Mr. GOODLATTE and Mr. COHEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HULTGREN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶129.11 SECURING THE CITIES

Mr. DONOVAN moved to suspend the rules and pass the bill (H.R. 3493) to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HULTGREN, recognized Mr. DONOVAN and Mr. HIGGINS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HULTGREN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DONOVAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶129.12 KNOW THE CBRN TERRORISM THREATS TO TRANSPORTATION

Mr. DONOVAN moved to suspend the rules and pass the bill (H.R. 3350) to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes.

The SPEAKER pro tempore, Mr. HULTGREN, recognized Mr. DONOVAN and Mr. HIGGINS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HULTGREN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DONOVAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶129.13 DHS HEADQUARTERS REFORM AND IMPROVEMENT

Mr. MCCAUL moved to suspend the rules and pass the bill (H.R. 3572) to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HULTGREN, recognized Mr. MCCAUL and Mr. HIGGINS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HULTGREN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶129.14 ANNUAL BUDGET SUBMISSIONS

Mr. MESSER moved to suspend the rules and pass the bill (H.R. 1315) to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes.

The SPEAKER pro tempore, Mr. HULTGREN, recognized Mr. MESSER and Mr. YARMUTH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HULTGREN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶129.15 SUPPORTING THE RIGHT OF THE PEOPLE OF UKRAINE

Mr. ROYCE moved to suspend the rules and agree to the following resolution (H. Res. 348); as amended:

Whereas after President Yanukovych had fled Kyiv, Russian President Vladimir Putin ordered the forcible and illegal occupation of Crimea in March 2014;

Whereas Russian-led separatists have forcibly seized large areas of Ukraine and continue their attacks on Ukraine's forces;

Whereas the Russian Federation has continued to engage in relentless political, economic, and military aggression to subvert the independence and violate the territorial integrity of Ukraine;

Whereas the United States has supported the democratically elected Government of Ukraine, which represents the will of the people of Ukraine, and Congress has passed multiple pieces of legislation to provide support to Ukraine;

Whereas Congress passed the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (Public Law 113–

95), which authorized loan guarantees for the Government of Ukraine;

Whereas Congress passed the Ukraine Freedom Support Act of 2014 (Public Law 113–272), which authorized the Administration to provide Ukraine's Government with support to facilitate necessary reforms, and stated that it is United States policy to assist the Government of Ukraine in restoring its sovereignty and territorial integrity;

Whereas in September 2014, a cease-fire agreement was brokered between Ukraine, Russia, and Russian-led separatists, but the agreement was never fully implemented;

Whereas in February 2015, an additional cease-fire, known as the Minsk Implementation Agreement or Minsk 2, was agreed upon;

Whereas the United States has assisted in many elections around the world, including Ukraine's Presidential election in May 25, 2014, to ensure that international election standards are upheld;

Whereas early parliamentary elections were held on October 26, 2014, but 29 of the 450 seats in parliament were not filled due to the inability to hold elections in areas controlled by separatists;

Whereas, despite the disenfranchisement of people living in separatist-controlled areas, international election observers declared the parliamentary elections in the rest of the country to have met international standards;

Whereas Ukraine and Russia are participating States of the Organization for Security and Cooperation in Europe and party to its commitments, including the 1990 Copenhagen Document which states that States ''will respect each other's right freely to choose and develop, in accordance with international human rights standards, their political, social, economic and cultural systems'' and that ''free elections that will be held at reasonable intervals by secret ballot or by equivalent free voting procedure, under conditions which ensure in practice the free expression of the opinion of the electors in the choice of their representatives'';

Whereas the next local elections are scheduled to take place in Ukraine on October 25, 2015;

Whereas these elections are critical to continued legislative and constitutional reform in Ukraine;

Whereas the Russian-led separatists in eastern Ukraine continue to refuse to implement Ukrainian law and to permit Ukrainian authorities to conduct elections in the areas they control and have therefore made free and fair elections in those areas impossible;

Whereas Ukraine's government has therefore been forced to postpone the local elections in those areas; and

Whereas the United States is supporting efforts to promote citizen engagement in the constitutional reform process, educating voters, and election monitoring: Now, therefore, be it

*Resolved,* That the House of Representatives—

(1) strongly supports the right of the people of Ukraine to freely elect their government and determine their future;

(2) urges the Administration to expedite assistance to Ukraine to facilitate the political, economic, and social reforms necessary for free and fair elections that meet international standards; and

(3) condemns attempts on the part of outside forces, specifically the Government of Russia, its agents and supporters, to interfere in Ukraine's elections, including through intimidation, violence, or coercion.

The SPEAKER pro tempore, Mr. HULTGREN, recognized Mr. ROYCE and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. HULTGREN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶129.16 RECESS—5:20 P.M.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 20 minutes p.m., until approximately 6:30 p.m.

¶129.17 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. HULTGREN, called the House to order.

¶129.18 PROVIDING FOR CONSIDERATION OF H.R. 10 AND H.R. 692

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 114–300) the resolution (H. Res. 480) providing for consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, and providing for consideration of the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States.

When said resolution and report were referred to the House Calendar and ordered printed.

¶129.19 PROVIDING FOR CONSIDERATION OF H.R. 1937

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 114–301) the resolution (H. Res. 481) providing for consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness.

When said resolution and report were referred to the House Calendar and ordered printed.

¶129.20 H.R. 3493—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3493) to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 411 / Nays ..... 4

¶129.21 [Roll No. 550]

YEAS—411

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)

Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—4

Amash
Gohmert
Jones
Sanford

NOT VOTING—19

Brown (FL)
Crawford
Davis, Danny
Fleming
Fortenberry
Gosar
Gowdy
Grayson
Gutiérrez
Hice, Jody B.
Hudson
Kelly (IL)
Marino
Neal
Payne
Pelosi
Pingree
Rush
Sires

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶129.22 H.R. 3350—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3350) to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 416 Nays ..... 0

¶129.23 [Roll No. 551]

YEAS—416

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—18

Barletta
Crawford
Cummings
Davis, Danny
Fleming
Fortenberry
Gosar
Gowdy
Grayson
Gutiérrez
Hice, Jody B.
Hudson
Kelly (IL)
Marino
Payne
Pelosi
Pingree
Rush

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶129.24 H. RES. 348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 348) supporting the right of the people of Ukraine to freely elect their government and determine their future; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 Nays ..... 4

¶129.25 [Roll No. 552]

YEAS—413

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—4

Duncan (TN)
Jones
Massie
Rohrabacher

NOT VOTING—17

Crawford
Fleming
Fortenberry
Franks (AZ)
Gosar
Gowdy
Grayson
Gutiérrez
Hice, Jody B.
Hudson
Kelly (IL)
Marino
Payne
Pelosi
Pingree
Rush
Shuster

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶129.26 LIBRARIAN OF CONGRESS SUCCESSION MODERNIZATION

On motion of Mr. HARPER, by unanimous consent, the Committee on House Administration was discharged from further consideration of the bill of the Senate (S. 2162) to establish a 10-year term for the service of the Librarian of Congress.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk notify the Senate thereof.

¶129.27 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1735. An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

¶129.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HUDSON, for today; and

To Mr. PAYNE, for today through October 23.

And then,

¶129.29 ADJOURNMENT

On motion of Mr. COLLINS of Georgia, at 8 o'clock and 56 minutes p.m., the House adjourned.

¶129.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1428. A bill to extend Privacy Act remedies to citizens of certified states, and for other purposes (Rept. 114–294, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3493. A bill to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes; with an amendment (Rept. 114–295). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3350. A bill to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes (Rept. 114–296). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3572. A bill to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes; with an amendment (Rept. 114–297). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 598. A bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes; with an amendment (Rept. 114–298). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 2320. A bill to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes; with an

amendment (Rept. 114–299). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX. Committee on Rules. House Resolution 480. Resolution providing for consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, and providing for consideration of the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States (Rept. 114–300). Referred to the House Calendar.

Mr. NEWHOUSE: Committee on Rules. House Resolution 481. Resolution providing for consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness (Rept. 114–301). Referred to the House Calendar.

### ¶129.31 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 1428 referred to the Committee of the Whole House on the state of the Union.

### ¶129.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER (for himself, Mr. DEFAZIO, Mr. GRAVES of Missouri, and Ms. NORTON):

H.R. 3763. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BISHOP of Utah:

H.R. 3764. A bill to provide that an Indian group may receive Federal acknowledgment as an Indian tribe only by an Act of Congress, and for other purposes; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself, Mr. COLLINS of Georgia, and Mr. JOLLY):

H.R. 3765. A bill to amend the Americans with Disabilities Act of 1990 to promote compliance through education, to clarify the requirements for demand letters, to provide for a notice and cure period before the commencement of a private civil action, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself and Mr. CONNOLLY):

H.R. 3766. A bill to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. BLACKBURN (for herself and Mr. WALKER):

H.R. 3767. A bill to amend title 44, United States Code, to prohibit the assembly or manufacture of secure credentials or their component parts by the Government Publishing Office; to the Committee on House Administration.

By Ms. BROWN of Florida:

H.R. 3768. A bill to amend title 5, United States Code, to provide that rates of basic pay for members of the Senior Executive Service are determined on the basis of the position, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESJARLAIS (for himself and Mrs. BLACKBURN):

H.R. 3769. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. DOGGETT (for himself, Mr. MCDERMOTT, Mr. GENE GREEN of Texas, Mr. LEWIS, Mr. RANGEL, Ms. CLARKE of New York, Mr. VEASEY, Ms. MOORE, Ms. SCHAKOWSKY, Mr. GRIJALVA, Ms. DELAURO, Mr. BLUMENAUER, Mr. RUSH, Mr. VARGAS, Mr. TONKO, Mr. NADLER, Mr. COURTNEY, Mr. GARAMENDI, Mr. BUTTERFIELD, Mr. CARTWRIGHT, Mr. POCAN, Mr. DANNY K. DAVIS of Illinois, Mr. HASTINGS, and Ms. JUDY CHU of California):

H.R. 3770. A bill to amend title XVIII of the Social Security Act to prevent surprise billing practices, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES:

H.R. 3771. A bill to establish a procedure in the House of Representatives and the Senate to accomplish the policies contemplated by the Concurrent Resolution on the Budget for Fiscal Year 2016, to encourage the timely completion of fiscal policy work in Congress, and to provide for regulatory relief to grow the economy, and for other purposes; to the Committee on Rules, and in addition to the Committees on Oversight and Government Reform, the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY (for herself, Ms. BROWN of Florida, Mr. ENGEL, Ms. NORTON, Mr. KIND, Mr. NOLAN, Mr. RANGEL, Mr. TAKANO, Mr. HASTINGS, and Mr. COHEN):

H.R. 3772. A bill to reduce childhood obesity, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Ms. EDWARDS, and Mrs. COMSTOCK):

H.R. 3773. A bill to amend title 49, United States Code, relating to the authority of the Secretary of Transportation under the public transportation safety program; to the Committee on Transportation and Infrastructure.

By Mr. PETERS (for himself and Mr. COOPER):

H.R. 3774. A bill to amend title 31, United States Code, to apply the debt limit only to debt held by the public and to adjust the debt limit for increases in the gross domestic product; to the Committee on Ways and Means.

By Mr. PETERS:

H.R. 3775. A bill to amend the Congressional Budget Act of 1974 to provide for a debt stabilization process, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD (for herself and Mr. HURD of Texas):

H. Res. 482. A resolution expressing the sense of the House that Congress should recognize the benefits of charitable giving and express support for the designation of #GivingTuesday; to the Committee on Ways and Means.

### ¶129.33 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 31: Mr. BROOKS of Alabama.

H.R. 188: Mrs. MILLER of Michigan.

H.R. 224: Ms. MAXINE WATERS of California, Mr. PASCRELL, Mr. RICHMOND, Mr. MCGOVERN, Ms. SPEIER, Mr. LEWIS, Mr. GUTIÉRREZ, Mr. CUMMINGS, Mr. CARSON of Indiana, Ms. VELÁZQUEZ, Mr. FARR, Mr. TONKO, Mr. COHEN, Ms. MATSUI, Mr. GRAYSON, and Ms. BONAMICI.

H.R. 282: Mr. BERA.

H.R. 379: Mrs. MILLER of Michigan and Mr. COHEN.

H.R. 389: Ms. DELAURO.

H.R. 448: Mr. FATTAH.

H.R. 465: Mr. EMMER of Minnesota.

H.R. 500: Mr. MCDERMOTT.

H.R. 525: Mr. HURT of Virginia.

H.R. 546: Mrs. NAPOLITANO, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. BASS, Mr. CAPUANO, Mr. NEAL, Ms. WILSON of Florida, Mr. THOMPSON of California, Mr. CARTWRIGHT, Mr. KEATING, and Mr. SESSIONS.

H.R. 563: Mr. CONYERS.

H.R. 578: Mr. LAMBORN.

H.R. 590: Ms. DUCKWORTH.

H.R. 592: Mr. GALLEGO, Mr. GRAVES of Louisiana, and Mr. CARTER of Texas.

H.R. 632: Ms. KUSTER, Mr. MEEKS, and Mr. CASTRO of Texas.

H.R. 662: Mr. PETERSON, Mrs. LUMMIS, and Mr. RICE of South Carolina.

H.R. 699: Mrs. BEATTY.

H.R. 721: Mr. WENSTRUP.

H.R. 759: Mr. QUIGLEY.

H.R. 765: Mr. COFFMAN.

H.R. 816: Mr. WILSON of South Carolina.

H.R. 834: Mr. PETERS.

H.R. 842: Ms. WILSON of Florida.

H.R. 845: Ms. DUCKWORTH.

H.R. 865: Mr. CULBERSON.

H.R. 870: Ms. SLAUGHTER, Mr. COURTNEY, and Ms. WASSERMAN SCHULTZ.

H.R. 920: Mrs. LAWRENCE.

H.R. 921: Mr. BERA.

H.R. 956: Ms. JENKINS of Kansas.

H.R. 985: Mr. SERRANO and Mr. GENE GREEN of Texas.

H.R. 990: Mr. CAPUANO.

H.R. 997: Mr. ADERHOLT and Mr. MCCAUL.

H.R. 1019: Miss RICE of New York and Mr. BISHOP of Michigan.

H.R. 1062: Ms. JENKINS of Kansas.

H.R. 1087: Mr. DEUTCH.

H.R. 1111: Mr. PAYNE.

H.R. 1141: Mr. TAKAI.

H.R. 1151: Mr. DUNCAN of Tennessee.

H.R. 1197: Ms. NORTON, Mr. PASCRELL, and Ms. ROS-LEHTINEN.

H.R. 1205: Mr. YOHO.

H.R. 1247: Mr. DANNY K. DAVIS of Illinois.

H.R. 1258: Mr. SHERMAN, Mr. NEAL, Mr. SERRANO, Ms. WASSERMAN SCHULTZ, Mr. BUTTERFIELD, Ms. JENKINS of Kansas, Mr. CLEAVER, Mr. VELA, Ms. LINDA T. SÁNCHEZ of California, and Mr. CONYERS.

H.R. 1282: Mr. GRAYSON, Ms. DUCKWORTH, and Mr. PRICE of North Carolina.

H.R. 1284: Mr. GRAYSON.

H.R. 1299: Mr. JORDAN.

H.R. 1301: Mr. CHABOT, Mr. BOST, and Mr. LOBIONDO.

H.R. 1312: Mr. ASHFORD, Mr. KEATING, and Ms. NORTON.

H.R. 1346: Mr. DELANEY.

H.R. 1347: Mr. DELANEY.

H.R. 1389: Mr. BROOKS of Alabama.

H.R. 1401: Ms. WILSON of Florida.
H.R. 1422: Ms. HERRERA BEUTLER.
H.R. 1453: Ms. BASS and Mr. DESJARLAIS.
H.R. 1457: Ms. NORTON.
H.R. 1475: Mr. SMITH of Missouri, Mr. PASCRELL, Mr. POMPEO, Mr. LOEBSACK, Mr. TOM PRICE of Georgia, and Mr. MOULTON.
H.R. 1515: Mrs. WATSON COLEMAN.
H.R. 1548: Mrs. WATSON COLEMAN.
H.R. 1550: Mr. GUINTA, Mrs. WAGNER, Mr. RENACCI, and Mr. CONNOLLY.
H.R. 1559: Mr. HULTGREN and Mr. BYRNE.
H.R. 1568: Mr. HASTINGS, Mr. CICILLINE, and Mr. LOWENTHAL.
H.R. 1602: Ms. MOORE.
H.R. 1603: Ms. JUDY CHU of California, Mr. VAN HOLLEN, Mr. HENSARLING, and Mr. MASSIE.
H.R. 1608: Mr. JEFFRIES, Mrs. BLACKBURN, and Mr. YOUNG of Iowa.
H.R. 1610: Mr. BISHOP of Michigan.
H.R. 1643: Mr. BISHOP of Michigan.
H.R. 1655: Mr. NEWHOUSE, Mr. BUCSHON, and Ms. DELBENE.
H.R. 1670: Mr. PASCRELL and Mr. CONYERS.
H.R. 1671: Mr. PAULSEN, Mr. SAM JOHNSON of Texas, and Mr. BISHOP of Michigan.
H.R. 1674: Ms. LEE.
H.R. 1684: Mr. KILMER.
H.R. 1688: Mr. RUSH.
H.R. 1716: Mr. KELLY of Pennsylvania.
H.R. 1728: Ms. LEE and Mr. GRAYSON.
H.R. 1733: Mr. BRADY of Pennsylvania.
H.R. 1736: Mr. KING of Iowa.
H.R. 1752: Mr. CARTER of Texas.
H.R. 1763: Ms. NORTON, Mr. RYAN of Ohio, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. KIND, Mr. VAN HOLLEN, Ms. SLAUGHTER, Mr. LOWENTHAL, Mr. GRIJALVA, and Mrs. BEATTY.
H.R. 1769: Mr. CRAMER, Ms. KAPTUR, Mr. WELCH, Mr. BUTTERFIELD, and Mr. POCAN.
H.R. 1784: Mr. HOLDING.
H.R. 1786: Mr. THOMPSON of Pennsylvania, Mr. HILL, and Mr. BRADY of Pennsylvania.
H.R. 1818: Mrs. KIRKPATRICK and Ms. JENKINS of Kansas.
H.R. 1854: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1859: Ms. SCHAKOWSKY and Mr. LEWIS.
H.R. 1861: Mr. GROTHMAN.
H.R. 1877: Mr. COFFMAN and Ms. LEE.
H.R. 1956: Ms. ADAMS.
H.R. 1957: Ms. ADAMS.
H.R. 1958: Ms. BROWNLEY of California.
H.R. 1978: Mr. HUFFMAN.
H.R. 2016: Mr. KEATING, Mr. DEFAZIO, Mr. CÁRDENAS, and Ms. VELÁZQUEZ.
H.R. 2087: Mr. CICILLINE.
H.R. 2125: Mr. TONKO.
H.R. 2142: Mr. KATKO.
H.R. 2173: Mr. ELLISON.
H.R. 2221: Mr. JOHNSON of Ohio.
H.R. 2224: Mr. HASTINGS and Ms. NORTON.
H.R. 2228: Mr. LIPINSKI.
H.R. 2247: Mr. FLEMING.
H.R. 2254: Mr. VEASEY.
H.R. 2287: Mr. FINCHER and Mr. HULTGREN.
H.R. 2304: Mr. BISHOP of Michigan.
H.R. 2350: Mr. HONDA.
H.R. 2400: Mr. FORTENBERRY and Mr. WESTERMAN.
H.R. 2410: Mr. DEUTCH.
H.R. 2434: Ms. FUDGE.
H.R. 2460: Mr. SIMPSON.
H.R. 2493: Mr. GRAYSON, Mr. PRICE of North Carolina, Mr. CÁRDENAS, Ms. LEE, and Mr. CUMMINGS.
H.R. 2500: Mr. DAVID SCOTT of Georgia.
H.R. 2510: Mrs. LAWRENCE and Mr. BYRNE.
H.R. 2513: Mr. FLORES.
H.R. 2515: Ms. CLARKE of New York.
H.R. 2536: Mr. WELCH.
H.R. 2540: Ms. ADAMS.
H.R. 2568: Mr. JODY B. HICE of Georgia.
H.R. 2597: Mr. COFFMAN, Ms. JENKINS of Kansas, and Ms. STEFANIK.
H.R. 2646: Mr. HILL.
H.R. 2654: Mr. KATKO, Mr. MURPHY of Florida, Mr. BEYER, and Ms. KELLY of Illinois.
H.R. 2657: Mr. TONKO and Mr. YODER.
H.R. 2689: Mrs. DAVIS of California.
H.R. 2697: Mrs. NAPOLITANO, Ms. LEE, Mr. HASTINGS, and Mr. SCHIFF.
H.R. 2698: Mr. ZINKE, Mr. STUTZMAN, Mr. CRAMER, and Mr. HUIZENGA of Michigan.
H.R. 2710: Mr. HANNA, Mr. JOHNSON of Ohio, Mr. THOMPSON of Pennsylvania, Mr. MASSIE, and Mr. HENSARLING.
H.R. 2726: Ms. WASSERMAN SCHULTZ and Mr. MEEKS.
H.R. 2737: Mr. RENACCI and Mr. JONES.
H.R. 2764: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2769: Ms. JENKINS of Kansas.
H.R. 2799: Mr. BOUSTANY.
H.R. 2801: Mr. OLSON.
H.R. 2802: Mr. MICA.
H.R. 2811: Mr. CARTWRIGHT.
H.R. 2849: Mr. CÁRDENAS, Ms. LEE, Mr. KEATING, and Mr. GRAYSON.
H.R. 2855: Ms. MCCOLLUM.
H.R. 2858: Mr. MCNERNEY, Mr. SARBANES, Mr. GENE GREEN of Texas, Mr. NEAL, Ms. WASSERMAN SCHULTZ, Mr. SERRANO, Ms. VELÁZQUEZ, Ms. KAPTUR, Mr. SIRES, Mr. CROWLEY, Mr. CLEAVER, Mr. LOEBSACK, Mr. MACARTHUR, Mr. VELA, Mr. BERA, Mr. SHERMAN, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2867: Miss RICE of New York and Ms. SPEIER.
H.R. 2871: Mr. KEATING.
H.R. 2880: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2896: Mr. BROOKS of Alabama, Mrs. LUMMIS, Mrs. LOVE, and Mr. FINCHER.
H.R. 2903: Mr. CICILLINE, Mr. SIMPSON, and Mrs. BEATTY.
H.R. 2918: Ms. WILSON of Florida.
H.R. 2920: Mr. SMITH of New Jersey and Ms. VELÁZQUEZ.
H.R. 2987: Ms. FUDGE, Mr. GIBSON, Mr. SEAN PATRICK MALONEY of New York, Mr. PERLMUTTER, and Ms. SEWELL of Alabama.
H.R. 2994: Mr. ENGEL, Mr. HUFFMAN, and Mr. KEATING.
H.R. 3044: Ms. BROWNLEY of California and Mrs. BEATTY.
H.R. 3048: Mr. RUSSELL and Ms. JENKINS of Kansas.
H.R. 3063: Mr. COLE.
H.R. 3099: Ms. SCHAKOWSKY and Mr. FORTENBERRY.
H.R. 3110: Ms. GABBARD.
H.R. 3164: Ms. SLAUGHTER.
H.R. 3177: Mr. KEATING.
H.R. 3221: Ms. MCCOLLUM.
H.R. 3229: Mr. COFFMAN, Mr. RUPPERSBERGER, Mr. NEWHOUSE, Mr. CALVERT, and Ms. SLAUGHTER.
H.R. 3255: Mr. EMMER of Minnesota.
H.R. 3263: Mr. HONDA.
H.R. 3268: Mr. CLEAVER, Mr. LOEBSACK, Mr. FATTAH, Mr. KATKO, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 3283: Mr. RIBBLE.
H.R. 3306: Ms. CLARKE of New York.
H.R. 3309: Mr. COOK.
H.R. 3314: Mr. OLSON and Mr. SAM JOHNSON of Texas.
H.R. 3326: Mr. KNIGHT, Mr. LAMALFA, Mr. BISHOP of Michigan, and Mrs. WAGNER.
H.R. 3339: Mrs. MIMI WALTERS of California.
H.R. 3340: Mr. MCHENRY.
H.R. 3351: Mr. JOHNSON of Georgia, Mr. POCAN, and Mr. BRADY of Pennsylvania.
H.R. 3355: Mr. DAVID SCOTT of Georgia, Ms. BROWN of Florida, and Mr. GIBSON.
H.R. 3356: Mr. ROSKAM.
H.R. 3364: Mr. WELCH, Ms. LEE, Ms. SPEIER, and Ms. WILSON of Florida.
H.R. 3366: Mr. GRIJALVA, Ms. FUDGE, and Mr. HONDA.
H.R. 3381: Mr. THOMPSON of California, Mr. WALZ, Mr. COHEN, Mr. ROONEY of Florida, Mr. HONDA, Mr. TONKO, and Ms. SLAUGHTER.
H.R. 3384: Mr. MEEKS.
H.R. 3393: Mr. COFFMAN.
H.R. 3399: Mr. CONYERS, Ms. KAPTUR, Mr. POCAN, Mr. POLIS, Mr. MEEKS, Ms. DELBENE, Mr. GIBSON, Ms. LOFGREN, Mr. SMITH of Washington, Mr. RANGEL, Mr. CAPUANO, Ms. FUDGE, and Ms. KELLY of Illinois.
H.R. 3411: Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. SCHAKOWSKY, Mr. KEATING, Mr. DANNY K. DAVIS of Illinois, and Mr. RICHMOND.
H.R. 3445: Ms. SCHAKOWSKY.
H.R. 3463: Mrs. COMSTOCK.
H.R. 3470: Mr. DOLD, Ms. NORTON, Ms. EDWARDS, Mr. MURPHY of Florida, Mr. SMITH of Washington, Mr. VAN HOLLEN, Ms. DUCKWORTH, and Mr. HONDA.
H.R. 3471: Ms. JENKINS of Kansas, Mr. RYAN of Ohio, Mrs. CAPPS, Mr. JODY B. HICE of Georgia, and Ms. SINEMA.
H.R. 3480: Mr. JOHNSON of Georgia and Mr. TOM PRICE of Georgia.
H.R. 3488: Mr. HUELSKAMP, Ms. JENKINS of Kansas, and Mr. WESTERMAN.
H.R. 3514: Ms. WILSON of Florida, Mr. KILMER, Mr. SWALWELL of California, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 3516: Mr. WALDEN, Mr. ALLEN, and Mr. NUNES.
H.R. 3518: Mr. BLUMENAUER.
H.R. 3520: Ms. BROWN of Florida and Mr. PASCRELL.
H.R. 3522: Mr. MCDERMOTT.
H.R. 3526: Ms. SPEIER, Mr. HUFFMAN, Mr. POCAN, Ms. CLARK of Massachusetts, Ms. TSONGAS, Ms. DELBENE, and Mr. HECK of Washington.
H.R. 3535: Ms. ESHOO.
H.R. 3542: Ms. JUDY CHU of California and Ms. EDWARDS.
H.R. 3556: Ms. JACKSON LEE and Mr. KILMER.
H.R. 3568: Ms. DUCKWORTH.
H.R. 3573: Mr. JOYCE.
H.R. 3585: Mr. LIPINSKI.
H.R. 3589: Mr. KING of New York.
H.R. 3591: Mr. COLLINS of New York, Mr. KING of New York, Mr. LARSON of Connecticut, and Mr. COOPER.
H.R. 3610: Mr. PIERLUISI.
H.R. 3618: Mr. NUNES.
H.R. 3621: Mr. COHEN.
H.R. 3630: Ms. HERRERA BEUTLER.
H.R. 3632: Ms. SPEIER.
H.R. 3636: Mr. SMITH of Texas.
H.R. 3640: Ms. WILSON of Florida and Ms. JUDY CHU of California.
H.R. 3651: Ms. GRANGER, Ms. STEFANIK, Ms. JENKINS of Kansas, Mr. CLEAVER, Mr. JONES, Ms. DUCKWORTH, Ms. LINDA T. SÁNCHEZ of California, Mr. BARR, Mr. CUELLAR, Mr. COFFMAN, Mr. WALZ, Mr. LOEBSACK, Mrs. HARTZLER, Mrs. BEATTY, and Mr. DAVID SCOTT of Georgia.
H.R. 3652: Miss RICE of New York, Ms. SCHAKOWSKY, Ms. MOORE, and Ms. JUDY CHU of California.
H.R. 3654: Mr. WEBER of Texas, Mr. DESANTIS, and Mr. LOWENTHAL.
H.R. 3664: Mr. WILSON of South Carolina and Mr. HASTINGS.
H.R. 3666: Ms. SLAUGHTER, Mr. HANNA, and Mr. TONKO.
H.R. 3668: Mr. VALADAO.
H.R. 3669: Mrs. NAPOLITANO, Ms. BROWNLEY of California, and Mr. SWALWELL of California.
H.R. 3687: Mr. CRAMER and Mr. EMMER of Minnesota.
H.R. 3691: Mr. PASCRELL.
H.R. 3696: Mr. BECERRA, Mr. GENE GREEN of Texas, Mr. COHEN, Mr. TAKAI, Mr. POCAN, Mr. YARMUTH, Ms. GABBARD, Ms. WASSERMAN SCHULTZ, Ms. NORTON, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BONAMICI, Mrs. CAPPS, Mr. VAN HOLLEN, and Ms. FRANKEL of Florida.
H.R. 3699: Mr. CARTER of Georgia.
H.R. 3707: Mr. KILMER.
H.R. 3711: Ms. JACKSON LEE and Mr. GUTIÉRREZ.

H.R. 3712: Ms. SCHAKOWSKY.
H.R. 3720: Ms. JUDY CHU of California, Ms. LEE, and Mr. WELCH.
H.R. 3733: Mr. GARAMENDI and Ms. JUDY CHU of California.
H.R. 3744: Mr. MURPHY of Florida.
H.R. 3756: Mrs. NAPOLITANO, Ms. BROWNLEY of California, Ms. NORTON, Mr. JONES, Mr. HARPER, and Ms. BROWN of Florida.
H.R. 3757: Mr. SCHRADER, Mr. COSTA, and Mr. ASHFORD.
H.J. Res. 30: Mr. POCAN.
H.J. Res. 59: Mr. JOHNSON of Ohio and Mr. HECK of Nevada.
H. Con. Res. 86: Ms. FUDGE, Mr. HASTINGS, Ms. LEE, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HINOJOSA, Mr. CASTRO of Texas, and Mrs. LAWRENCE.
H. Res. 12: Mr. COSTELLO of Pennsylvania.
H. Res. 28: Mr. HECK of Washington.
H. Res. 54: Mr. UPTON, Ms. WILSON of Florida, and Mr. YOUNG of Iowa.
H. Res. 110: Mr. COURTNEY.
H. Res. 130: Ms. SPEIER.
H. Res. 214: Mr. CARSON of Indiana.
H. Res. 265: Mr. CICILLINE.
H. Res. 293: Mr. ROHRABACHER, Mr. WESTMORELAND, Miss RICE of New York, Mr. KELLY of Pennsylvania, and Ms. JENKINS of Kansas.
H. Res. 348: Ms. JACKSON LEE.
H. Res. 386: Mr. HASTINGS and Ms. WILSON of Florida.
H. Res. 428: Ms. WILSON of Florida, Ms. JUDY CHU of California, and Mr. LARSEN of Washington.
H. Res. 429: Ms. MCCOLLUM, Mr. PETERS, and Ms. WILSON of Florida.
H. Res. 456: Mr. POLIS.
H. Res. 467: Ms. SLAUGHTER, Mr. ENGEL, Mr. RANGEL, Mr. GUTIÉRREZ, Mr. CICILLINE, Ms. MATSUI, Mr. RUSH, Ms. JACKSON LEE, Mr. LARSON of Connecticut, Mr. DEUTCH, Mr. RICHMOND, Mr. GALLEGO, Ms. PINGREE, Ms. KAPTUR, Ms. LEE, Mr. RYAN of Ohio, Mr. SARBANES, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Mr. ISRAEL, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MEEKS, Mr. LYNCH, Ms. BONAMICI, Ms. CASTOR of Florida, Mrs. DAVIS of California, Mr. HASTINGS, Mr. LEVIN, Mr. KEATING, and Mr. CONYERS.
H. Res. 472: Ms. ROYBAL-ALLARD.

¶129.34 PETITIONS

Under clause 3 of rule XII,

32. The SPEAKER presented a petition of St. Charles Parish Council, relative to Resolution No. 6182, declaring the St. Charles Parish Council's and Parish President's support of and solidarity with all law enforcement personnel across these great United States, and to recognize and honor all of the men and women who currently serve or who have served as law enforcement officers, and in particular those who serve or have served in St. Charles Parish and the State of Louisiana; which was referred to the Committee on the Judiciary.

## WEDNESDAY, OCTOBER 21, 2015 (130)

¶130.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. DUNCAN of Tennessee, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 21, 2015.*

I hereby appoint the Honorable JOHN J. DUNCAN, Jr., to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶130.2 RECESS—10:49 A.M.

The SPEAKER pro tempore, Mr. OLSON, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 49 minutes a.m., until noon.

¶130.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶130.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, October 20, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶130.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3216. A letter from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Competitive and Noncompetitive Non-formula Federal Assistance Programs — Specific Administrative Provisions for the Food Insecurity Nutrition Incentive Grants Program (RIN: 0524-AA65) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3217. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Infant Formula: The Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements; Confirmation of Effective Date [Docket No.: FDA-2013-N-0067] received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3218. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.1216 of the Commission's Rules Related to Broadcast Licensee-Conducted Contests [MB Docket No.: 14-226] [RM-11684] received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3219. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3220. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3221. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3222. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3223. A letter from the Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Alaska; Hunting and Trapping in National Preserves [NPS-AKRO-18755; PPAKAKROZ5, PPMPRLE1Y.L00000] (RIN: 1024-AE21) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3224. A letter from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule — List of Pro Bono Legal Service Providers for Individuals in Immigration Proceedings [EOIR Docket No.: 164P; A.G. Order No.: 3565-2015] (RIN: 1125-AA62) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3225. A letter from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting the Department's final rule — Separate Representation for Custody and Bond Proceedings [EOIR Docket No.: 181; AG Order No.: 3563-2015] (RIN: 1125-AA78) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3226. A letter from the Principal Deputy Chief Financial Officer, Department of Labor, transmitting the Department's interim final rule — Administrative Wage Garnishment Procedures (RIN: 1290-AA27) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3227. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Temporary Agricultural Employment of H-2A Foreign Workers in the Herding or Production of Livestock on the Range in the United States (RIN: 1205-AB70) received October 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3228. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled ''Recovery Auditing in Medicare for Fiscal Year 2014'', in accordance with Sec. 1893(h) of the Social Security Act; jointly to the Committees on Energy and Commerce and Ways and Means.

¶130.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 21, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 21, 2015 at 9:14 a.m.:

That the Senate passed without amendment H.R. 322.
That the Senate passed without amendment H.R. 323.
That the Senate passed without amendment H.R. 324.
That the Senate passed without amendment H.R. 558.
That the Senate passed without amendment H.R. 1442.
That the Senate passed without amendment H.R. 1884.

That the Senate passed without amendment H.R. 3059.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶130.7 PROVIDING FOR CONSIDERATION OF H.R. 10 AND H.R. 692

Ms. FOXX, by direction of the Committee on Rules, called up the following resolution (H. Res. 480):

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

When said resolution was considered.

After debate,

Ms. FOXX moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. HASTINGS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶130.8 PROVIDING FOR CONSIDERATION OF H.R. 1937

Mr. NEWHOUSE, by direction of the Committee on Rules, called up the following resolution (H. Res. 481):

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. NEWHOUSE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶130.9 H. RES. 480—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 480) providing for consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, and providing for consideration of the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 241 / Nays ..... 181

¶130.10 [Roll No. 553]

YEAS—241

| | | |
|---|---|---|
| Abraham | Forbes | Luetkemeyer |
| Aderholt | Fortenberry | Lummis |
| Allen | Foxx | MacArthur |
| Amash | Franks (AZ) | Marchant |
| Amodei | Frelinghuysen | Marino |
| Babin | Garrett | Massie |
| Barletta | Gibbs | McCarthy |
| Barr | Gibson | McCaul |
| Barton | Gohmert | McClintock |
| Benishek | Goodlatte | McHenry |
| Bilirakis | Gosar | McKinley |
| Bishop (MI) | Granger | McMorris Rodgers |
| Bishop (UT) | Graves (GA) | McSally |
| Black | Graves (LA) | Meadows |
| Blackburn | Graves (MO) | Meehan |
| Blum | Griffith | Messer |
| Bost | Grothman | Mica |
| Boustany | Guinta | Miller (FL) |
| Brady (TX) | Guthrie | Miller (MI) |
| Brat | Hanna | Moolenaar |
| Bridenstine | Hardy | Mooney (WV) |
| Brooks (AL) | Harper | Mullin |
| Brooks (IN) | Harris | Mulvaney |
| Buchanan | Hartzler | Murphy (PA) |
| Bucshon | Heck (NV) | Neugebauer |
| Burgess | Hensarling | Newhouse |
| Byrne | Herrera Beutler | Noem |
| Calvert | Hice, Jody B. | Nugent |
| Carter (GA) | Hill | Nunes |
| Carter (TX) | Holding | Olson |
| Chabot | Hudson | Palazzo |
| Chaffetz | Huelskamp | Palmer |
| Clawson (FL) | Huizenga (MI) | Paulsen |
| Coffman | Hultgren | Pearce |
| Cole | Hunter | Perry |
| Collins (GA) | Hurd (TX) | Pittenger |
| Collins (NY) | Hurt (VA) | Pitts |
| Conaway | Issa | Poe (TX) |
| Cook | Jenkins (KS) | Poliquin |
| Costello (PA) | Jenkins (WV) | Pompeo |
| Cramer | Johnson (OH) | Posey |
| Crawford | Johnson, Sam | Price, Tom |
| Crenshaw | Jolly | Ratcliffe |
| Culberson | Jones | Reed |
| Curbelo (FL) | Jordan | Reichert |
| Davis, Rodney | Joyce | Renacci |
| Denham | Katko | Ribble |
| Dent | Kelly (MS) | Rice (SC) |
| DeSantis | Kelly (PA) | Rigell |
| DesJarlais | King (IA) | Roby |
| Diaz-Balart | King (NY) | Roe (TN) |
| Dold | Kinzinger (IL) | Rogers (AL) |
| Donovan | Kline | Rogers (KY) |
| Duffy | Knight | Rohrabacher |
| Duncan (SC) | Labrador | Rokita |
| Duncan (TN) | LaHood | Rooney (FL) |
| Ellmers (NC) | LaMalfa | Ros-Lehtinen |
| Emmer (MN) | Lamborn | Roskam |
| Farenthold | Lance | Ross |
| Fincher | Latta | Rothfus |
| Fitzpatrick | LoBiondo | Rouzer |
| Fleischmann | Long | Royce |
| Fleming | Love | Russell |
| Flores | Lucas | |

Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NAYS—181

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

NOT VOTING—12

Buck
Clyburn
Comstock
Gowdy
Grayson
Kelly (IL)
Larson (CT)
Loudermilk
Payne
Rice (NY)
Wilson (FL)
Young (IN)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. DENHAM, announced that the ayes had it.

Mr. HASTINGS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 245 / Noes ..... 182

¶130.11 [Roll No. 554]

AYES—245

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

NOES—182

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

NOT VOTING—7

Becerra
Clyburn
Gowdy
Grayson
Kelly (IL)
Payne
Pelosi

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶130.12 H. RES. 481—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on ordering the previous question on the resolution (H. Res. 481) providing for consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 243 Nays ..... 184

¶130.13 [Roll No. 555]

YEAS—243

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

NAYS—184

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

NOT VOTING—7

Bishop (UT)
Clyburn
DeFazio
Gowdy
Kelly (IL)
Payne
Webster (FL)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. DENHAM, announced that the ayes had it.

Mr. HASTINGS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 244 Noes ..... 185

¶130.14 [Roll No. 556]

AYES—244

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

NOES—185

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating

| | | |
|---|---|---|
| Kennedy | Moore | Schrader |
| Kildee | Moulton | Scott (VA) |
| Kilmer | Murphy (FL) | Scott, David |
| Kind | Nadler | Serrano |
| Kirkpatrick | Napolitano | Sewell (AL) |
| Kuster | Neal | Sherman |
| Langevin | Nolan | Sinema |
| Larsen (WA) | Norcross | Sires |
| Larson (CT) | O'Rourke | Slaughter |
| Lawrence | Pallone | Smith (WA) |
| Lee | Pascrell | Speier |
| Levin | Pelosi | Swalwell (CA) |
| Lewis | Perlmutter | Takai |
| Lieu, Ted | Peters | Takano |
| Lipinski | Peterson | Thompson (CA) |
| Loebsack | Pingree | Thompson (MS) |
| Lofgren | Pocan | Titus |
| Lowenthal | Polis | Tonko |
| Lowey | Price (NC) | Torres |
| Lujan Grisham (NM) | Quigley | Tsongas |
| | Rangel | Van Hollen |
| Luján, Ben Ray (NM) | Rice (NY) | Vargas |
| | Richmond | Veasey |
| Lynch | Roybal-Allard | Vela |
| Maloney, Carolyn | Ruiz | Velázquez |
| | Ruppersberger | Visclosky |
| Maloney, Sean | Rush | Walz |
| Matsui | Ryan (OH) | Wasserman Schultz |
| McCollum | Sánchez, Linda T. | |
| McDermott | | Waters, Maxine |
| McGovern | Sanchez, Loretta | Watson Coleman |
| McNerney | Sarbanes | Welch |
| Meeks | Schakowsky | Wilson (FL) |
| Meng | Schiff | Yarmuth |

NOT VOTING—5

| | | |
|---|---|---|
| Clyburn | Johnson (OH) | Payne |
| Gowdy | Kelly (IL) | |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶130.15 ORDER OF BUSINESS—ON A MOTION TO RECOMMIT ON H.R. 692 AND H.R. 10

On motion of Mr. RYAN of Wisconsin, by unanimous consent,

*Ordered*, That it may be in order that the question of adopting a motion to recommit on the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States, or on the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes, may be subject to postponement as though under clause 8 of rule XX.

¶130.16 DEFAULT PREVENTION

Mr. RYAN of Wisconsin, pursuant to House Resolution 480, called up for consideration the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

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

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, announced that the ayes had it.

Mr. LEVIN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶130.17 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

¶130.18 AMENDMENT OF THE SENATE TO H.R. 3116

On motion of Mr. CHAFFETZ, by unanimous consent, the bill (H.R. 3116) to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

At the appropriate place, insert the following:

***SEC. 3. REPORT ON DATA SECURITY PROCEDURES OF THE BUREAU OF THE CENSUS.***

*(a) REVIEW.—The Secretary of Commerce shall conduct a review of the data security procedures of the Bureau of the Census, including such procedures that have been implemented since the data breaches of systems of the Office of Personnel Management were announced in 2015.*

*(b) REPORT.—*

*(1) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on the review required by subsection (a).*

*(2) CONTENTS.—The report required by paragraph (1) shall—*

*(A) identify all information systems of the Bureau of the Census that contain sensitive information;*

*(B) described any actions carried out by the Secretary of Commerce or the Director of the Bureau of the Census to secure sensitive information that have been implemented since the data breaches of systems of the Office of Personnel Management were announced in 2015;*

*(C) identify any known data breaches of information systems of the Bureau of the Census that contain sensitive information; and*

*(D) identify whether the Bureau of the Census stores any information that, if combined with other such information, would comprise classified information.*

On motion of Mr. CHAFFETZ, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶130.19 SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, pursuant to House Resolution 480 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes.

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, by unanimous consent, designated Mr. HOLDING as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, assumed the Chair.

When Mr. ALLEN, Acting Chairman, reported the bill, as amended by House Resolution 480, back to the House with a further amendment adopted by the Committee.

The previous question having been ordered by said resolution.

Pursuant to House Resolution 480, the amendments recommended by the Committee on Oversight and Government Reform, printed in the bill, were considered as agreed to.

The following further amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Page 9, beginning line 5, strike ''identified as a low-achieving school according to the Office of the State Superintendent of Education of the District of Columbia'' and insert ''identified as one of the lowest-performing schools under the District of Columbia's accountability system''.

Page 10, beginning line 25, strike '', or by any other accrediting body determined appropriate by the District of Columbia Office of the State Superintendent for Schools for the purpose of accrediting an elementary or secondary school''.

Page 16, beginning line 7, strike ''identified as a low-achieving school according to the Office of the State Superintendent of Education of the District of Columbia'' and insert ''identified as one of the lowest-performing schools under the District of Columbia's accountability system''.

Page 18, line 10, strike ''evaluate'' and insert ''report on''.

Page 21, line 12, strike ''A comparison of'' and insert ''A report on''.

Page 21, line 18, strike ''with the rates'' and insert ''as well as the rates''.

Page 21, line 22, after the period add the following: ''Nothing in this subparagraph may be construed to waive section 3004(a)(3)(A)(iii) with respect to any such student.''.

Page 25, beginning line 20, strike ''may direct the funds provided for any fiscal year, or any portion thereof,'' and insert ''shall direct the funds provided for any fiscal year''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. SCOTT of Virginia, moved to recommit the bill to the Committee on Oversight and Government Reform with instructions to report the bill back to the House forthwith with the following amendment:

Add at the end of section 6 the following new subsection:

(f) REQUIRING PROTECTION OF STUDENTS AND APPLICANTS UNDER CIVIL RIGHTS LAWS.—Section 3008 (sec. 38-1853.08, D.C. Official Code) is amended by adding at the end the following new subsection:

''(i) REQUIRING PROTECTION OF STUDENTS AND APPLICANTS UNDER CIVIL RIGHTS LAWS.—In addition to meeting the requirements of subsection (a), an eligible entity or a school may not participate in the opportunity scholarship program under this Act unless the eligible entity or school certifies to the Secretary that the eligible entity or school will provide each student who applies for or receives an opportunity scholarship under this Act with all of the applicable protections available under each of the following laws:

''(1) Title IV of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq.).

''(2) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

''(3) Title IX of the Education Amendments Act of 1972 (20 U.S.C. 1681 et seq.).

''(4) The Equal Educational Opportunities Act of 1974 (20 U.S.C. 1701 et seq.).

''(5) The Individuals With Disabilities Education Act (20 U.S.C. 1400 et seq.).

''(6) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

''(7) The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

''(8) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that the noes had it.

Mr. SCOTT of Virginia, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, pursuant to clause 8 of rule XX, and the previous order of the House, announced that further proceedings on the question were postponed.

¶130.20 H.R. 692—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 692) to ensure the payment of interest and principal of the debt of the United States.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 235 Nays ..... 194

¶130.21 [Roll No. 557]

YEAS—235

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

NAYS—194

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

NOT VOTING—5

| | | |
|---|---|---|
| Bishop (UT) | Kelly (IL) | Roskam |
| Fattah | Payne | |

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶130.22 H.R. 10—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, pursuant to clause 8 of rule XX, and the previous order of the House, announced the further unfinished business to be the motion to recommit with instructions on the bill (H.R. 10) to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 185 Nays ..... 242

¶130.23 [Roll No. 558]

YEAS—185

| | | |
|---|---|---|
| Adams | DelBene | Langevin |
| Aguilar | DeSaulnier | Larsen (WA) |
| Ashford | Deutch | Larson (CT) |
| Bass | Dingell | Lawrence |
| Beatty | Doggett | Lee |
| Becerra | Doyle, Michael F. | Levin |
| Bera | Duckworth | Lewis |
| Beyer | Edwards | Lieu, Ted |
| Bishop (GA) | Ellison | Lipinski |
| Blumenauer | Engel | Loebsack |
| Bonamici | Eshoo | Lofgren |
| Boyle, Brendan F. | Esty | Lowenthal |
| Brady (PA) | Farr | Lowey |
| Brown (FL) | Foster | Lujan Grisham (NM) |
| Brownley (CA) | Frankel (FL) | Luján, Ben Ray (NM) |
| Bustos | Fudge | Lynch |
| Butterfield | Gabbard | Maloney, Carolyn |
| Capps | Gallego | Maloney, Sean |
| Capuano | Garamendi | Matsui |
| Cárdenas | Graham | McCollum |
| Carney | Grayson | McDermott |
| Carson (IN) | Green, Al | McGovern |
| Cartwright | Green, Gene | McNerney |
| Castor (FL) | Grijalva | Meeks |
| Castro (TX) | Gutiérrez | Meng |
| Chu, Judy | Hahn | Moore |
| Cicilline | Hastings | Moulton |
| Clark (MA) | Heck (WA) | Murphy (FL) |
| Clarke (NY) | Higgins | Nadler |
| Clay | Himes | Napolitano |
| Cleaver | Hinojosa | Neal |
| Clyburn | Honda | Nolan |
| Cohen | Hoyer | Norcross |
| Connolly | Huffman | O'Rourke |
| Conyers | Israel | Pallone |
| Cooper | Jackson Lee | Pascrell |
| Costa | Jeffries | Pelosi |
| Courtney | Johnson (GA) | Perlmutter |
| Crowley | Johnson, E. B. | Peters |
| Cuellar | Kaptur | Peterson |
| Cummings | Keating | Pingree |
| Davis (CA) | Kennedy | Pocan |
| Davis, Danny | Kildee | Polis |
| DeFazio | Kilmer | Price (NC) |
| DeGette | Kind | Quigley |
| Delaney | Kirkpatrick | Rangel |
| DeLauro | Kuster | Rice (NY) |

Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—242

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

NOT VOTING—7

Buchanan
Collins (GA)
Fattah
Kelly (IL)
Payne
Russell
Westmoreland

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that the ayes had it.

Ms. NORTON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 240 / Nays ..... 191

¶130.24 [Roll No. 559]

YEAS—240

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

NAYS—191

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

NOT VOTING—3

Fattah
Kelly (IL)
Payne

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶130.25 ORDER OF BUSINESS—VETO OF H.R. 1735

On motion of Mr. THORNBERRY, by unanimous consent,

*Ordered*, That if a veto message on the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for mili-

tary activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, is laid before the House, then after the message is read and the objections of the President are spread at large upon the Journal, further consideration of the veto message and the bill shall be postponed until the legislative day of Thursday, November 5, 2015; and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

¶130.26 PACE PROGRAMS

Mr. BRADY of Texas, moved to suspend the rules and pass the bill of the Senate (S. 1362) to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, recognized Mr. BRADY of Texas, and Mr. BLUMENAUER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk notify the Senate thereof.

¶130.27 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO THE DEMOCRATIC REPUBLIC OF THE CONGO

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413 of October 27, 2006, is to continue in effect beyond October 27, 2015.

The situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability, continues to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13413 with respect to the situation in or in relation to the Democratic Republic of the Congo.

BARACK OBAMA.

THE WHITE HOUSE, *October 21, 2015.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 114–69).

¶130.28 PROVIDING FOR CONSIDERATION OF H.R. 3762, WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII, AND MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 114–303) the resolution (H. Res. 483) providing for consideration of the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

And then,

¶130.29 ADJOURNMENT

On motion of Mr. WOODALL, at 7 o'clock and 21 minutes p.m., the House adjourned.

¶130.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1384. A bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law (Rept. 114–302). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 483. Resolution providing for consideration of the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of motions to suspend the rules (Rept. 114–303). Referred to the House Calendar.

¶130.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MOONEY of West Virginia:

H.R. 3776. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Mr. RIGELL:

H.R. 3777. A bill to provide for relief from sequester under the Balanced Budget and Emergency Deficit Control Act of 1985 and offsets to such relief through reforms in certain revenue and direct spending programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, Energy and Commerce, the Judiciary, Education and the Workforce, Oversight and Government Reform, Homeland Security, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY (for himself and Mr. RIBBLE):

H.R. 3778. A bill to amend title 23, United States Code, with respect to vehicle weight limitations for certain logging vehicles, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. VALADAO (for himself, Mr. SWALWELL of California, Mr. KNIGHT, Mr. NOLAN, Mr. YOUNG of Iowa, Mr. VARGAS, Mr. CALVERT, Mr. JOYCE, Mr. ROYCE, Mr. COOK, Mr. KINZINGER of Illinois, Mr. COSTA, Mr. MCCLINTOCK, Ms. SINEMA, Mr. MURPHY of Florida, Mr. JONES, Mr. LUCAS, Mr. DENHAM, and Mr. DESAULNIER):

H.R. 3779. A bill to restrict the inclusion of social security account numbers on documents sent by mail by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KING of Iowa (for himself, Mrs. BLACKBURN, and Mr. ZINKE):

H.R. 3780. A bill to amend title XVIII of the Social Security Act to sunset certain penalties relating to meaningful electronic health records use by Medicare eligible professionals and hospitals, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Ms. BASS, Mr. LANGEVIN, Mr. MCDERMOTT, Mr. LEWIS, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Ms. BONAMICI, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CONYERS, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HECK of Washington, Mr. HINOJOSA, Mr. JOHNSON of Georgia, Ms. MATSUI, Mr. MCGOVERN, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Virginia, Ms. SLAUGHTER, Mr. TAKANO, Mr. VAN HOLLEN, Mr. VARGAS, Mr. CLEAVER, Mrs. DINGELL, Ms. EDWARDS, Mr. COHEN, Ms. BROWN of Florida, Ms. WILSON of Florida, Ms. JACKSON LEE, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mrs. CAROLYN B. MALONEY of New York, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 3781. A bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home with their families, and for other purposes; to the Committee on Ways and Means.

By Mr. CÁRDENAS (for himself, Mr. COHEN, Mr. CUMMINGS, Mr. ELLISON,

Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JACKSON LEE, Ms. MOORE, Mr. RANGEL, Mr. RICHMOND, Mr. SCOTT of Virginia, and Mr. VARGAS):

H.R. 3782. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CÁRDENAS (for himself, Mr. COHEN, Mr. CUMMINGS, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JACKSON LEE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NAPOLITANO, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. VAN HOLLEN, and Mr. VARGAS):

H.R. 3783. A bill to provide definitions of terms and services related to community-based gang intervention to ensure that funding for such intervention is utilized in a cost-effective manner and that community-based agencies are held accountable for providing holistic, integrated intervention services, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CARNEY (for himself, Mr. DUFFY, Mr. QUIGLEY, and Mr. CRENSHAW):

H.R. 3784. A bill to amend the Securities Exchange Act of 1934 to establish an Office of the Advocate for Small Business Capital Formation and a Small Business Capital Formation Advisory Committee, and for other purposes; to the Committee on Financial Services.

By Mr. CASTRO of Texas:

H.R. 3785. A bill to prohibit Executive agencies from using the derogatory term ''alien'' to refer to an individual who is not a citizen or national of the United States, to amend chapter 1 of title 1, United States Code, to establish a uniform definition for the term ''foreign national'', and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California (for herself and Mr. PETERS):

H.R. 3786. A bill to amend the Higher Education Act of 1965 and the Truth in Lending Act to clarify the application of prepayment amounts on student loans; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself, Mrs. BUSTOS, and Mr. CRAWFORD):

H.R. 3787. A bill to amend title 23, United States Code, to improve public understanding of how transportation investments are made by public agencies through establishing greater transparency and accountability processes; to the Committee on Transportation and Infrastructure.

By Mr. ELLISON (for himself, Mr. GRIJALVA, and Mr. HUFFMAN):

H.R. 3788. A bill to direct the Secretary of Transportation to develop performance measures for assessing transportation connectivity and accessibility for highway and public transportation systems, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GUINTA:

H.R. 3789. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish a memorial headstone or marker to commemorate an eligible individual whose remains are identified and available but the location of the gravesite is unknown; to the Committee on Veterans' Affairs.

By Ms. KELLY of Illinois:

H.R. 3790. A bill to improve science, technology, engineering, and mathematics education, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. LOVE (for herself and Mr. LUETKEMEYER):

H.R. 3791. A bill to raise the consolidated assets threshold under the small bank holding company policy statement, and for other purposes; to the Committee on Financial Services.

By Ms. MOORE:

H.R. 3792. A bill to assist young adults with obtaining or regaining driver's licenses, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MURPHY of Florida (for himself, Mr. DEUTCH, and Ms. BONAMICI):

H.R. 3793. A bill to amend the Older Americans Act of 1965 to provide equal treatment of LGBT older individuals, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROSS (for himself and Mr. PERLMUTTER):

H.R. 3794. A bill to amend the Liability Risk Retention Act of 1986 to expand the types of commercial insurance authorized for risk retention groups serving nonprofit organizations and educational institutions, and for other purposes; to the Committee on Financial Services.

By Mr. RYAN of Ohio:

H.R. 3795. A bill to improve certain provisions relating to charter schools; to the Committee on Education and the Workforce.

By Mr. WALKER:

H.R. 3796. A bill to amend section 232 of the National Housing Act to provide that nursing homes receiving low ratings for purposes of the Medicare or Medicaid programs are ineligible for mortgage insurance under such section, and for other purposes; to the Committee on Financial Services.

By Mr. CHABOT:

H. Res. 484. A resolution congratulating the Government and people of the Republic of Turkey as they celebrate Republic Day, and for other purposes; to the Committee on Foreign Affairs.

By Ms. MCSALLY (for herself, Mr. BISHOP of Michigan, Mr. WEBER of Texas, Mr. DUNCAN of South Carolina, Mr. COOK, Mr. COSTELLO of Pennsylvania, Mr. SAM JOHNSON of Texas, Ms. JENKINS of Kansas, Mr. PERRY, Mr. LAMBORN, Mr. BYRNE, Mr. TOM PRICE of Georgia, Ms. GRANGER, Mr. SALMON, Mrs. WALORSKI, Mr. DESANTIS, Mr. ZINKE, Mrs. COMSTOCK, Mrs. ELLMERS of North Carolina, Mr. DOLD, Mr. SCHWEIKERT, Mr. BARLETTA, Mr. FRANKS of Arizona, Mr. LAMALFA, Mr. CURBELO of Florida, Mr. ROUZER, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. GIBSON, Mr. POLIQUIN, Mr. MULLIN, Mr. DENT, Ms. STEFANIK, Mr. RATCLIFFE, Mr. MCCAUL, Mr. VALADAO, Mr. RUSSELL, Mr. DONOVAN, Mr. GOSAR, Mrs. MIMI WALTERS of California, Mrs. LOVE, Mr. KATKO, Mr. CRENSHAW, and Mr. MACARTHUR):

H. Res. 485. A resolution expressing solidarity with the people of Israel in the wake of recent terrorist attacks and condemning the Palestinian Authority for inciting an atmosphere of violence; to the Committee on Foreign Affairs.

### ¶130.32 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 169: Mr. MCKINLEY and Mr. EMMER of Minnesota.

H.R. 224: Mr. THOMPSON of California, Mr. ISRAEL, Ms. HAHN, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JUDY CHU of California, Mr. ENGEL, Mr. SCOTT of Virginia, Mr. KEATING, Mr. JOHNSON of Georgia, Mr. SIRES, Mr. THOMPSON of Mississippi, and Mr. POCAN.

H.R. 226: Mr. VAN HOLLEN and Mr. GUTIÉRREZ.

H.R. 290: Mr. HUFFMAN.

H.R. 309: Ms. LEE.

H.R. 343: Mr. DESAULNIER, Ms. PINGREE, and Mr. POLIQUIN.

H.R. 379: Mr. MCNERNEY.

H.R. 425: Mrs. NAPOLITANO.

H.R. 532: Mr. MURPHY of Florida.

H.R. 542: Mr. KIND.

H.R. 556: Mr. BOST.

H.R. 581: Mr. MOULTON.

H.R. 592: Ms. MCSALLY and Mr. GIBSON.

H.R. 703: Mr. HOLDING.

H.R. 731: Mr. DESAULNIER.

H.R. 746: Mr. LYNCH.

H.R. 775: Mr. CARSON of Indiana, Mr. BUTTERFIELD, and Mr. ENGEL.

H.R. 814: Mr. KATKO.

H.R. 836: Mrs. HARTZLER.

H.R. 842: Mr. MURPHY of Pennsylvania.

H.R. 850: Mr. DESAULNIER.

H.R. 870: Mr. CROWLEY and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 921: Mr. VEASEY.

H.R. 938: Ms. JACKSON LEE.

H.R. 953: Ms. LEE, Mr. BLUMENAUER, Mr. RICHMOND, Ms. SLAUGHTER, Mr. LARSEN of Washington, Miss RICE of New York, Mr. POCAN, and Mr. PASCRELL.

H.R. 985: Ms. ROYBAL-ALLARD and Mr. KIND.

H.R. 989: Ms. FUDGE.

H.R. 1019: Ms. ESHOO.

H.R. 1061: Ms. LEE and Mr. ASHFORD.

H.R. 1062: Mr. MOONEY of West Virginia.

H.R. 1090: Mr. JOLLY.

H.R. 1178: Mr. HUDSON.

H.R. 1185: Mr. DOLD.

H.R. 1211: Ms. TSONGAS and Mr. LANGEVIN.

H.R. 1220: Mr. HURD of Texas, Mr. YOUNG of Indiana, Ms. GABBARD, Mr. COLE, Mr. KENNEDY, Mr. MACARTHUR, Mr. FOSTER, Mr. FATTAH, Ms. DELAURO, Mr. REED, Ms. ESTY, Ms. JUDY CHU of California, Ms. WILSON of Florida, Mr. LANGEVIN, Ms. BASS, and Mr. ROSKAM.

H.R. 1258: Mr. PALLONE, Mr. MOULTON, Mr. POLIQUIN, Mr. SCOTT of Virginia, Mr. WITTMAN, and Mr. KENNEDY.

H.R. 1266: Mr. ZINKE.

H.R. 1301: Ms. JACKSON LEE, Ms. CLARK of Massachusetts, and Mr. MACARTHUR.

H.R. 1309: Mr. FITZPATRICK, Mr. LATTA, and Mr. GRAVES of Georgia.

H.R. 1312: Mr. COSTELLO of Pennsylvania and Mr. SMITH of Missouri.

H.R. 1343: Mrs. DAVIS of California and Mr. TONKO.

H.R. 1384: Mr. MOONEY of West Virginia and Mr. SHUSTER.

H.R. 1388: Mr. EMMER of Minnesota.

H.R. 1401: Mr. KEATING, Mr. DANNY K. DAVIS of Illinois, and Mr. ROSKAM.

H.R. 1430: Mr. HOLDING.

H.R. 1453: Mr. NORCROSS.

H.R. 1457: Mr. PITTS.

H.R. 1475: Mr. POLIQUIN, Mr. LABRADOR, Mr. COOK, and Mr. NORCROSS.

H.R. 1542: Ms. HERRERA BEUTLER, Mr. MCDERMOTT, and Mr. KIND.

H.R. 1567: Mr. JOLLY, Mr. SWALWELL of California, and Mr. BISHOP of Michigan.

H.R. 1651: Mrs. LOVE.

H.R. 1680: Ms. DUCKWORTH, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. DEFAZIO, Ms. WILSON of Florida, and Mr. DESAULNIER.

H.R. 1692: Mr. KEATING.

H.R. 1726: Mr. RANGEL and Ms. NORTON.

H.R. 1733: Ms. NORTON and Mr. PITTS.

H.R. 1737: Mr. BISHOP of Utah, Mr. COFFMAN, Mr. MARINO, and Ms. JENKINS of Kansas.

H.R. 1747: Ms. WILSON of Florida.

H.R. 1758: Miss RICE of New York.
H.R. 1761: Miss RICE of New York.
H.R. 1769: Mr. LUCAS and Mr. YOHO.
H.R. 1786: Mr. EMMER of Minnesota, Mr. HECK of Washington, and Mr. CARNEY.
H.R. 1793: Mr. ZINKE and Mr. SIMPSON.
H.R. 1834: Mr. ROONEY of Florida.
H.R. 1855: Mr. HECK of Washington and Mr. PERLMUTTER.
H.R. 1858: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1901: Mr. LABRADOR.
H.R. 1933: Mr. CAPUANO.
H.R. 1941: Mr. FRELINGHUYSEN and Mr. GRAVES of Missouri.
H.R. 1942: Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Mr. LEWIS, Mr. NEAL, Mr. SCHWEIKERT, Mr. CLEAVER, Mr. CHABOT, and Mr. SCOTT of Virginia.
H.R. 1943: Mr. VISCLOSKY.
H.R. 1964: Mr. DENT, Mr. DESJARLAIS, and Mr. FRANKS of Arizona.
H.R. 1966: Ms. WILSON of Florida.
H.R. 1974: Mrs. KIRKPATRICK.
H.R. 2050: Ms. MOORE, Mr. YOUNG of Alaska, Mr. MCNERNEY, Mr. FRELINGHUYSEN, and Mr. YARMUTH.
H.R. 2090: Mr. DESAULNIER.
H.R. 2121: Mr. COFFMAN, Mr. WILLIAMS, and Mr. PITTENGER.
H.R. 2156: Mr. RICE of South Carolina.
H.R. 2205: Mr. LUETKEMEYER.
H.R. 2209: Mr. ISRAEL, Mr. VARGAS, Mr. PITTENGER, and Mr. SHERMAN.
H.R. 2224: Ms. CASTOR of Florida and Mr. SWALWELL of California.
H.R. 2257: Mr. BUCK.
H.R. 2260: Mr. YARMUTH.
H.R. 2287: Mr. GRAVES of Missouri.
H.R. 2293: Mr. CROWLEY, Mr. HIGGINS, Mr. JOHNSON of Georgia, Mr. GENE GREEN of Texas, Mr. NEAL, Mr. MCNERNEY, Mr. SERRANO, Ms. WASSERMAN SCHULTZ, Ms. KAPTUR, Mr. BUTTERFIELD, Mr. CLEAVER, Ms. JENKINS of Kansas, Mr. SHIMKUS, Mr. YOUNG of Iowa, Mr. FATTAH, Mr. VELA, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PALLONE, and Mr. MOULTON.
H.R. 2380: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2406: Mr. KIND.
H.R. 2494: Mrs. LOVE and Mr. ROGERS of Kentucky.
H.R. 2530: Mr. SCHIFF.
H.R. 2536: Mr. RYAN of Ohio.
H.R. 2546: Mr. TAKANO.
H.R. 2566: Mr. GRAVES of Missouri and Mr. KIND.
H.R. 2588: Mr. COFFMAN.
H.R. 2590: Mr. ASHFORD.
H.R. 2597: Mr. HUDSON.
H.R. 2612: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KEATING, and Mr. PERLMUTTER.
H.R. 2613: Mr. KEATING.
H.R. 2646: Mr. ZINKE, Mr. FATTAH, and Mr. POMPEO.
H.R. 2654: Ms. TITUS.
H.R. 2689: Mr. SWALWELL of California.
H.R. 2710: Mr. ALLEN and Mr. LABRADOR.
H.R. 2726: Mr. DONOVAN.
H.R. 2738: Ms. ESTY.
H.R. 2753: Mr. DEFAZIO.
H.R. 2759: Mrs. KIRKPATRICK, Ms. KUSTER, Mr. DEFAZIO, Mr. FORTENBERRY, and Ms. ROYBAL-ALLARD.
H.R. 2799: Mr. STUTZMAN and Mr. KIND.
H.R. 2805: Mr. SWALWELL of California.
H.R. 2823: Mrs. NAPOLITANO.
H.R. 2844: Mrs. BUSTOS.
H.R. 2847: Mr. CICILLINE.
H.R. 2849: Ms. VELÁZQUEZ.
H.R. 2858: Mr. COSTELLO of Pennsylvania and Mr. SCOTT of Virginia.
H.R. 2903: Mr. COLLINS of New York.
H.R. 2911: Mr. WELCH, Ms. MCSALLY, Mr. DAVID SCOTT of Georgia, Mr. BARLETTA, Ms. KUSTER, and Mr. YODER.
H.R. 2939: Mr. KEATING.
H.R. 2944: Mr. DOLD and Ms. GABBARD.
H.R. 2957: Mr. HUFFMAN.
H.R. 2994: Mr. SIRES.
H.R. 3024: Mrs. NOEM and Mr. RANGEL.
H.R. 3026: Mr. NUNES.
H.R. 3033: Mr. COSTELLO of Pennsylvania.
H.R. 3051: Mr. THOMPSON of California and Ms. DUCKWORTH.
H.R. 3064: Ms. DUCKWORTH.
H.R. 3067: Mr. DESAULNIER.
H.R. 3094: Mr. MICA.
H.R. 3126: Mr. ALLEN.
H.R. 3137: Mr. JOLLY.
H.R. 3150: Ms. WILSON of Florida, Mr. MCNERNEY, and Ms. LOFGREN.
H.R. 3180: Mr. MOULTON and Mr. KING of New York.
H.R. 3190: Ms. CASTOR of Florida.
H.R. 3193: Miss RICE of New York.
H.R. 3201: Mr. CURBELO of Florida and Mr. BECERRA.
H.R. 3226: Ms. NORTON and Mr. LANCE.
H.R. 3229: Mrs. HARTZLER.
H.R. 3235: Mr. LYNCH and Ms. ROYBAL-ALLARD.
H.R. 3255: Mr. BOST and Mr. HURD of Texas.
H.R. 3296: Mr. ADERHOLT.
H.R. 3299: Mrs. MIMI WALTERS of California and Mr. BISHOP of Michigan.
H.R. 3314: Mrs. BLACK, Mr. FARENTHOLD, and Mr. WILSON of South Carolina.
H.R. 3326: Mr. CARNEY and Mr. AUSTIN SCOTT of Georgia.
H.R. 3351: Ms. SLAUGHTER, Mr. HIGGINS, Mr. FATTAH, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. MCCOLLUM.
H.R. 3355: Ms. SEWELL of Alabama.
H.R. 3364: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. VEASEY.
H.R. 3378: Ms. WILSON of Florida.
H.R. 3381: Mr. BUTTERFIELD.
H.R. 3395: Mr. DESAULNIER and Mr. KEATING.
H.R. 3411: Mr. SWALWELL of California, Mr. DESAULNIER, and Mr. SERRANO.
H.R. 3423: Mr. EMMER of Minnesota, Ms. MCCOLLUM, and Mr. ISRAEL.
H.R. 3427: Mr. SHERMAN, Mr. CICILLINE, Mr. GRIJALVA, Ms. LEE, Ms. JUDY CHU of California, Ms. DELAURO, Ms. JACKSON LEE, Mr. DESAULNIER, and Ms. CLARK of Massachusetts.
H.R. 3455: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 3459: Mr. WOMACK and Mr. HOLDING.
H.R. 3471: Mr. COOK, Ms. TITUS, and Mr. ENGEL.
H.R. 3473: Mr. COSTELLO of Pennsylvania.
H.R. 3484: Mr. KNIGHT, Ms. LINDA T. SÁNCHEZ of California, Ms. JUDY CHU of California, and Ms. HAHN.
H.R. 3488: Mr. LABRADOR.
H.R. 3516: Mr. HENSARLING, Mr. SMITH of Texas, Mr. BOST, Mr. HARDY, and Mr. BENISHEK.
H.R. 3537: Mr. BISHOP of Michigan.
H.R. 3539: Ms. ESHOO and Mr. DOLD.
H.R. 3549: Mr. KIND.
H.R. 3558: Mr. CONYERS.
H.R. 3573: Mr. LATTA.
H.R. 3618: Mr. MARCHANT.
H.R. 3626: Mr. MCCLINTOCK.
H.R. 3632: Mr. ELLISON and Ms. CASTOR of Florida.
H.R. 3655: Mr. LUCAS.
H.R. 3659: Ms. LOFGREN, Mr. GRIJALVA, Ms. SCHAKOWSKY, and Ms. CLARKE of New York.
H.R. 3661: Mr. POLIQUIN.
H.R. 3666: Mrs. WAGNER, Mr. HUIZENGA of Michigan, Ms. CLARKE of New York, and Mr. ISRAEL.
H.R. 3683: Ms. MCCOLLUM and Mr. HUFFMAN.
H.R. 3686: Mr. KLINE.
H.R. 3692: Mr. HUFFMAN and Mr. COSTA.
H.R. 3696: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. RUPPERSBERGER, Mr. LARSEN of Washington, Mr. CUELLAR, Mrs. BUSTOS, Mr. CÁRDENAS, Mr. HIGGINS, Mr. SIRES, Ms. DELBENE, Mr. THOMPSON of California, Mr. LOEBSACK, and Mr. GRAYSON.
H.R. 3699: Mr. LUCAS.
H.R. 3709: Ms. BORDALLO and Mr. HASTINGS.
H.R. 3711: Mr. HUFFMAN and Mr. PETERS.
H.R. 3726: Mr. ROUZER.
H.R. 3733: Ms. CASTOR of Florida.
H.R. 3740: Mrs. NAPOLITANO and Ms. JUDY CHU of California.
H.R. 3743: Mr. FARENTHOLD.
H.R. 3756: Mr. HUFFMAN, Mr. HONDA, Ms. WILSON of Florida, and Mr. POLIQUIN.
H.J. Res. 29: Mr. JOLLY.
H.J. Res. 67: Mr. LUCAS.
H.J. Res. 68: Mr. LUCAS.
H. Con. Res. 17: Mr. CARSON of Indiana, Ms. SEWELL of Alabama, Mrs. ROBY, and Mr. DONOVAN.
H. Con. Res. 40: Ms. CLARKE of New York and Ms. GABBARD.
H. Con. Res. 75: Ms. LOFGREN, Mr. HUFFMAN, Mr. NOLAN, Mr. CÁRDENAS, Mr. FATTAH, Mr. TONKO, Ms. LINDA T. SÁNCHEZ of California, Mr. DESAULNIER, Mr. PALLONE, Ms. LEE, Mr. ISRAEL, Mr. LARSON of Connecticut, Ms. SLAUGHTER, Mr. CARTWRIGHT, Ms. TITUS, Mr. CAPUANO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. NEAL, Mr. KILDEE, and Mr. MOOLENAAR.
H. Con. Res. 80: Ms. CLARKE of New York.
H. Res. 28: Ms. CLARK of Massachusetts.
H. Res. 54: Ms. DELAURO and Mr. ZINKE.
H. Res. 110: Mr. ISRAEL.
H. Res. 293: Mr. DONOVAN, Mr. LATTA, Mrs. LOWEY, Mr. DUNCAN of South Carolina, Mr. DENT, and Mr. SMITH of New Jersey.
H. Res. 393: Mr. FATTAH, Ms. BONAMICI, Mr. SCOTT of Virginia, Mr. YARMUTH, Mr. COHEN, Ms. VELÁZQUEZ, and Mr. WELCH.
H. Res. 416: Mr. RYAN of Ohio, Mr. BUTTERFIELD, Mr. BLUMENAUER, Ms. CLARKE of New York, Mrs. KIRKPATRICK, and Mr. CALVERT.
H. Res. 417: Mr. ROGERS of Alabama.
H. Res. 428: Mr. LANGEVIN, Mr. CARSON of Indiana, and Mr. DESAULNIER.
H. Res. 433: Mr. DESAULNIER.
H. Res. 443: Ms. DUCKWORTH.
H. Res. 445: Mrs. BUSTOS and Ms. BONAMICI.
H. Res. 471: Mr. LOWENTHAL, Mr. TAKAI, and Mr. TAKANO.
H. Res. 475: Ms. BROWNLEY of California.
H. Res. 479: Mr. KING of New York.

## THURSDAY, OCTOBER 22, 2015 (131)

¶131.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. FLEISCHMANN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 22, 2015.*

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶131.2 RECESS—10:42 A.M.

The SPEAKER pro tempore, Mr. FLEISCHMANN, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 42 minutes a.m., until noon.

¶131.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶131.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 21, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶131.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3229. A letter from the Assistant Secretary for Insular Areas, Department of the Interior, transmitting a draft bill to permit the use of resettlement and relocation funds provided to the people of Bikini to be used within or outside the Republic of the Marshall Islands, and for other purposes; to the Committee on Natural Resources.

3230. A letter from the Assistant Secretary for Insular Areas, Department of the Interior, transmitting a draft bill to improve air service capabilities in American Samoa, and for other purposes; to the Committee on Transportation and Infrastructure.

¶131.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. YOUNG of Iowa, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 22, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 22, 2015 at 10:47 a.m.:

That the Senate passed with amendments H.R. 208.

That the Senate passed without amendment H.R. 774.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶131.7 PROVIDING FOR CONSIDERATION OF H.R. 3762, WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII, AND MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 483):

*Resolved,* That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016. All points of order against consideration of the bill are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees; and (2) one motion to recommit with or without instructions.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of October 23, 2015.

SEC. 3. It shall be in order at any time on the legislative day of October 22, 2015, or October 23, 2015, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

When said resolution was considered.

After debate,

Mr. WOODALL moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. HOLDING, announced that the ayes had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HOLDING, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶131.8 STRATEGIC AND CRITICAL MINERALS PRODUCTION

The SPEAKER pro tempore, Mr. HOLDING, pursuant to House Resolution 481 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness.

The SPEAKER pro tempore, Mr. HOLDING, by unanimous consent, designated Mr. MARCHANT as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mr. MARCHANT, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶131.9 RECESS—2:57 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 57 minutes p.m., until approximately 3:30 p.m.

¶131.10 AFTER RECESS—3:32 P.M.

The SPEAKER pro tempore, Mr. MARCHANT, called the House to order.

¶131.11 STRATEGIC AND CRITICAL MINERALS PRODUCTION

The SPEAKER pro tempore, Mr. MARCHANT, pursuant to House Resolution 481 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1937) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness.

Mr. BOST, Acting Chairman, assumed the chair; and after some time spent therein,

¶131.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in House Report 114-301, submitted by Mr. LOWENTHAL:

Page 5, strike lines 1 through 15 and insert the following:

(1) STRATEGIC AND CRITICAL MINERALS.—The term ''strategic and critical minerals''—

(A) except as provided in subparagraph (B), means—

(i) minerals and mineral groups identified as critical by the National Research Council in the report titled ''Minerals, Critical Minerals, and the U.S Economy'' and dated 2008; and

(ii) additional minerals identified by the Secretary of the Interior based on the National Research Council criteria in such report; and

(B) does not include sand, gravel, or clay.

Page 5, line 25, after ''ties'' insert ''for strategic and critical minerals''.

Page 6, line 3, after ''operation'' insert ''for strategic and critical mineral mines''.

It was decided in the negative { Ayes ..... 176 / Noes ..... 253

¶131.13 [Roll No. 560]

AYES—176

| | | |
|---|---|---|
| Adams | Delaney | Kaptur |
| Aguilar | DeLauro | Keating |
| Ashford | DelBene | Kennedy |
| Bass | DeSaulnier | Kildee |
| Becerra | Deutch | Kilmer |
| Bera | Dingell | Kind |
| Beyer | Doggett | Kirkpatrick |
| Blumenauer | Doyle, Michael F. | Kuster |
| Bonamici | Duckworth | Langevin |
| Boyle, Brendan F. | Edwards | Larsen (WA) |
| Brady (PA) | Ellison | Larson (CT) |
| Brown (FL) | Engel | Lawrence |
| Brownley (CA) | Eshoo | Lee |
| Bustos | Esty | Levin |
| Butterfield | Fattah | Lewis |
| Capps | Foster | Lieu, Ted |
| Capuano | Frankel (FL) | Lipinski |
| Cárdenas | Fudge | Loebsack |
| Carney | Gabbard | Lofgren |
| Carson (IN) | Gallego | Lowenthal |
| Cartwright | Garamendi | Lowey |
| Castor (FL) | Graham | Lujan Grisham (NM) |
| Castro (TX) | Grayson | Luján, Ben Ray (NM) |
| Chu, Judy | Green, Al | Lynch |
| Cicilline | Green, Gene | Maloney, Carolyn |
| Clark (MA) | Grijalva | Maloney, Sean |
| Clarke (NY) | Gutiérrez | Matsui |
| Clay | Hahn | McCollum |
| Cleaver | Hastings | McDermott |
| Clyburn | Heck (WA) | McGovern |
| Cohen | Higgins | McNerney |
| Connolly | Himes | Meeks |
| Conyers | Hinojosa | Meng |
| Cooper | Honda | Moore |
| Courtney | Hoyer | Moulton |
| Crowley | Huffman | Murphy (FL) |
| Cummings | Israel | Nadler |
| Davis (CA) | Jackson Lee | Napolitano |
| Davis, Danny | Jeffries | Neal |
| DeFazio | Johnson (GA) | |
| DeGette | Johnson, E. B. | |

Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—253

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

NOT VOTING—5

Beatty
Granger
Kelly (IL)
Payne
Rush

So the amendment was not agreed to.

¶131.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 114-301, submitted by Mrs. DINGELL:

Beginning at page 7, strike line 5 and all that follows through page 8, line 18, and insert the following:

(b) TREATMENT OF PERMITS UNDER NEPA.—Issuance of a mineral exploration or mine permit shall be treated as a major Federal action significantly affecting the quality of the human environment for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

Beginning at page 9, strike line 19 and all that follows through page 12, line 21.

It was decided in the negative ..... { Ayes ..... 181 / Noes ..... 248

¶131.15 [Roll No. 561]

AYES—181

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

NOES—248

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

NOT VOTING—5

Castor (FL)
Cramer
Kelly (IL)
Payne
Rice (SC)

So the amendment was not agreed to.

¶131.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment numbered 3, printed in House Report 114-301, submitted by Mr. CARTWRIGHT:

Beginning at page 14, line 1, strike title II.

It was decided in the negative ..... { Ayes ..... 184 / Noes ..... 245

¶131.17 [Roll No. 562]

AYES—184

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

NOES—245

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

NOT VOTING—5

Castor (FL)
Kelly (IL)
Payne
Rice (SC)
Whitfield

So the amendment was not agreed to.

¶131.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in House Report 114-301, submitted by Mr. HASTINGS:

Add at the end the following:

**TITLE ____—MISCELLANEOUS PROVISIONS**

**SEC. __01. LIMITATION ON APPLICATION.**

This Act shall not apply with respect to a proposed strategic and critical minerals mining project unless the project proponent demonstrates that the combined capacity of existing mining operations in the United States producing the same mineral product that will be produced by the project, whether currently in operation or not, but not including mining operations for which a reclamation plan is being implemented or has been fully implemented, is less than 80 percent of the demand for that mineral product in the United States.

**SEC. __02. PUBLICATION OF NOTICE REGARDING TRANSPORTATION AND SALE OUTSIDE THE UNITED STATES.**

If any intermediate or final mineral product produced by a strategic and critical minerals mining project is to be transported or sold outside the United States, and the project proponent cannot demonstrate that the annual production of such product in the United States exceeds 80 percent of the demand for that product in the United States, the project proponent shall publish at least once prior notice of their intent to make such transport or sale in national newspapers or trade publications, by electronic means, or both, and on any Internet site that is maintained by the project proponent.

It was decided in the negative ..... { Ayes ..... 183 / Noes ..... 246

¶131.19 [Roll No. 563]

AYES—183

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

NOES—246

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)

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

NOT VOTING—5

Castor (FL)
Clawson (FL)
Kelly (IL)
Lummis
Payne

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. POE of Texas, assumed the Chair.

When Mr. BOST, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 481, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike title III (page 15, beginning at line 15) and insert the following:

**TITLE III—MISCELLANEOUS PROVISIONS**

**SEC. 301. SECRETARIAL ORDER NOT AFFECTED.**

This Act shall not apply to any mineral described in Secretarial Order 3324, issued by the Secretary of the Interior on December 3, 2012, in any area to which the Order applies.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. PETERS moved to recommit the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

Add at the end the following:

**SEC. __01. CLIMATE CHANGE IS REAL.**

Nothing in this Act limits the authority of the lead agency with responsibility for issuing a mineral exploration or mine permit from assessing the extent to which the activity proposed to be conducted under the permit may contribute to climate change.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the noes had it.

Mr. PETERS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Ayes ..... 184 / Noes ..... 246

¶131.20 [Roll No. 564]

AYES—184

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

NOES—246

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

NOT VOTING—4

| | |
|---|---|
| Castor (FL) | Payne |
| Kelly (IL) | Simpson |

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. PETERS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 254 Nays ..... 177

¶131.21 [Roll No. 565]

YEAS—254

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

NAYS—177

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

NOT VOTING—3

| | | |
|---|---|---|
| Castor (FL) | Kelly (IL) | Payne |

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶131.22 H. RES. 483—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 483) providing for consideration of the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of motions to suspend the rules.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 244 Nays ..... 185

¶131.23 [Roll No. 566]

YEAS—244

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

Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—185

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

NOT VOTING—5

Castor (FL)
Kelly (IL)
Mica
Payne
Pittenger

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 240 / Nays ..... 187

¶131.24 [Roll No. 567]

YEAS—240

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

NAYS—187

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

NOT VOTING—7

Castor (FL)
Kelly (IL)
Knight
Mica
Payne
Rice (NY)
Rooney (FL)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶131.25 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

¶131.26 MESSAGE FROM THE PRESIDENT—VETO OF H.R. 1735

The SPEAKER pro tempore, Mr. KELLY of Mississippi, laid before the House a message from the President, which was read as follows:

*To The House of Representatives:*

I am returning herewith without my approval H.R. 1735, the ''National Defense Authorization Act for Fiscal Year 2016.'' While there are provisions in this bill that I support, including the codification of key interrogation-related reforms from Executive Order 13491 and positive changes to the military retirement system, the bill would, among other things, constrain the ability of the Department of Defense to conduct multi-year defense planning

and align military capabilities and force structure with our national defense strategy, impede the closure of the detention facility at Guantanamo Bay, and prevent the implementation of essential defense reforms.

This bill fails to authorize funding for our national defense in a fiscally responsible manner. It underfunds our military in the base budget, and instead relies on an irresponsible budget gimmick that has been criticized by members of both parties. Specifically, the bill's use of $38 billion in Overseas Contingency Operations funding—which was meant to fund wars and is not subject to budget caps—does not provide the stable, multi-year budget upon which sound defense planning depends. Because this bill authorizes base budget funding at sequestration levels, it threatens the readiness and capabilities of our military and fails to provide the support our men and women in uniform deserve. The decision reflected in this bill to circumvent rather than reverse sequestration further harms our national security by locking in unacceptable funding cuts for crucial national security activities carried out by non-defense agencies.

I have repeatedly called upon the Congress to work with my Administration to close the detention facility at Guantanamo Bay, Cuba, and explained why it is imperative that we do so. As I have noted, the continued operation of this facility weakens our national security by draining resources, damaging our relationships with key allies and partners, and emboldening violent extremists. Yet in addition to failing to remove unwarranted restrictions on the transfer of detainees, this bill seeks to impose more onerous ones. The executive branch must have the flexibility, with regard to those detainees who remain at Guantanamo, to determine when and where to prosecute them, based on the facts and circumstances of each case and our national security interests, and when and where to transfer them consistent with our national security and our humane treatment policy. Rather than taking steps to bring this chapter of our history to a close, as I have repeatedly called upon the Congress to do, this bill aims to extend it.

The bill also fails to adopt many essential defense reforms, including to force structure, weapons systems, and military health care. Our defense strategy depends on investing every dollar where it will have the greatest effect. My Administration's proposals will accomplish this through critical reforms that divest unneeded force structure, slow growth in compensation, and reduce wasteful overhead. The restrictions in the bill would require the Department of Defense to retain unnecessary force structure and weapons systems that we cannot afford in today's fiscal environment, contributing to a military that will be less capable of responding effectively to future challenges.

Because of the manner in which this bill would undermine our national security, I must veto it.

BARACK OBAMA.

THE WHITE HOUSE, *October 22, 2015.*

The SPEAKER pro tempore, Mr. KELLY of Mississippi, by unanimous consent, ordered that the veto message, together with the accompanying bill, be printed (H. Doc. 114–70) and spread upon the pages of the Journal of the House.

Pursuant to the special order of the House of October 21, 2015, further consideration of the veto message and the bill were postponed until the legislative day of Thursday, November 5, 2015, and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

### ¶131.27 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. EMMER of Minnesota, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 22, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 22, 2015 at 3:09 p.m.:

That the Senate passed S. 799.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

### ¶131.28 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 322. An Act to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the ''Sgt. Zachary M. Fisher Post Office''.

H.R. 323. An Act to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the ''Sgt. Amanda N. Pinson Post Office''.

H.R. 324. An Act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the ''Lt. Daniel P. Riordan Post Office''.

H.R. 558. An Act to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the ''Richard 'Dick' Chenault Post Office Building''.

H.R. 1442. An Act to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the ''Staff Sergeant Robert H. Dietz Post Office Building''.

H.R. 1884. An Act to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the ''Officer Daryl R. Pierson Memorial Post Office Building''.

H.R. 3059. An Act to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the James Robert Kalsu Post Office Building.

H.R. 3116. An Act to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program.

### ¶131.29 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1362. An Act to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all inclusive care for the elderly (PACE programs).

S. 2162. An Act to establish a 10-year term for the service of the Librarian of Congress.

### ¶131.30 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 21, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 1735. An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on October 22, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 3116. An Act to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program.

### ¶131.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. KELLY of Illinois, for October 20 through 23.

And then,

### ¶131.32 ADJOURNMENT

On motion of Mr. KNIGHT, at 6 o'clock and 20 minutes p.m., the House adjourned.

### ¶131.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 1090. A bill to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes (Rept. 114–304, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 2583. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; with an amendment (Rept. 114–305). Referred to the Committee of the Whole House on the state of the Union.

### ¶131.34 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Education and the Workforce discharged from further consideration. H.R. 1090

referred to the Committee of the Whole House on the state of the Union.

¶131.35 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROTHFUS (for himself, Mr. BARLETTA, Mr. THOMPSON of Pennsylvania, and Mr. KELLY of Pennsylvania):

H.R. 3797. A bill to establish the bases by which the Administrator of the Environmental Protection Agency shall issue, implement, and enforce certain emission limitations and allocations for existing electric utility steam generating units that convert coal refuse into energy; to the Committee on Energy and Commerce.

By Mr. GARRETT:

H.R. 3798. A bill to amend the Securities Exchange Act of 1934 to permit private persons to compel the Securities and Exchange Commission to seek legal or equitable remedies in a civil action, instead of an administrative proceeding, and for other purposes; to the Committee on Financial Services.

By Mr. SALMON (for himself, Mr. GUINTA, Mr. CARTER of Texas, Mr. KELLY of Pennsylvania, Mr. COLLINS of New York, Mr. THOMPSON of Pennsylvania, Mr. HUELSKAMP, Mr. FRANKS of Arizona, Mrs. LOVE, Mr. LAMALFA, and Mr. STEWART):

H.R. 3799. A bill to provide that silencers be treated the same as long guns; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. CAPUANO, Mr. CARSON of Indiana, Mr. COHEN, Mr. CONYERS, Mr. DELANEY, Mr. ELLISON, Mr. FATTAH, Mr. GRIJALVA, Mr. HASTINGS, Mr. HINOJOSA, Mr. HONDA, Mr. LYNCH, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PAYNE, Mr. POCAN, Mr. RANGEL, Mr. TAKANO, Mr. VARGAS, Mr. VELA, Mr. YOHO, Mr. LOWENTHAL, Mr. SWALWELL of California, Ms. CLARKE of New York, Ms. JACKSON LEE, Ms. ESHOO, and Mr. PETERS):

H.R. 3800. A bill to amend section 9A of the Richard B. Russell National School Lunch Act to require that local school wellness policies include a requirement that students receive 50 hours of school nutrition education per school year; to the Committee on Education and the Workforce.

By Mr. COHEN (for himself, Mr. LEWIS, Ms. MAXINE WATERS of California, Mr. RANGEL, Ms. BASS, Mr. POLIS, Mr. CROWLEY, Mr. CONYERS, Mr. CLEAVER, Mr. RUSH, Ms. LEE, and Mr. GUTIÉRREZ):

H.R. 3801. A bill to redesignate the Federal building located at 935 Pennsylvania Avenue Northwest in the District of Columbia as the ''Federal Bureau of Investigation Building''; to the Committee on Transportation and Infrastructure.

By Mr. BABIN (for himself, Mr. COLLINS of New York, Mr. BROOKS of Alabama, Mr. GOSAR, Ms. JENKINS of Kansas, Mr. JOHNSON of Ohio, Mr. JOYCE, Mr. LAMBORN, Mr. LAMALFA, Mr. MILLER of Florida, Mr. ROGERS of Alabama, Mr. SESSIONS, Mr. POE of Texas, Mr. GROTHMAN, Mr. ZINKE, and Mr. KELLY of Pennsylvania):

H.R. 3802. A bill to amend title 18, United States Code, to provide for the disposition, within 60 days, of an application to exempt a projectile from classification as armor piercing ammunition; to the Committee on the Judiciary.

By Mrs. BLACK (for herself, Mr. DUNCAN of Tennessee, and Mr. RIBBLE):

H.R. 3803. A bill to amend the Congressional Budget Act of 1974 to establish joint resolutions on the budget, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT:

H.R. 3804. A bill to amend the Congressional Budget Act of 1974 to provide that any estimate prepared by the Congressional Budget Office or the Joint Committee on Taxation shall include costs relating to servicing the public debt, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mr. WALDEN, Mr. BILIRAKIS, Mrs. BLACKBURN, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. COLLINS of New York, Mr. CRAMER, Ms. DELBENE, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. ELLMERS of North Carolina, Mr. EMMER of Minnesota, Mr. GARAMENDI, Mr. GUTHRIE, Mr. HUFFMAN, Mr. JOHNSON of Ohio, Mr. KINZINGER of Illinois, Mr. LANCE, Mr. LOEBSACK, Ms. LOFGREN, Mr. LONG, Mr. BEN RAY LUJÁN of New Mexico, Ms. MATSUI, Mr. MCNERNEY, Mr. OLSON, Mr. RUSH, Mr. SHIMKUS, and Mr. YARMUTH):

H.R. 3805. A bill to amend title 23, United States Code, to provide for the inclusion of broadband conduit installation in certain highway construction projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. HERRERA BEUTLER (for herself and Mr. YOUNG of Alaska):

H.R. 3806. A bill to establish certain requirements with respect to pollock and golden king crab; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself, Mr. HINOJOSA, Ms. LEE, Mr. SWALWELL of California, Mr. HUFFMAN, Ms. NORTON, Mr. BEYER, Mr. VARGAS, Mr. COSTA, Ms. MOORE, Mr. TAKAI, Ms. JACKSON LEE, Mr. PASCRELL, Mr. CARTWRIGHT, Mr. LOWENTHAL, Mr. CICILLINE, Mr. HASTINGS, Ms. LOFGREN, Mr. CONYERS, Ms. PINGREE, and Mr. RANGEL):

H.R. 3807. A bill to provide a process for ensuring the United States does not default on its obligations; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUETKEMEYER (for himself, Mr. MCHENRY, Mr. HECK of Washington, and Mr. CARNEY):

H.R. 3808. A bill to require the withdrawal and study of the Federal Housing Finance Agency's proposed rule on Federal Home Loan Bank membership, and for other purposes; to the Committee on Financial Services.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3809. A bill to establish a pilot program in certain agencies for the use of public-private agreements to enhance the efficiency of Federal real property; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3810. A bill to amend title 23, United States Code, and SAFETEA-LU to direct the Secretary of Transportation to give preference to certain surface transportation projects that achieve cost efficiencies through the use of project development, finance, operations, and delivery methods, such as design-build, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCNERNEY (for himself and Ms. LEE):

H.R. 3811. A bill to amend the Securities Exchange Act of 1934 to require the disclosure of the total number of a company's domestic and foreign employees; to the Committee on Financial Services.

By Mr. MCNERNEY (for himself and Ms. LEE):

H.R. 3812. A bill to amend the Internal Revenue Code of 1986 to provide for the identification of corporate tax haven countries and increased penalties for tax evasion practices in haven countries that ship United States jobs overseas, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE (for herself, Ms. KELLY of Illinois, and Ms. EDWARDS):

H.R. 3813. A bill to establish a grant program to encourage States to adopt certain policies and procedures relating to the transfer and possession of firearms; to the Committee on the Judiciary.

By Ms. PINGREE:

H.R. 3814. A bill to permit aliens seeking asylum to be eligible for employment in the United States and for other purposes; to the Committee on the Judiciary.

By Mrs. WALORSKI (for herself, Mr. MESSER, Mr. BUCSHON, Mr. ROKITA, and Mr. GROTHMAN):

H.J. Res. 70. A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to ''National Ambient Air Quality Standards for Ozone''; to the Committee on Energy and Commerce.

By Mr. ELLISON (for himself, Mr. EMMER of Minnesota, Mr. KLINE, Ms. MCCOLLUM, Mr. NOLAN, Mr. PAULSEN, Mr. PETERSON, and Mr. WALZ):

H. Res. 486. A resolution congratulating the Minnesota Lynx women's basketball team on winning the 2015 Women's National Basketball Association Championship; to the Committee on Oversight and Government Reform.

By Ms. JENKINS of Kansas (for herself and Mr. NEAL):

H. Res. 487. A resolution recognizing the importance of cancer program accreditation in ensuring comprehensive, high quality, patient-centered cancer care; to the Committee on Energy and Commerce.

By Mr. POLIS (for himself, Mr. ROE of Tennessee, Ms. WILSON of Florida, and Ms. STEFANIK):

H. Res. 488. A resolution supporting the goals and ideals of National Retirement Security Week, including raising public awareness of the various tax-preferred retirement vehicles, increasing personal financial lit-

eracy, and engaging the people of the United States on the keys to success in achieving and maintaining retirement security throughout their lifetimes; to the Committee on Ways and Means.

¶131.36 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 167: Ms. CASTOR of Florida.
H.R. 303: Mr. MICA, Mr. SMITH of Texas, and Mr. NORCROSS.
H.R. 430: Mr. NORCROSS.
H.R. 592: Mr. COLLINS of New York and Mr. LUCAS.
H.R. 662: Mr. PALAZZO.
H.R. 721: Mr. PITTS and Mr. POE of Texas.
H.R. 766: Mr. GRAVES of Missouri.
H.R. 799: Ms. STEFANIK.
H.R. 829: Ms. BROWN of Florida.
H.R. 842: Mr. LOBIONDO.
H.R. 845: Mr. LOUDERMILK.
H.R. 846: Mrs. WATSON COLEMAN.
H.R. 863: Mrs. BLACKBURN.
H.R. 865: Mr. PETERSON.
H.R. 882: Mr. KEATING.
H.R. 885: Mr. HECK of Washington.
H.R. 921: Mr. DOLD.
H.R. 932: Mr. MURPHY of Florida and Mr. QUIGLEY.
H.R. 953: Ms. LOFGREN, Mr. PETERSON, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 985: Mrs. WATSON COLEMAN.
H.R. 1090: Mr. FRELINGHUYSEN, Mrs. HARTZLER, Mr. PITTENGER, and Mr. DUFFY.
H.R. 1145: Mr. ASHFORD and Ms. STEFANIK.
H.R. 1192: Mr. SHIMKUS, Mr. SCHRADER, Ms. JUDY CHU of California, Mr. GUTIÉRREZ, Mr. WENSTRUP, Mr. KING of New York, and Mr. MULLIN.
H.R. 1217: Mrs. DINGELL.
H.R. 1221: Mr. CALVERT, Mr. MCNERNEY, and Mr. VARGAS.
H.R. 1233: Mr. GRAVES of Missouri and Mr. SHIMKUS.
H.R. 1247: Ms. DUCKWORTH.
H.R. 1248: Mr. DESJARLAIS.
H.R. 1258: Mr. LANCE.
H.R. 1284: Mrs. WATSON COLEMAN.
H.R. 1288: Mr. PAULSEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. KIND.
H.R. 1309: Mr. MCHENRY, Mr. ADERHOLT, Mr. EMMER of Minnesota, Mr. WENSTRUP, Mr. PAULSEN, Mr. GRAVES of Missouri, and Mr. CHABOT.
H.R. 1343: Mr. WENSTRUP, Mr. NORCROSS, and Mr. DONOVAN.
H.R. 1439: Mr. QUIGLEY, Mr. GALLEGO, and Mr. DANNY K. DAVIS of Illinois.
H.R. 1450: Mr. CARTWRIGHT.
H.R. 1475: Mr. KELLY of Mississippi.
H.R. 1594: Mr. ROGERS of Alabama and Ms. DUCKWORTH.
H.R. 1595: Mr. HASTINGS.
H.R. 1604: Mr. YOUNG of Iowa.
H.R. 1614: Mr. JOLLY.
H.R. 1625: Mr. POLIS and Mr. HECK of Washington.
H.R. 1688: Mr. NORCROSS and Mr. FOSTER.
H.R. 1728: Mr. HECK of Washington.
H.R. 1737: Mr. SEAN PATRICK MALONEY of New York and Mr. HOLDING.
H.R. 1763: Mr. RANGEL, Mr. GARAMENDI, Mr. YARMUTH, Ms. EDWARDS, and Mr. PETERSON.
H.R. 1901: Mr. RUSSELL.
H.R. 1902: Mr. CONNOLLY.
H.R. 1982: Mr. OLSON.
H.R. 2003: Mr. BERA.
H.R. 2043: Mr. FRELINGHUYSEN.
H.R. 2083: Ms. BONAMICI.
H.R. 2114: Mr. NADLER.
H.R. 2142: Ms. STEFANIK.
H.R. 2205: Mr. WILSON of South Carolina and Mr. YOUNG of Alaska.
H.R. 2254: Mr. HUFFMAN.
H.R. 2293: Mr. SCOTT of Virginia and Ms. MATSUI.
H.R. 2342: Mr. FARENTHOLD, Mr. BUTTERFIELD, Mr. DAVID SCOTT of Georgia, Ms. TSONGAS, Ms. NORTON, and Mr. PETERS.
H.R. 2350: Mr. MACARTHUR.
H.R. 2355: Mrs. TORRES.
H.R. 2450: Mr. CARTWRIGHT.
H.R. 2460: Mr. COLE.
H.R. 2493: Ms. GABBARD and Mr. MACARTHUR.
H.R. 2495: Ms. MENG.
H.R. 2515: Mr. POCAN.
H.R. 2520: Mr. CRENSHAW.
H.R. 2546: Mr. ELLISON.
H.R. 2646: Mr. WALDEN.
H.R. 2657: Mr. DOLD and Mrs. LOVE.
H.R. 2660: Ms. NORTON and Mr. GRAYSON.
H.R. 2726: Ms. GRAHAM.
H.R. 2733: Mr. HECK of Nevada.
H.R. 2737: Mr. YOHO.
H.R. 2789: Mr. HOLDING.
H.R. 2826: Mr. DELANEY.
H.R. 2858: Mr. LANCE.
H.R. 2894: Ms. BROWNLEY of California.
H.R. 2903: Mr. RODNEY DAVIS of Illinois.
H.R. 2917: Mr. DESAULNIER.
H.R. 2948: Ms. CLARKE of New York.
H.R. 2972: Mr. MCGOVERN.
H.R. 2980: Mr. YOUNG of Iowa.
H.R. 3016: Mr. YOUNG of Iowa.
H.R. 3033: Mr. BABIN.
H.R. 3071: Mr. COHEN, Mr. CICILLINE, and Mr. SERRANO.
H.R. 3074: Mr. LIPINSKI, Mr. MURPHY of Pennsylvania, Mr. COHEN, Mr. SMITH of New Jersey, and Mr. MICA.
H.R. 3090: Mr. DEFAZIO.
H.R. 3091: Mr. DEFAZIO.
H.R. 3092: Mr. DEFAZIO.
H.R. 3119: Mr. YOUNG of Alaska and Mr. DAVID SCOTT of Georgia.
H.R. 3137: Ms. DELBENE.
H.R. 3222: Mr. HARRIS.
H.R. 3225: Mr. PETERSON.
H.R. 3229: Mr. MULLIN, Mr. PETERSON, Mr. LARSON of Connecticut, and Mr. LUCAS.
H.R. 3268: Mr. CURBELO of Florida and Mr. SCOTT of Virginia.
H.R. 3286: Mr. COSTA.
H.R. 3287: Mr. HOLDING.
H.R. 3314: Mr. SALMON and Mr. SMITH of Texas.
H.R. 3326: Mr. KELLY of Mississippi and Mr. NUNES.
H.R. 3337: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3338: Mr. KLINE.
H.R. 3339: Mrs. WAGNER.
H.R. 3384: Mr. JEFFRIES.
H.R. 3390: Mr. ASHFORD.
H.R. 3406: Mr. SMITH of Washington.
H.R. 3407: Mr. FRELINGHUYSEN.
H.R. 3445: Ms. LOFGREN.
H.R. 3455: Ms. VELÁZQUEZ, Mr. MCGOVERN, and Ms. ADAMS.
H.R. 3466: Mr. TAKANO.
H.R. 3471: Mr. MCDERMOTT.
H.R. 3473: Mr. HARRIS.
H.R. 3477: Ms. MCCOLLUM.
H.R. 3488: Mr. RATCLIFFE and Mr. LOUDERMILK.
H.R. 3516: Mr. PAULSEN, Mr. ROUZER, and Mr. CULBERSON.
H.R. 3537: Mr. KING of New York.
H.R. 3547: Mr. KING of New York.
H.R. 3579: Ms. WILSON of Florida.
H.R. 3582: Mr. POCAN.
H.R. 3588: Ms. CLARKE of New York.
H.R. 3590: Mr. WITTMAN.
H.R. 3629: Mr. COHEN, Mr. POCAN, and Ms. NORTON.
H.R. 3636: Mr. HOLDING.
H.R. 3637: Ms. CLARKE of New York.
H.R. 3638: Ms. BROWN of Florida.
H.R. 3643: Mr. VELA.
H.R. 3656: Mr. GARAMENDI.
H.R. 3664: Mr. VARGAS.
H.R. 3690: Mr. DESAULNIER, Ms. CLARK of Massachusetts, and Mr. TAKAI.
H.R. 3696: Ms. BROWNLEY of California, Mr. BEYER, Mr. SEAN PATRICK MALONEY of New York, Mr. BEN RAY LUJÁN of New Mexico, Mr. DEUTCH, Ms. ESTY, Ms. CASTOR of Florida, Ms. DEGETTE, Ms. PINGREE, Ms. CLARK of Massachusetts, Mr. LANGEVIN, Ms. MCCOLLUM, Mr. NOLAN, Mr. TED LIEU of California, Mrs. BEATTY, Mr. NADLER, and Mrs. KIRKPATRICK.
H.R. 3700: Mr. CLEAVER.
H.R. 3706: Mr. HANNA.
H.R. 3729: Mr. JOHNSON of Ohio.
H.R. 3741: Mr. PETERS and Mr. POLIS.
H.R. 3746: Mr. SMITH of Washington and Mr. MCDERMOTT.
H.R. 3764: Mr. GOSAR.
H.R. 3779: Mr. CUELLAR.
H.R. 3785: Mrs. NAPOLITANO, Mr. HINOJOSA, Ms. JACKSON LEE, Mr. O'ROURKE, Mr. SERRANO, Mr. SIRES, Ms. LINDA T. SÁNCHEZ of California, Mr. CÁRDENAS, Mr. VELA, Mr. GALLEGO, Mr. FARR, Ms. ROYBAL-ALLARD, Mr. VARGAS, Mr. PERLMUTTER, Mr. COURTNEY, Mr. HONDA, Mr. VEASEY, Ms. BONAMICI, Mr. GUTIÉRREZ, Mr. GENE GREEN of Texas, Mr. PETERS, Mr. RUIZ, Mr. GRIJALVA, Mr. SWALWELL of California, Mr. MOULTON, Mr. BEYER, Mr. DESAULNIER, Mr. BUTTERFIELD, Mr. ELLISON, Ms. LORETTA SANCHEZ of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. WELCH, Mrs. BEATTY, Mr. POCAN, Mr. POLIS, Mr. AGUILAR, Mr. CROWLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RANGEL, Mr. CUELLAR, Mrs. WATSON COLEMAN, and Ms. MCCOLLUM.
H.R. 3788: Ms. MAXINE WATERS of California and Ms. LEE.
H.J. Res. 48: Mr. DANNY K. DAVIS of Illinois and Ms. LEE.
H.J. Res. 51: Mr. BEN RAY LUJÁN of New Mexico.
H. Con. Res. 17: Mr. KELLY of Mississippi and Mr. LAHOOD.
H. Con. Res. 50: Mr. GUINTA, Mr. KENNEDY, and Mr. BOUSTANY.
H. Con. Res. 62: Mr. DUNCAN of South Carolina and Mr. AUSTIN SCOTT of Georgia.
H. Res. 110: Mrs. DAVIS of California.
H. Res. 145: Ms. WASSERMAN SCHULTZ, Mr. RUSH, Ms. LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEVIN, and Mr. DEUTCH.
H. Res. 210: Mr. POE of Texas.
H. Res. 276: Mr. FRELINGHUYSEN.
H. Res. 293: Ms. MCSALLY, Mr. SCHIFF, Ms. BASS, Mr. ENGEL, and Mr. FRELINGHUYSEN.
H. Res. 371: Mr. CARSON of Indiana, Ms. BROWN of Florida, and Mr. SARBANES.
H. Res. 394: Mr. HASTINGS.
H. Res. 416: Mr. SWALWELL of California, Mr. NUNES, Mr. LARSEN of Washington, and Ms. CLARK of Massachusetts.
H. Res. 423: Mr. HUDSON.
H. Res. 428: Mr. AL GREEN of Texas and Ms. MENG.
H. Res. 459: Mr. BISHOP of Michigan.
H. Res. 467: Mr. SERRANO, Ms. CLARK of Massachusetts, Mr. COHEN, Ms. SCHAKOWSKY, and Ms. TSONGAS.
H. Res. 469: Mr. BROOKS of Alabama.

**FRIDAY, OCTOBER 23, 2015 (132)**

The House was called to order by the SPEAKER.

¶132.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, October 22, 2015.

Mrs. WALORSKI, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mrs. WALORSKI objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶132.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3231. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Repeal of the Exempt Commercial Market and Exempt Board of Trade Exemptions (RIN: 3038-AE10) received October 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3232. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's notification of its 2015 compensation program adjustments, including the Agency's current salary range structure and the performance-based merit pay matrix, in accordance with Sec. 1206 of the Financial Institutions, Reform, Recovery, and Enforcement Act of 1989; to the Committee on Agriculture.

3233. A letter from the Under Secretary, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's report to Congress entitled ''Distribution of Department of Defense Depot Maintenance Workloads for Fiscal Years 2014 through 2016'' pursuant to 10 U.S.C. 2466(d)(1) and 2466(d)(2); to the Committee on Armed Services.

3234. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report to Congress entitled, ''Health and Human Services Secretary's First Annual Report on Transparency in the Review and Approval of Section 1115 Demonstrations'', as required by Sec. 10201 of the Affordable Care Act; to the Committee on Energy and Commerce.

3235. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Nevada; Infrastructure Requirements for Ozone, NO2 and SO2 [EPA-R09-OAR-2014-0812; FRL-9935-82-Region 9] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3236. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Outer Continental Shelf Air Regulations Consistency Update for Maryland [EPA-R03-OAR-2014-0568; FRL-9917-72-Region 3] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3237. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities; New York [EPA-R02-OAR-2015-0509; FRL-9936-09-Region 2] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3238. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida; Regional Haze Plan Amendment — Lakeland Electric C.D. McIntosh [EPA-R04-OAR-2015-0337; FRL-9936-05-Region 4] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3239. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval and Promulgation of Implementation Plans; Arizona; Phased Discontinuation of Stage II Vapor Recovery Program [EPA-R09-OAR-2014-0256; FRL-9935-66-Region 9] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3240. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; OR; Portland, Medford, Salem; Clackamas, Multnomah, Washington Counties; Gasoline Dispensing Facilities [EPA-R10-OAR-2011-0799; FRL-9936-03-Region 10] received October 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3241. A letter from the Chairman and Co-Chairman, Congressional-Executive Commission on China, transmitting the Commission's 2015 Annual Report as established by the U.S.-China Relations Act, 19 U.S.C. 1307; to the Committee on Foreign Affairs.

3242. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to Sec. 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Pub. L. 105-261), as amended by Sec. 146 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for Fiscal Year 1999 (Pub. L. 105-277), and the President's September 29, 2009 delegation of authority [74 Fed. Reg. 50, 913 (Oct. 2, 2009)]; to the Committee on Foreign Affairs.

3243. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-166, ''Unemployment Profile Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3244. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-170, ''4095 Minnesota Avenue, N.E., Woodson School Lease Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3245. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-165, ''Behavioral Health Coordination of Care Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3246. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-167, ''Injured Worker Fair Pay Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3247. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-169, ''1351 Nicholson Street, N.W., Old Brightwood School Lease Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3248. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-168, ''Grandparent Caregivers Program Subsidy Transfer Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

3249. A letter from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3250. A letter from the Secretary, Department of the Treasury, transmitting a letter following up on previous letters regarding the debt limit and to provide additional information regarding the Department of the Treasury's ability to continue to finance the government; to the Committee on Ways and Means.

3251. A letter from the Inspector General, Department of Health and Human Services, transmitting a data brief on Medicare payments for clinical laboratory tests performed in 2014, pursuant to the Protecting Access to Medicare Act of 2014, Pub. L.113-93; jointly to the Committees on Energy and Commerce and Ways and Means.

¶132.3 RESTORING HEALTHCARE FREEDOM RECONCILIATION

Mr. Tom PRICE of Georgia, pursuant to House Resolution 483, called up for consideration the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Pending consideration of said bill,

Pursuant to House Resolution 483, the following amendment, printed in House Report 114-303, was considered as agreed to:

Page 4, line 24, insert before the period the following: '', whether made directly to the prohibited entity or through a managed care organization under contract with the State''.

Page 5, line 15, strike ''for elective abortions; and'' and insert the following:
for abortions, other than an abortion—

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

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

Page 6, strike line 13.

Page 9, strike lines 9 through 18.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 483, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. VAN HOLLEN demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 240 Noes ..... 189

¶132.4 [Roll No. 568]

AYES—240

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

NOES—189

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

NOT VOTING—5

Castor (FL)
Deutch
Kelly (IL)
McNerney
Payne

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶132.5 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, October 22, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

So the Journal was approved.

¶132.6 ADJOURNMENT OVER

On motion of Mr. MCCARTHY, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet at noon on Monday, October 26, 2015, for morning-hour debate and 2 p.m. for legislative business.

¶132.7 SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore, Mr. HARDY, pursuant to section 2(a) of House Resolution 461, 114th Congress, and the order of the House of January 6, 2015, announced that the Speaker appointed the following Members to the Select Investigative Panel of the Committee on Energy and Commerce: Mrs. BLACKBURN, Chair, Mr. PITTS, Mrs. BLACK, Messrs. BUCSHON, DUFFY, HARRIS, Mmes. HARTZLER, and LOVE.

And then,

¶132.8 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 1 o'clock and 29 minutes p.m., the House adjourned until noon on Monday, October 26, 2015.

¶132.9 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 765. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; with an amendment (Rept. 114–306). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 961. A bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income; with an amendment (Rept. 114–307). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 1270. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; with an amendment (Rept. 114–308). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 1430. A bill to amend the Internal Revenue Code of 1986 to make permanent the look-through treatment of payments between related controlled foreign corporations; with an amendment (Rept. 114–309). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2940. A bill to amend the Internal Revenue Code of 1986 to improve and make permanent the above-the-line deduction for certain expenses of elementary and secondary school teachers; with an amendment (Rept. 114–310). Referred to the Committee of the Whole House on the state of the Union.

¶132.10 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KING of New York (for himself, Mr. NADLER, Mr. MEEHAN, Mr.

ISRAEL, Mr. SWALWELL of California, Mr. SMITH of New Jersey, Mr. COHEN, Mr. FITZPATRICK, and Mr. FRELINGHUYSEN):

H.R. 3815. A bill to deter terrorism, provide justice for victims, and for other purposes; to the Committee on the Judiciary.

By Mr. CALVERT (for himself, Mr. MCCLINTOCK, Mr. LAMALFA, Mr. COOK, and Mr. ROHRABACHER):

H.R. 3816. A bill to deny Federal funding to any State or political subdivision of a State that has in effect any law, policy, or procedure that prevents or impedes a State or local law enforcement official from maintaining custody of an alien pursuant to an immigration detainer issued by the Secretary of Homeland Security, and for other purposes; to the Committee on the Judiciary.

By Mr. POCAN (for himself and Mr. KATKO):

H.R. 3817. A bill to amend the Child Nutrition Act of 1966 to clarify the availability and appropriateness of training for local food service personnel, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GOSAR (for himself, Mr. BRAT, Mr. BROOKS of Alabama, Mr. DESJARLAIS, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JONES, Mr. KING of Iowa, and Mr. POE of Texas):

H.R. 3818. A bill to repeal the Cuban Adjustment Act, Public Law 89-732, and for other purposes; to the Committee on the Judiciary.

By Mr. SHUSTER (for himself, Mr. RYAN of Wisconsin, and Mr. DEFAZIO):

H.R. 3819. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JUDY CHU of California (for herself, Mrs. NAPOLITANO, Mr. SCHIFF, Ms. LINDA T. SÁNCHEZ of California, and Mr. CÁRDENAS):

H.R. 3820. A bill to establish the San Gabriel National Recreation Area as a unit of the National Park System in the State of California, to modify the boundaries of the San Gabriel Mountains National Monument in the State of California to include additional National Forest System land, and for other purposes; to the Committee on Natural Resources.

By Mr. COLLINS of New York (for himself and Mr. TONKO):

H.R. 3821. A bill to amend title XIX to require the publication of a provider directory in the case of States providing for medical assistance on a fee-for-service basis or through a primary care case-management system, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FLORES:

H.R. 3822. A bill to amend the Internal Revenue Code of 1986 to allow qualified scholarship funding corporations to access tax-exempt financing for alternative private student loans; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas (for himself, Mr. OLSON, Ms. HAHN, and Mr. BABIN):

H.R. 3823. A bill to provide for direct hire authority for positions in the Pipeline and Hazardous Materials Safety Administration, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDY:

H.R. 3824. A bill to reform oversight of law enforcement activities of the Forest Service and the Department of the Interior and to improve coordination and cooperation with local law enforcement agencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO:

H.R. 3825. A bill to improve transportation safety, efficiency, and system performance through innovative technology deployment and operations; to the Committee on Transportation and Infrastructure.

By Mr. WALDEN (for himself and Mr. BLUMENAUER):

H.R. 3826. A bill to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon; to the Committee on Natural Resources.

By Ms. MAXINE WATERS of California:

H.R. 3827. A bill to improve the program under section 8 of the United States Housing Act of 1937 for using amounts for rental voucher assistance for project-based rental assistance, and for other purposes; to the Committee on Financial Services.

By Ms. JACKSON LEE (for herself, Mr. CLYBURN, Mr. AL GREEN of Texas, Mr. BUTTERFIELD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. HURD of Texas, Mr. CUMMINGS, Mr. SCOTT of Virginia, Mrs. DINGELL, Ms. DELAURO, Mr. HOYER, Ms. PELOSI, Mr. ISRAEL, Mr. RICHMOND, Mr. ENGEL, and Mr. DOGGETT):

H. Res. 489. A resolution commemorating the 88th Anniversary of Texas Southern University; to the Committee on Education and the Workforce.

By Ms. NORTON:

H. Res. 490. A resolution honoring the lives, work, and sacrifice of Joseph Curseen, Jr., and Thomas Morris, Jr., the two United States Postal Service employees and Washington, DC, natives who died as a result of their contact with anthrax while working at the United States Postal Facility located at 900 Brentwood Road, NE, Washington, DC, during the anthrax attack in the fall of 2001, United States Postal Service employees, who have continued to work diligently in service to the people of the United States notwithstanding the anthrax attacks, as well as the three other Americans who died and the 17 who became ill in the attacks; to the Committee on Oversight and Government Reform.

## ¶132.11 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. SESSIONS.
H.R. 169: Mr. HANNA and Mr. MULLIN.
H.R. 213: Mrs. LAWRENCE.
H.R. 242: Ms. ADAMS and Ms. HAHN.
H.R. 304: Mrs. BUSTOS.
H.R. 495: Mr. VAN HOLLEN.
H.R. 674: Ms. JUDY CHU of California.
H.R. 718: Mr. VAN HOLLEN.
H.R. 732: Mr. ZELDIN.
H.R. 745: Mrs. NAPOLITANO, Mr. TONKO, and Mr. MULLIN.
H.R. 842: Mr. DONOVAN.
H.R. 866: Mr. GOSAR.
H.R. 868: Mr. GOODLATTE and Mr. LABRADOR.
H.R. 913: Mrs. WATSON COLEMAN.
H.R. 953: Mr. LEWIS.
H.R. 963: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 980: Mr. MOONEY of West Virginia and Mr. JOHNSON of Ohio.
H.R. 990: Ms. MENG.
H.R. 1061: Mr. GRAYSON, Ms. DELAURO, Mrs. WATSON COLEMAN, Mr. KILMER, and Ms. MCCOLLUM.
H.R. 1174: Mr. ROGERS of Alabama, Mr. RUSH, and Mr. FITZPATRICK.
H.R. 1197: Ms. ADAMS, Mr. COURTNEY, Mr. BRADY of Pennsylvania, and Mr. SMITH of Missouri.
H.R. 1209: Mr. SMITH of Missouri.
H.R. 1284: Mr. GRIJALVA.
H.R. 1288: Ms. DELBENE.
H.R. 1292: Mr. JONES, Ms. NORTON, and Mr. JOLLY.
H.R. 1301: Mr. CLAWSON of Florida.
H.R. 1342: Mr. LARSON of Connecticut.
H.R. 1391: Mr. MCNERNEY.
H.R. 1399: Mr. ABRAHAM, Mr. LEVIN, Mr. FARENTHOLD, and Mr. RYAN of Ohio.
H.R. 1453: Mr. FLORES.
H.R. 1475: Mr. BRAT and Mr. RODNEY DAVIS of Illinois.
H.R. 1479: Mr. BOUSTANY.
H.R. 1549: Mr. COFFMAN and Mrs. WATSON COLEMAN.
H.R. 1550: Mr. PITTENGER, Mr. PERLMUTTER, Mr. COSTELLO of Pennsylvania, Ms. DELBENE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MCHENRY, and Mr. HILL.
H.R. 1608: Ms. WILSON of Florida and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1684: Mr. MICA.
H.R. 1752: Mr. RUSSELL.
H.R. 1769: Mr. CLAWSON of Florida.
H.R. 1786: Mr. RUPPERSBERGER, Mr. BUTTERFIELD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCNERNEY, Mr. DOGGETT, Mr. CURBELO of Florida, Mr. SHERMAN, Mr. POLIS, Mr. RUSH, Ms. MCSALLY, Mr. RICHMOND, Mr. CUELLAR, Ms. DEGETTE, and Mr. BILIRAKIS.
H.R. 1818: Ms. MCSALLY.
H.R. 1853: Ms. JACKSON LEE, Mr. KEATING, Ms. FRANKEL of Florida, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. TAKANO, and Ms. SINEMA.
H.R. 1856: Mr. PRICE of North Carolina.
H.R. 1902: Mr. DANNY K. DAVIS of Illinois.
H.R. 1943: Ms. TSONGAS.
H.R. 1945: Ms. DELBENE.
H.R. 2016: Ms. JUDY CHU of California.
H.R. 2017: Mr. CÁRDENAS.
H.R. 2071: Ms. LOFGREN and Mr. COSTELLO of Pennsylvania.
H.R. 2114: Mr. ELLISON.
H.R. 2125: Mr. NORCROSS.
H.R. 2130: Mr. SAM JOHNSON of Texas.
H.R. 2145: Mr. STUTZMAN.
H.R. 2156: Mr. LOBIONDO.
H.R. 2231: Mrs. BEATTY, Mr. VARGAS, Mr. HECK of Washington, Mr. ELLISON, and Mr. LYNCH.
H.R. 2237: Mrs. BUSTOS.
H.R. 2307: Mr. HECK of Nevada.
H.R. 2411: Ms. WILSON of Florida.
H.R. 2429: Mr. TAKANO.
H.R. 2450: Ms. MATSUI, Ms. WILSON of Florida, and Mrs. CAPPS.
H.R. 2461: Mr. CULBERSON, Mrs. WAGNER, and Mrs. BLACK.
H.R. 2477: Mr. BARR.
H.R. 2500: Mr. ADERHOLT.
H.R. 2515: Ms. BROWNLEY of California and Mr. KENNEDY.
H.R. 2546: Mrs. LOWEY.
H.R. 2597: Mr. PETERS.
H.R. 2626: Mr. MULLIN and Mr. RUSSELL.

H.R. 2646: Mr. HARPER and Mr. MEEKS.
H.R. 2660: Mr. KILMER, Mrs. WATSON COLEMAN, Ms. MCCOLLUM, and Mr. KEATING.
H.R. 2661: Mr. MCNERNEY and Mr. CARTWRIGHT.
H.R. 2715: Mr. BLUMENAUER, Ms. MCCOLLUM, Mrs. WATSON COLEMAN, Mr. GRIJALVA, Mr. GRAYSON, and Ms. DELBENE.
H.R. 2752: Mr. COLLINS of New York.
H.R. 2758: Mr. NEWHOUSE.
H.R. 2799: Mr. GUTHRIE.
H.R. 2853: Mr. WELCH and Mrs. LOVE.
H.R. 2880: Mr. MCGOVERN and Ms. MCCOLLUM.
H.R. 2896: Mr. PERLMUTTER and Mr. PITTENGER.
H.R. 2901: Mr. FORTENBERRY.
H.R. 2903: Mr. JOHNSON of Ohio and Mrs. MILLER of Michigan.
H.R. 2972: Mr. HECK of Washington and Mr. DOGGETT.
H.R. 2980: Mr. MOOLENAAR.
H.R. 2994: Mr. TAKANO.
H.R. 3016: Mr. ISRAEL.
H.R. 3048: Mr. MCKINLEY and Mr. FLORES.
H.R. 3065: Mr. BEYER.
H.R. 3096: Mr. YARMUTH.
H.R. 3187: Mr. FORTENBERRY.
H.R. 3198: Mr. COSTA, Mr. CUELLAR, and Mr. VARGAS.
H.R. 3216: Mr. JONES, Mrs. RADEWAGEN, Mrs. MCMORRIS RODGERS, and Mr. PEARCE.
H.R. 3238: Mr. CRAWFORD.
H.R. 3248: Ms. ESTY.
H.R. 3326: Mr. CALVERT and Mr. VALADAO.
H.R. 3381: Mr. HUFFMAN, Ms. LOFGREN, Ms. PINGREE, Ms. CLARKE of New York, and Mr. FORBES.
H.R. 3445: Mr. DEFAZIO.
H.R. 3459: Mr. SESSIONS, Mr. LANCE, Mr. AUSTIN SCOTT of Georgia, Ms. STEFANIK, Mr. DUNCAN of Tennessee, and Mr. LOUDERMILK.
H.R. 3478: Mrs. LUMMIS.
H.R. 3481: Mr. JOHNSON of Georgia.
H.R. 3497: Mrs. LOWEY.
H.R. 3520: Mr. RANGEL, Mr. WALZ, and Mrs. BEATTY.
H.R. 3542: Ms. LEE.
H.R. 3566: Mr. CULBERSON.
H.R. 3573: Mr. FLORES and Mr. CULBERSON.
H.R. 3591: Mr. JOHNSON of Ohio and Mr. VAN HOLLEN.
H.R. 3602: Mrs. KIRKPATRICK.
H.R. 3625: Mr. COURTNEY.
H.R. 3640: Mr. JOYCE.
H.R. 3646: Mr. KLINE and Mr. JOHNSON of Ohio.
H.R. 3654: Mr. DEUTCH, Mr. SMITH of New Jersey, Mr. SIRES, Mr. RIBBLE, and Mr. ROHRABACHER.
H.R. 3686: Mr. PAULSEN, Mr. JONES, Mrs. WAGNER, and Mr. BISHOP of Utah.
H.R. 3687: Mr. WILLIAMS.
H.R. 3696: Ms. CLARKE of New York, Mr. DESAULNIER, Mr. ELLISON, Ms. KELLY of Illinois, Mr. PERLMUTTER, Mr. MCGOVERN, Mr. CARTWRIGHT, Mr. TONKO, Mr. CROWLEY, Ms. MOORE, Mr. VELA, and Ms. SLAUGHTER.
H.R. 3706: Mr. AMODEI, Mr. DONOVAN, and Mr. LARSEN of Washington.
H.R. 3710: Mr. NEWHOUSE.
H.R. 3713: Mr. ELLISON, Ms. BROWN of Florida, Mr. MCNERNEY, Mr. RUSH, Mr. AL GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, Ms. WILSON of Florida, and Ms. GABBARD.
H.R. 3729: Mr. LUETKEMEYER.
H.R. 3742: Ms. JACKSON LEE.
H.R. 3750: Mr. CHABOT, Mr. DESAULNIER, Mr. JOHNSON of Ohio, Mr. POE of Texas, and Mr. DONOVAN.
H.R. 3756: Mr. HASTINGS and Mr. COLLINS of New York.
H.R. 3757: Mr. CUELLAR.
H.R. 3761: Ms. KAPTUR, Ms. CLARKE of New York, Mr. TAKAI, Mr. BUTTERFIELD, Mr. DAVID SCOTT of Georgia, Mr. FARR, Mr. JEFFRIES, and Mr. CASTRO of Texas.
H.R. 3765: Mr. MARCHANT and Mr. SMITH of Texas.
H.R. 3772: Mr. DESAULNIER.
H.R. 3779: Mr. AMODEI and Mr. RODNEY DAVIS of Illinois.
H.R. 3785: Ms. BASS, Ms. HAHN, Mr. BEN RAY LUJÁN of New Mexico, Mr. CLEAVER, Mr. GRAYSON, Mr. MCGOVERN, Ms. NORTON, Mr. COHEN, Mr. VAN HOLLEN, Mrs. TORRES, Mr. BISHOP of Georgia, and Mr. TAKANO.
H.R. 3797: Mr. MCKINLEY.
H.R. 3799: Mr. DESJARLAIS and Mr. WESTERMAN.
H.R. 3802: Mr. WESTERMAN.
H.J. Res. 59: Mr. BRAT.
H.J. Res. 67: Mr. CULBERSON.
H.J. Res. 68: Mr. CULBERSON.
H. Con. Res. 40: Ms. MCCOLLUM, Mr. ELLISON, and Ms. SEWELL of Alabama.
H. Con. Res. 75: Mr. GENE GREEN of Texas.
H. Res. 28: Mr. PALLONE.
H. Res. 194: Mrs. BEATTY and Mr. LIPINSKI.
H. Res. 220: Mr. WITTMAN.
H. Res. 289: Mr. DESAULNIER.
H. Res. 293: Mr. KNIGHT, Mr. LAMBORN, Mrs. WALORSKI, Mr. BRADY of Pennsylvania, Mr. TED LIEU of California, Mr. MCCAUL, Mr. MEEHAN, and Mr. NORCROSS.
H. Res. 343: Mr. THOMPSON of California, Mr. RIGELL, Mr. ELLISON, Ms. SPEIER, Mr. CLEAVER, and Mr. STUTZMAN.
H. Res. 393: Mr. SWALWELL of California and Mr. PERLMUTTER.
H. Res. 394: Mr. WEBER of Texas, Ms. MOORE, and Mr. YARMUTH.
H. Res. 419: Mr. SEAN PATRICK MALONEY of New York and Mr. KILMER.
H. Res. 440: Mrs. CAROLYN B. MALONEY of New York, Mrs. MILLER of Michigan, Mr. BARR, and Mr. DONOVAN.
H. Res. 445: Ms. STEFANIK.
H. Res. 451: Mr. AUSTIN SCOTT of Georgia, Mr. BISHOP of Michigan, and Mr. TIBERI.
H. Res. 456: Ms. WILSON of Florida.
H. Res. 467: Ms. MCCOLLUM, Ms. ADAMS, and Mr. TAKANO.
H. Res. 469: Mr. POE of Texas.
H. Res. 485: Mr. JOHNSON of Ohio, Mr. ROGERS of Alabama, and Mr. ZELDIN.

### ¶132.12 PETITIONS

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred, as follows:

33. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by the legislatures of the several states, an amendment to the United States Constitution which would clarify that any person chosen to be Speaker of the U.S. House of Representatives must be an actual currently-serving member of the U.S. House of Representatives; to the Committee on the Judiciary.

34. Also, a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would require that both houses of Congress approve, by a three-fifths vote of all members elected and serving in each body, any declaration of martial law, or suspension of the writ of habeas corpus, by the President of the United States, and further providing that such Congressionally-approved martial law declaration, or suspension of the writ of habeas corpus, not exceed 30 days' duration, and clearly describe the geographic territory covered by such declaration or suspension; to the Committee on the Judiciary.

### ¶132.13 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1151: Mr. SCHIFF.

## MONDAY, OCTOBER 26, 2015 (133)

### ¶133.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. DOLD, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 26, 2015.*

I hereby appoint the Honorable ROBERT J. DOLD to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

### ¶133.2 RECESS—12:04 P.M.

The SPEAKER pro tempore, Mr. DOLD, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 4 minutes p.m., until 2 p.m.

### ¶133.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. DOLD, called the House to order.

### ¶133.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DOLD, announced he had examined and approved the Journal of the proceedings of Friday, October 23, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶133.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3252. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revisions to the Unverified List (UVL) [Docket No.: 150817734-5734-01] (RIN: 0694-AG72) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

3253. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-041; to the Committee on Foreign Affairs.

3254. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-064; to the Committee on Foreign Affairs.

3255. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(d) of the Arms Export Control Act, Transmittal No.: DDTC 15-027; to the Committee on Foreign Affairs.

3256. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter and relevant documentation concerning the implementation of commitments in the Joint Comprehensive Plan of Action, pursuant to the Iran Freedom and Counter-Proliferation Act of 2012, the Iran Sanctions Act of 1996, the Iran Threat Reduction and Syria Human Rights

Act of 2012, and the National Defense Authorization Act for Fiscal Year 2012; jointly to the Committees on Foreign Affairs, Financial Services, Oversight and Government Reform, the Judiciary, and Ways and Means.

¶133.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. DOLD, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 26, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 26, 2015 at 1:17 p.m.:

That the Senate passed S. 1493.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶133.7 RECESS—2:03 P.M.

The SPEAKER pro tempore, Mr. DOLD, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 3 minutes p.m., subject to the call of the Chair.

¶133.8 AFTER RECESS—6:32 P.M.

The SPEAKER pro tempore, Mr. DOLD, called the House to order.

¶133.9 PROVIDING FOR CONSIDERATION OF H.R. 597

Pursuant to clause 2 of rule XV,

Mr. FINCHER called up the motion No. 2 to discharge the Committee on Rules from further consideration of the resolution (H. Res. 450) providing for the consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

Pending consideration of said motion,

¶133.10 POINT OF ORDER

Mr. MULVANEY made a point of order against consideration of the motion, and said:

''Mr. Speaker, pursuant to rule XV, section 2(d)(1), I make a point of order that this motion is not timely brought.

''The rule specifically says that,

'On the second and fourth Mondays of a month,'

''which is what we are today,-

'immediately after the Pledge of Allegiance to the Flag, a motion to discharge that has been brought on the calendar for at least seven legislative days shall be privileged if called up by a Member whose signature appears thereon.'

''We had the pledge and the prayer earlier today. We also then had intervening activity in the House, and this motion is no longer timely.

''I would point out, Mr. Speaker, that we took up 1-minute speeches; we received a message from the Senate; and you, yourself, approved the Journal.''.

Mr. FINCHER was recognized to speak to the point of order and said:

''Mr. Speaker, I think my friend from South Carolina, the gentleman, is out of order. This is regular order. We are moving on as procedure.''.

Mr. MULVANEY was further recognized and said:

''Mr. Speaker, while you are continuing, I would like you to consider one thing. The rule is very explicit. The rule does not say that we may not take—the rule says that we must proceed immediately. I recognize the fact that on occasion 1-minute speeches are not considered business of the House, that receiving messages from the Senate are not considered business of the House, and, on occasion, a Journal is not considered business of the House even though, from time to time, we do vote on it.

''The rule does not say that we cannot do other business. The rule says we can't do anything, that we must proceed immediately after the Pledge of Allegiance, and that if the motion is brought at any other time it is untimely.''.

The SPEAKER pro tempore, Mr. DOLD, overruled the point of order, and said:

''The rule does not say that the motion to discharge must be—it just says that it can be—brought up immediately.

''Today's proceedings are consistent with previous occasions where the Chair has entertained 1-minute speeches on discharge days, and those speeches proceeded by unanimous consent.

''On those grounds, the point of order is overruled.''.

The motion to discharge the Committee on Rules was considered.

The SPEAKER pro tempore, Mr. DOLD, recognized Mr. FINCHER to control the time in favor of the motion and Mr. HENSARLING to control the time in opposition to the motion.

After debate,

The question being put, viva voce,

Will the House discharge the Committee on Rules from further consideration of said resolution?

The Speaker pro tempore, Mr. DOLD, announced that the ayes had it.

Mr. HENSARLING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 246 / Nays ..... 177

¶133.11 [Roll No. 569]

YEAS—246

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Meng
Mica
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Rogers (AL)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Yarmuth
Young (AK)

NAYS—177

Abraham
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Burgess
Byrne
Calvert
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Comstock
Conaway
Cook
Culberson
Denham
DeSantis
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones

Jordan
Joyce
Kelly (MS)
King (IA)
Kline
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Miller (FL)
Miller (MI)
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Carson (IN)
Crawford
DesJarlais
Fleischmann
Forbes
Payne
Pearce
Rooney (FL)
Roskam
Takai
Visclosky

So the motion to discharge the Committee on Rules was agreed to.

The Clerk then reported the resolution (H. Res. 450), as follows:

*Resolved,* That immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of H.R. 3611, as introduced, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees; and (2) one motion to recommit with or without instructions.

SEC. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 597.

When said resolution was considered.

After debate,

Mr. FINCHER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. DOLD, announced that the ayes had it.

Mr. HENSARLING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DOLD, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

### ¶133.12 PROVIDING FOR CONSIDERATION OF H.R. 1090

Mr. COLLINS of Georgia, by direction of the Committee on Rules, reported (Rept. No. 114–313) the resolution (H. Res. 491) providing for consideration of the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

### ¶133.13 RESEARCH EXCELLENCE AND ADVANCEMENTS FOR DYSLEXIA

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 3033) to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia; as amended.

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, recognized Mr. SMITH of Texas, and Mr. BEYER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

### ¶133.14 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 774. An Act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

### ¶133.15 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PAYNE, for today.

And then,

### ¶133.16 ADJOURNMENT

On motion of Mr. POE of Texas, at 8 o'clock and 15 minutes p.m., the House adjourned.

### ¶133.17 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONAWAY: Committee on Agriculture. H.R. 1317. A bill to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes; with an amendment (Rept. 114–311, Pt. 1). Ordered to be printed.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1338. A bill to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes; with an amendment (Rept. 114–312). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 491. Resolution providing for consideration of the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes (Rept. 114–313). Referred to the House Calendar.

### ¶133.18 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BROWN of Florida (for herself, Mr. THOMPSON of Mississippi, Ms. NORTON, Ms. ADAMS, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SEWELL of Alabama, Mrs. BEATTY, Mrs. WATSON COLEMAN, Mr. JEFFRIES, Ms. EDWARDS, Mr. FATTAH, Ms. FUDGE, Mr. BISHOP of Georgia, Ms. PLASKETT, Mr. MEEKS, Mr. JOHNSON of Georgia, Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, Mr. RICHMOND, Ms. WILSON of Florida, Mr. HASTINGS, Mr. CLYBURN, Ms. CLARKE of New York, Ms. BASS, Mr. AL GREEN of Texas, Mr. VEASEY, Ms. MAXINE WATERS of California, Mr. RANGEL, Ms. LEE, Mr. RUSH, Mr. CLAY, Mr. LEWIS, and Mr. CUMMINGS):

H.R. 3828. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to provide for an equitable distribution of formula funds between land-grant colleges and universities, and for other purposes; to the Committee on Agriculture.

By Ms. ROS-LEHTINEN:

H.R. 3829. A bill to promote transparency, accountability, and reform within the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and for other purposes; to the Committee on Foreign Affairs.

By Ms. VELÁZQUEZ (for herself and Mr. JEFFRIES):

H.R. 3830. A bill to reduce gun violence, increase mental health counseling, and enhance the tracking of lost and stolen firearms; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mr. MURPHY of Florida, Mr. PITTS, Mr. THOMPSON of California, and Mr. CÁRDENAS):

H.R. 3831. A bill to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a pe-

riod to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENACCI (for himself, Mr. LEWIS, Mr. ROSKAM, Mr. BUCHANAN, and Mr. REICHERT):

H.R. 3832. A bill to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILSON of Florida:

H.R. 3833. A bill to require a regional strategy to address the threat posed by Boko Haram; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD:

H.J. Res. 71. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''; to the Committee on Energy and Commerce.

By Mr. WHITFIELD:

H.J. Res. 72. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''; to the Committee on Energy and Commerce.

By Mr. MEADOWS:

H. Con. Res. 87. Concurrent resolution expressing support for designation of October 28 as ''Honoring the Nation's First Responders Day''; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas (for himself and Mr. AL GREEN of Texas):

H. Res. 492. A resolution supporting the goals and ideals of October as ''National Domestic Violence Awareness Month'' and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence and its devastating effects on individuals, families, and communities, and support programs designed to end domestic violence in the United States; to the Committee on Education and the Workforce.

By Mr. COURTNEY (for himself, Ms. DELAURO, Mr. LARSON of Connecticut, Mr. HIMES, and Ms. ESTY):

H. Res. 493. A resolution recognizing Connecticut's Submarine Century, the 100th anniversary of the establishment of Naval Submarine Base New London, and Connecticut's historic role in supporting the undersea capabilities of the United States; to the Committee on Armed Services.

### ¶133.19 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 282: Mr. LEWIS.
H.R. 452: Mr. DEUTCH and Mr. GRAYSON.
H.R. 563: Mr. CRENSHAW.
H.R. 592: Mr. FITZPATRICK, Mr. GUINTA, Mr. CONNOLLY, and Mr. KELLY of Pennsylvania.
H.R. 662: Mr. PERRY and Mr. BUCK.
H.R. 721: Mr. CLAWSON of Florida.
H.R. 766: Mr. RODNEY DAVIS of Illinois.
H.R. 802: Mr. BRIDENSTINE, Mr. CONNOLLY, and Ms. LOFGREN.
H.R. 815: Mr. BOUSTANY.
H.R. 816: Mr. CHAFFETZ.
H.R. 845: Mr. GOODLATTE.
H.R. 870: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CÁRDENAS, and Mr. LARSON of Connecticut.
H.R. 921: Mr. KIND.
H.R. 973: Mr. POLIQUIN and Mr. MEEHAN.
H.R. 985: Mr. CICILLINE.
H.R. 1061: Mr. VAN HOLLEN.
H.R. 1086: Mr. ROHRABACHER.
H.R. 1142: Mr. GUINTA.
H.R. 1148: Mr. POSEY.
H.R. 1188: Mr. CONNOLLY.
H.R. 1197: Mr. RIBBLE.
H.R. 1221: Ms. TITUS.
H.R. 1309: Mr. AUSTIN SCOTT of Georgia, Mr. COLLINS of Georgia, and Mr. THORNBERRY.
H.R. 1453: Mr. HUDSON.
H.R. 1475: Mr. COLLINS of New York.
H.R. 1550: Mr. KILMER.
H.R. 1568: Mr. SMITH of Washington and Ms. JUDY CHU of California.
H.R. 1571: Mr. GARAMENDI, Mr. CONNOLLY, Mr. DESAULNIER, and Mr. NADLER.
H.R. 1603: Mr. CLAWSON of Florida and Mr. LOWENTHAL.
H.R. 1608: Mr. DOGGETT, Mr. CÁRDENAS, Ms. MCCOLLUM, and Mrs. BUSTOS.
H.R. 1625: Mr. KILMER.
H.R. 1671: Mr. JOLLY.
H.R. 1728: Mrs. WATSON COLEMAN, Ms. MCCOLLUM, Mr. BLUMENAUER, Mr. VARGAS, and Mr. QUIGLEY.
H.R. 1733: Mr. SHERMAN.
H.R. 1737: Mr. HUELSKAMP, Mr. MCKINLEY, Mr. LOUDERMILK, and Mr. KELLY of Pennsylvania.
H.R. 1739: Mr. SMITH of Missouri.
H.R. 1751: Mr. DEUTCH, Mr. VARGAS, Ms. LEE, and Mr. GRAYSON.
H.R. 1781: Ms. KELLY of Illinois.
H.R. 1786: Mr. AL GREEN of Texas, Mr. RODNEY DAVIS of Illinois, and Ms. BROWN of Florida.
H.R. 1788: Mr. KLINE.
H.R. 1814: Ms. PLASKETT and Mr. BISHOP of Georgia.
H.R. 1848: Ms. TSONGAS, Ms. ROYBAL-ALLARD, and Mr. KEATING.
H.R. 1942: Mr. MCNERNEY and Mr. ROSS.
H.R. 1966: Ms. LEE.
H.R. 2009: Mr. SALMON.
H.R. 2010: Mr. NEWHOUSE and Mr. POSEY.
H.R. 2017: Mr. DUNCAN of South Carolina and Mr. POE of Texas.
H.R. 2050: Mr. MEEHAN.
H.R. 2209: Mr. BARR and Mr. ROSS.
H.R. 2355: Mr. JEFFRIES.
H.R. 2403: Mr. KILDEE.
H.R. 2410: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2412: Ms. PINGREE and Mr. ASHFORD.
H.R. 2494: Ms. DELBENE, Ms. BORDALLO, Mr. WOMACK, and Ms. SCHAKOWSKY.
H.R. 2510: Mr. CRAWFORD.
H.R. 2513: Mr. RIBBLE.
H.R. 2603: Mr. ROONEY of Florida.
H.R. 2631: Mr. MACARTHUR and Mr. POSEY.
H.R. 2643: Mr. ADERHOLT.
H.R. 2646: Mr. GRAVES of Missouri.
H.R. 2654: Mrs. KIRKPATRICK.
H.R. 2710: Mrs. HARTZLER, Ms. MCSALLY, and Mr. ROKITA.
H.R. 2713: Mr. SCHRADER.
H.R. 2726: Ms. JUDY CHU of California.
H.R. 2753: Mr. SMITH of Missouri.
H.R. 2775: Mr. DELANEY.
H.R. 2811: Ms. TSONGAS.
H.R. 2844: Mr. KILDEE.
H.R. 2847: Mrs. BUSTOS, Mr. KLINE, and Mr. LONG.
H.R. 2849: Mr. MCGOVERN.
H.R. 2867: Mr. BECERRA, Mr. HECK of Washington, Ms. TITUS, Mr. SARBANES, and Mr. AL GREEN of Texas.
H.R. 2896: Mr. LAMBORN and Mr. AMODEI.
H.R. 2903: Mr. CÁRDENAS, Mr. CRAWFORD, and Mr. SCHWEIKERT.
H.R. 2994: Mr. RUPPERSBERGER.
H.R. 3035: Mr. BLUMENAUER.
H.R. 3046: Mr. DEUTCH, Ms. LEE, and Mr. GRAYSON.
H.R. 3048: Mr. GOHMERT.
H.R. 3051: Mr. BLUMENAUER and Mr. PETERS.
H.R. 3071: Miss RICE of New York.
H.R. 3113: Mr. HENSARLING and Mr. RATCLIFFE.
H.R. 3164: Mr. HUFFMAN.
H.R. 3180: Mr. COLLINS of New York.
H.R. 3183: Mr. RODNEY DAVIS of Illinois, Mr. BYRNE, and Mr. COLE.
H.R. 3196: Ms. MCCOLLUM.
H.R. 3227: Mr. MILLER of Florida.
H.R. 3235: Ms. HERRERA BEUTLER.
H.R. 3339: Mrs. NAPOLITANO.
H.R. 3412: Mr. DENHAM.
H.R. 3516: Mr. GUTHRIE and Mr. SESSIONS.
H.R. 3519: Mrs. TORRES.
H.R. 3559: Ms. MCCOLLUM.
H.R. 3573: Mr. TURNER.
H.R. 3637: Mr. TAKANO.
H.R. 3643: Mr. CUELLAR.
H.R. 3655: Mr. DUNCAN of South Carolina.
H.R. 3690: Mr. MCGOVERN.
H.R. 3696: Ms. MAXINE WATERS of California, Mr. CONYERS, Ms. KAPTUR, Ms. TSONGAS, Mr. CUMMINGS, Ms. BROWN of Florida, Ms. ESHOO, Mr. ISRAEL, Mr. GRIJALVA, Mr. HINOJOSA, Mr. TAKANO, Mr. CARSON of Indiana, Mr. LOWENTHAL, Mr. HECK of Washington, Ms. BORDALLO, and Mr. CICILLINE.
H.R. 3700: Mr. SHERMAN and Mr. PITTENGER.
H.R. 3706: Mr. ROSS.
H.R. 3741: Ms. GABBARD.
H.R. 3761: Ms. SLAUGHTER.
H.R. 3779: Mr. HANNA and Mr. OLSON.
H.R. 3786: Mr. TAKANO, Mr. FARR, and Mr. HASTINGS.
H.R. 3801: Mr. MCGOVERN.
H.R. 3806: Ms. DELBENE.
H.R. 3811: Mr. TAKANO and Mr. DEFAZIO.
H.R. 3812: Mr. TAKANO and Mr. DEFAZIO.
H.J. Res. 50: Mr. STUTZMAN.
H. Con. Res. 17: Mr. MOULTON.
H. Con. Res. 51: Miss RICE of New York.
H. Con. Res. 75: Ms. BROWNLEY of California and Mr. ROONEY of Florida.
H. Res. 54: Mr. CASTRO of Texas.
H. Res. 137: Mr. LEVIN.
H. Res. 210: Mr. DUNCAN of South Carolina.
H. Res. 265: Mr. COHEN.
H. Res. 294: Mr. KILDEE.
H. Res. 428: Mr. POCAN, Mr. VAN HOLLEN, Mr. TAKANO, Mr. GUTIÉRREZ, and Mr. NADLER.
H. Res. 467: Ms. FUDGE, Mr. GRIJALVA, Ms. MENG, Mr. MURPHY of Florida, and Mr. YARMUTH.
H. Res. 479: Mr. DOLD.
H. Res. 485: Mr. MILLER of Florida and Mr. MCCLINTOCK.

## TUESDAY, OCTOBER 27, 2015 (134)

### ¶134.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. VALADAO, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 27, 2015.*

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members

were recognized for morning-hour debate.

¶134.2 RECESS—10:39 A.M.

The SPEAKER pro tempore, Mr. VALADAO, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 39 minutes a.m., until noon.

¶134.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶134.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, October 26, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶134.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3257. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers to wear the insignia of the grade of brigadier general, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

3258. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report covering the period from June 15, 2015 to August 14, 2015, pursuant to the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243) and the Authorization for Use of Military Force Against Iraq Resolution of 1991 (Pub. L. 102-1); to the Committee on Foreign Affairs.

3259. A letter from the Clerk, United States Court of Appeals for the Third Circuit, transmitting an opinion of the United States Court of Appeals for the Third Circuit, C.A. No. 14-1387, G.L.; et al. v. Ligonier Valley School District Authority, Appellant (September 22, 2015); to the Committee on the Judiciary.

3260. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-4203; Directorate Identifier 2015-NM-142-AD; Amendment 39-18299; AD 2015-21-07] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3261. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Corp. Turboshaft Engines [Docket No.: FAA-2015-0486; Directorate Identifier 2015-NE-07-AD; Amendment 39-18282; AD 2015-20-04] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3262. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turbofan Engines [Docket No.: FAA-2015-0277; Directorate Identifier 2015-NE-05-AD; Amendment 39-18262; AD 2015-18-04] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3263. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2015-0684; Directorate Identifier 2014-NM-215-AD; Amendment 39-18285; AD 2015-20-06] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3264. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Sailplanes [Docket No.: FAA-2015-3224; Directorate Identifier 2015-CE-026-AD; Amendment 39-18290; AD 2015-20-11] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3265. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-1046; Directorate Identifier 2014-NM-021-AD; Amendment 39-18286; AD 2015-20-07] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3266. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2015-3877; Directorate Identifier 2015-SW-039-AD; Amendment 39-18284; AD 2015-18-51] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3267. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Corp. Turboprop Engines [Docket No.: FAA-2013-1059; Directorate Identifier 2013-NE-36-AD; Amendment 39-17896; AD 2014-14-02] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3268. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0128; Directorate Identifier 2013-NM-133-AD; Amendment 39-18278; AD 2015-19-16] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3269. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2015-0493; Directorate Identifier 2014-NM-184-AD; Amendment 39-18283; AD 2015-20-05] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3270. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2015-4085; Directorate Identifier 2015-CE-033-AD; Amendment 39-18292; AD 2015-20-13] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3271. A letter from the Management and Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-3981; Directorate Identifier 2015-NM-126-AD; Amendment 39-18280; AD 2015-20-02] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3272. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Sheridan, AR [Docket No.: FAA-2015-1388; Airspace Docket No.: 15-ASW-3] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3273. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2008-0808; Directorate Identifier 2008-NE-18-AD; Amendment 39-18288; AD 2015-20-09] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3274. A letter from the Management and Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Springfield, MO [Docket No.: FAA-2014-0559; Airspace Docket No.: 14-ACE-6] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3275. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airspace Designations; Incorporation by Reference Amendments [Docket No.: 2015-3375; Amendment No.: 71-47] (RIN: 2120-AA66) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3276. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0108; Directorate Identifier 2011-NM-049-AD; Amendment 39-18215; AD 2015-15-06] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3277. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the following Iowa towns: Audubon, IA; Corning, IA; Cresco, IA; Eagle Grove, IA, Guthrie Center, IA; Hampton, IA; Harlan, IA; Iowa Falls, IA; Knoxville, IA; Oelwein, IA; and Red Oak, IA [Docket No.: FAA-2015-0368; Airspace Docket No.: 14-ACE-9] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3278. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ponce, PR [Docket No.: FAA-2014-0967; Airspace Docket No.: 14-ASO-19] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3279. A letter from the Management and Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Stockton, CA [Docket No.: FAA-2015-1622; Airspace Docket No.: 15-AWP-9] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3280. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification to Restricted Areas R-3602A & R-3602B; Manhattan, KS [Docket No.: FAA-2015-3758; Airspace Docket No.: 15-ACE-1] (RIN: 2120-AA66) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3281. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification to Restricted Areas R-3601A & R-3601B; Brookville, KS [Docket No.: FAA-2015-3780; Airspace Docket No.: 15-ACE-5] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3282. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Newport, NH [Docket No.: FAA-2014-0037; Airspace Docket No.: 14-ANE-3] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3283. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Marshall, AR [Docket No.: FAA-2015-1833; Airspace Docket No.: 15-ASW-7] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3284. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cottonwood, AZ [Docket No.: FAA-2015-2270; Airspace Docket No.: 12-AWP-11] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3285. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ashland, VA [Docket No.: FAA-2015-0252; Airspace Docket No.: 15-AEA-1] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3286. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class D Airspace; Springfield, OH [Docket No.: FAA-2014-1071; Airspace Docket No.: 14-AGL-15] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3287. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace, Revocation of Class E Airspace; Mountain Home, ID [Docket No.: FAA-2015-1136; Airspace Docket No.: 15-ANM-12] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

### ¶134.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 27, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 27, 2015 at 9:39 a.m.:

That the Senate passed without amendment H.R. 313.

That the Senate passed with an amendment H.R. 639.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

### ¶134.7 ORDER OF BUSINESS—ON A MOTION TO RECOMMIT ON H.R. 597

On motion of Mr. COLLINS of Georgia, by unanimous consent,

*Ordered*, That it may be in order that the question of adopting a motion to recommit on the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes, may be subject to postponement as though under clause 8 of rule XX.

### ¶134.8 PROVIDING FOR CONSIDERATION OF H.R. 1090

Mr. COLLINS of Georgia, by direction of the Committee on Rules, called up the following resolution (H. Res. 491):

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-31 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Lynch of Massachusetts or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. COLLINS of Georgia, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that the ayes had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

### ¶134.9 SURFACE TRANSPORTATION EXTENSION

Mr. SHUSTER moved to suspend the rules and pass the bill (H.R. 3819) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. SHUSTER and Mr. DEFAZIO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

### ¶134.10 H. RES. 491—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 491) providing for consideration of the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 242 / Nays ..... 185

¶134.11 [Roll No. 570]

YEAS—242

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

NAYS—185

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

NOT VOTING—7

Costa
Franks (AZ)
Hurt (VA)
Meeks
Pearce
Roskam
Takai

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. POLIS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 244 / Noes ..... 186

¶134.12 [Roll No. 571]

AYES—244

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

NOES—186

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy

Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—4

Meeks
Pearce
Roskam
Takai

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶134.13 H. RES. 450—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on ordering the previous question on the resolution (H. Res. 450) providing for the consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 271 Nays ..... 158

¶134.14 [Roll No. 572]

YEAS—271

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wagner
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)

NAYS—158

Abraham
Allen
Amash
Babin
Barr
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
Denham
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Grayson
Griffith
Grothman
Guinta
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Miller (MI)
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Perry
Pittenger
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Roby
Roe (TN)
Rohrabacher
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Tiberi
Tipton
Trott
Visclosky
Walberg
Walden
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Meeks
Pearce
Rice (SC)
Roskam
Takai

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. HENSARLING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 275 Nays ..... 154

¶134.15 [Roll No. 573]

YEAS—275

Abraham
Adams
Aderholt
Aguilar
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Kuster
Langevin
Larsen (WA)

Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wagner
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)

NAYS—154

Allen
Amash
Babin
Barr
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Crawford
Culberson
Denham
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Grayson
Griffith
Grothman
Guinta
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones
Jordan
King (IA)
Kline
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Miller (MI)
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Perry
Pittenger
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Roby
Roe (TN)
Rohrabacher
Rokita
Ross
Rothfus
Rouzer
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Trott
Visclosky
Walberg
Walden
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Amodei
Meeks
Pearce
Roskam
Takai

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

## ¶134.16 EXPORT-IMPORT BANK REAUTHORIZATION

The SPEAKER pro tempore, Mr. SIMPSON, announced that, pursuant to House Resolution 450, the House proceeded to consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

Pending consideration of said bill,

Pursuant to House Resolution 450, the following amendment in the nature of a substitute, consisting of the text of H.R. 3611, was considered as agreed to:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:



**TITLE I—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY**

**SEC. 101. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.**

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2) and inserting the following:

''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.

''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.

**SEC. 102. INCREASE IN LOSS RESERVES.**

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

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

''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

**SEC. 103. REVIEW OF FRAUD CONTROLS.**

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:

''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

''(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.''.

**SEC. 104. OFFICE OF ETHICS.**

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(k) OFFICE OF ETHICS.—

''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

''(2) HEAD OF OFFICE.—

''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

''(i) appointed by the President of the Bank from among persons—

''(I) with a background in law who have experience in the fields of law and ethics; and

''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

''(ii) approved by the Board.

''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

''(A) recommend administrative actions to establish or enforce standards of official conduct;

''(B) refer to the Office of the Inspector General of the Bank alleged violations of—

''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.

**SEC. 105. CHIEF RISK OFFICER.**

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 104, is further amended by adding at the end the following:

''(l) CHIEF RISK OFFICER.—

''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

''(A) oversee all issues relating to risk within the Bank; and

''(B) report to the President of the Bank.

''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

''(A) appointed by the President of the Bank from among persons—

''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

''(B) approved by the Board.

''(3) DUTIES.—The duties of the Chief Risk Officer are—

''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.

**SEC. 106. RISK MANAGEMENT COMMITTEE.**

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections 104 and 105, is further amended by adding at the end the following:

''(m) RISK MANAGEMENT COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a management committee to be known as the 'Risk Management Committee'.

''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

''(3) DUTIES.—The duties of the Risk Management Committee shall be—

''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

''(ii) the monitoring of industry, geographic, and obligor exposure levels; and

''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

**SEC. 107. INDEPENDENT AUDIT OF BANK PORTFOLIO.**

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section 105.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

**SEC. 108. PILOT PROGRAM FOR REINSURANCE.**

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

## TITLE II—PROMOTION OF SMALL BUSINESS EXPORTS

**SEC. 201. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.**

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

**SEC. 202. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.**

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

## TITLE III—MODERNIZATION OF OPERATIONS

**SEC. 301. ELECTRONIC PAYMENTS AND DOCUMENTS.**

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

**SEC. 302. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.**

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and

(3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

## TITLE IV—GENERAL PROVISIONS

**SEC. 401. EXTENSION OF AUTHORITY.**

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United

States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

**SEC. 402. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.**

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

**TITLE V—OTHER MATTERS**

**SEC. 501. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.**

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

**SEC. 502. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.**

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

**SEC. 503. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.**

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 450, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Ms. NORTON moved to recommit the bill to the Committee on Financial Services.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit.

The question being put, viva voce,

Will the House recommit said bill?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the noes had it.

Mr. HENSARLING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 8 of rule XX, and the previous order of the House, announced that further proceedings on the question were postponed.

## ¶134.17 EXPORT-IMPORT BANK REAUTHORIZATION

Mr. HENSARLING, by unanimous consent, requested that the ordering of the yeas and nays on the motion to recommit on the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes, be vacated in favor of the earlier voice vote thereon.

Accordingly,

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the noes had it.

Ms. Maxine WATERS of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶134.18 REAL INVESTOR PROTECTION

Mr. HENSARLING, pursuant to House Resolution 491, called up for consideration the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes.

Pending consideration of said bill,

Pursuant to House Resolution 491, the following amendment in the nature of a substitute, consisting of the text of Rules Committee Print 114-31, was considered as agreed to:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Retail Investor Protection Act''.

**SEC. 2. STAY ON RULES DEFINING CERTAIN FIDUCIARIES.**

After the date of enactment of this Act, the Secretary of Labor shall not prescribe any regulation under the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) defining the circumstances under which an individual is considered a fiduciary until the date that is 60 days after the Securities and Exchange Commission issues a final rule relating to standards of conduct for brokers and dealers pursuant to the second subsection (k) of section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o(k)).

**SEC. 3. AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.**

The second subsection (k) of section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o(k)), as added by section 913(g)(1) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.), is amended by adding at the end the following:

''(3) REQUIREMENTS PRIOR TO RULEMAKING.—The Commission shall not promulgate a rule pursuant to paragraph (1) before—

''(A) providing a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate describing whether—

''(i) retail investors (and such other customers as the Commission may provide) are being harmed due to brokers or dealers operating under different standards of conduct than those that apply to investment advisors under section 211 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–11);

''(ii) alternative remedies will reduce any confusion or harm to retail investors due to brokers or dealers operating under different standards of conduct than those standards that apply to investment advisors under section 211 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–11), including—

''(I) simplifying the titles used by brokers, dealers, and investment advisers; and

''(II) enhancing disclosure surrounding the different standards of conduct currently applicable to brokers, dealers, and investment advisers;

''(iii) the adoption of a uniform fiduciary standard of conduct for brokers, dealers, and investment advisors would adversely impact the commissions of brokers and dealers, the availability of proprietary products offered by brokers and dealers, and the ability of brokers and dealers to engage in principal transactions with customers; and

''(iv) the adoption of a uniform fiduciary standard of conduct for brokers or dealers and investment advisors would adversely impact retail investor access to personalized and cost-effective investment advice, recommendations about securities, or the availability of such advice and recommendations.

''(4) ECONOMIC ANALYSIS.—The Commission's conclusions contained in the report described in paragraph (3) shall be supported by economic analysis.

''(5) REQUIREMENTS FOR PROMULGATING A RULE.—The Commission shall publish in the Federal Register alongside the rule promulgated pursuant to paragraph (1) formal findings that such rule would reduce confusion or harm to retail customers (and such other customers as the Commission may by rule provide) due to different standards of conduct applicable to brokers, dealers, and investment advisors.

''(6) REQUIREMENTS UNDER INVESTMENT ADVISERS ACT OF 1940.—In proposing rules under paragraph (1) for brokers or dealers, the Commission shall consider the differences in the registration, supervision, and examination requirements applicable to brokers, dealers, and investment advisors.''.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 491, the following further amendment, printed in House Report 114-313, was submitted by Mr. LYNCH:

Amend section 2 to read as follows:

**SEC. 2. RULES DEFINING CERTAIN FIDUCIARIES.**

(a) RULEMAKING.—The Securities and Exchange Commission shall issue a new or revised rule relating to standards of conduct for brokers and dealers pursuant to the second subsection (k) of section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) not later than the end of the 60-day period beginning on the date that the Secretary of Labor issued a final rule based on the ERISA fiduciary rule.

(b) COORDINATION REQUIRED.—In issuing a rule described under subsection (a), the Securities and Exchange Commission shall coordinate with the Secretary of Labor.

(c) ERISA FIDUCIARY RULE DEFINED.—For purposes of this section, the term ''ERISA fiduciary rule'' means the proposed rule of the Department of Labor titled ''Definition of the Term 'Fiduciary'; Conflict of Interest Rule—Retirement Investment Advice; Proposed Rule'', published April 20, 2015.

After debate,

Pursuant to House Resolution 491, the previous question was ordered on the bill, as amended, and the further amendment.

The question being put, viva voce,

Will the House agree to said further amendment?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the noes had it.

Mr. LYNCH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 184 / Nays ..... 246

¶134.19 [Roll No. 574]

YEAS—184

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

NAYS—246

| | | |
|---|---|---|
| Abraham | Burgess | Donovan |
| Aderholt | Byrne | Duffy |
| Allen | Calvert | Duncan (SC) |
| Amash | Carter (GA) | Duncan (TN) |
| Amodei | Carter (TX) | Ellmers (NC) |
| Ashford | Chabot | Emmer (MN) |
| Babin | Chaffetz | Farenthold |
| Barletta | Clawson (FL) | Fincher |
| Barr | Coffman | Fitzpatrick |
| Barton | Cole | Fleischmann |
| Benishek | Collins (GA) | Fleming |
| Bilirakis | Collins (NY) | Flores |
| Bishop (MI) | Conaway | Forbes |
| Bishop (UT) | Cook | Fortenberry |
| Black | Costello (PA) | Foxx |
| Blackburn | Cramer | Franks (AZ) |
| Blum | Crawford | Frelinghuysen |
| Bost | Crenshaw | Garrett |
| Boustany | Culberson | Gibbs |
| Brady (TX) | Curbelo (FL) | Gibson |
| Brat | Davis, Rodney | Gohmert |
| Bridenstine | Denham | Goodlatte |
| Brooks (AL) | Dent | Gosar |
| Brooks (IN) | DeSantis | Gowdy |
| Buchanan | DesJarlais | Granger |
| Buck | Diaz-Balart | Graves (GA) |
| Bucshon | Dold | Graves (LA) |

Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—4

Comstock
Roskam
Sarbanes
Takai

So the further amendment was not agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the ayes had it.

Mrs. WAGNER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 245 Nays ..... 186

¶134.20 [Roll No. 575]

YEAS—245

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

NAYS—186

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

NOT VOTING—3

Roskam
Takai
Whitfield

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶134.21 H.R. 597—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 313 Nays ..... 118

¶134.22 [Roll No. 576]

YEAS—313

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch

Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Zeldin
Zinke

NAYS—118

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Crawford
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Grayson
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Ross
Rothfus
Rouzer
Royce
Ryan (WI)
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Yoho
Young (IA)
Young (IN)

NOT VOTING—3

Roskam
Takai
Whitfield

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶134.23 RECESS—7:44 P.M.

The SPEAKER pro tempore, Mr. HILL, pursuant to clause 12(a) of rule I, declared the House in recess at 7 o'clock and 44 minutes p.m., subject to the call of the Chair.

## WEDNESDAY, OCTOBER 28 (LEGISLATIVE DAY OF OCTOBER 27), 2015

¶134.24 AFTER RECESS—12:13 A.M.

The SPEAKER pro tempore, Mr. STIVERS, called the House to order.

¶134.25 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO H.R. 1314

Mr. COLE, by direction of the Committee on Rules, reported (Rept. No. 114–315) the resolution (H. Res. 495) providing for consideration of the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

When said resolution and report were referred to the House Calendar and ordered printed.

¶134.26 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 313. An Act to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

¶134.27 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 26, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 774. An Act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

H.R. 323. An Act to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the ''Sgt. Amanda N. Pinson Post Office''.

H.R. 324. An Act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the ''Lt. Daniel P. Riordan Post Office''.

H.R. 558. An Act to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the ''Richard 'Dick' Chenault Post Office Building''.

H.R. 1442. An Act to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the ''Staff Sergeant Robert H. Dietz Post Office Building''.

H.R. 1884. An Act to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the ''Officer Daryl R. Pierson Memorial Post Office Building''.

H.R. 3059. An Act to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the James Robert Kalsu Post Office Building.

H.R. 322. An Act to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the ''Sgt. Zachary M. Fisher Post Office''.

¶134.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. ROSKAM, for October 26 and today; and

To Mr. TAKAI, for October 26 and today.

And then,

¶134.29 ADJOURNMENT

On motion of Mr. COLE, at 12 o'clock and 14 minutes a.m., Wednesday, October 28 (legislative day of October 27), 2015, the House adjourned.

¶134.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2212. A bill to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes; with an amendment (Rept. 114–314). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 495. Resolution providing for consideration of the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations (Rept. 114–315). Referred to the House Calendar.

¶134.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mrs. LAWRENCE (for herself and Ms. LEE):

H.R. 3834. A bill to amend GEAR UP to require that schools receiving funding under the program provide students with access to academic and mental health counseling services, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BROOKS of Alabama:

H.R. 3835. A bill to increase the statutory limit on the public debt by $1 trillion upon the adoption by Congress of a balanced budget Constitutional amendment and by an additional $1 trillion upon ratification by the States of that amendment; to the Committee on Ways and Means.

By Mr. CASTRO of Texas (for himself, Ms. BASS, and Mr. RANGEL):

H.R. 3836. A bill to require a report on diversity recruitment, employment, retention, and promotion at the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ELLISON (for himself and Mr. LEWIS):

H.R. 3837. A bill to strengthen the current protections available under the National Labor Relations Act by providing a private right of action for certain violations of such Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JEFFRIES (for himself, Ms. NORTON, Mr. RANGEL, Mr. CLAY, Ms. LEE, Ms. KELLY of Illinois, Mrs. BEATTY, Ms. CLARKE of New York, Ms. BASS, Ms. JACKSON LEE, Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. BISHOP of Georgia, Mr. RICHMOND, Mr. PAYNE, Ms. ADAMS, Mr. VEASEY, Mr. JOHNSON of Georgia, Mr. HASTINGS, Mr. CLEAVER, Ms. EDWARDS, Ms. PLASKETT, and Mr. RUSH):

H.R. 3838. A bill to amend title 13, United States Code, to provide that individuals in prison shall, for the purposes of a decennial census, be attributed to the last place of residence before incarceration; to the Committee on Oversight and Government Reform.

By Mrs. NOEM:

H.R. 3839. A bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 3840. A bill to amend title 49, United States Code, with respect to prohibiting the use of electronic cigarettes on passenger flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. ROYBAL-ALLARD (for herself, Ms. MATSUI, Mr. TAKANO, Ms. CLARK of Massachusetts, Ms. EDWARDS, Mr. RICHMOND, and Ms. BORDALLO):

H.R. 3841. A bill to promote the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself, Mr. DESANTIS, Mr. GOSAR, Mr. DESJARLAIS, Mr. FARENTHOLD, Mr. WALBERG, Mr. JODY B. HICE of Georgia, Mr. PALMER, Mr. WALKER, Mr. MULVANEY, Mr. JORDAN, Mr. RUSSELL, Mr. CARTER of Georgia, Mr. GROTHMAN, Mrs. LUMMIS, Mr. HURD of Texas, Mr. AMASH, Mr. TURNER, and Mr. MASSIE):

H. Res. 494. A resolution impeaching John Andrew Koskinen, Commissioner of the Internal Revenue Service, for high crimes and misdemeanors; to the Committee on the Judiciary.

By Mr. MICHAEL F. DOYLE of Pennsylvania:

H. Res. 496. A resolution recognizing the 50th anniversary of the Department of Computer Science at Carnegie Mellon University; to the Committee on Education and the Workforce.

By Mr. GROTHMAN:

H. Res. 497. A resolution congratulating Army Reserve Major Lisa Jaster on her graduation from the Army Ranger School; to the Committee on Armed Services.

By Mr. MURPHY of Pennsylvania (for himself and Mrs. DINGELL):

H. Res. 498. A resolution expressing support for designation of October 2015 as ''National Breast Cancer Awareness Month''; to the Committee on Energy and Commerce.

By Mr. PIERLUISI (for himself, Ms. NORTON, and Ms. BORDALLO):

H. Res. 499. A resolution amending the Rules of the House of Representatives to allow Delegates and the Resident Commissioner to file, sign, and call up discharge petitions; to the Committee on Rules.

## ¶134.32 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Mr. KILDEE.
H.R. 67: Mr. TED LIEU of California.
H.R. 415: Mr. BLUMENAUER and Ms. MENG.
H.R. 452: Ms. MOORE.
H.R. 540: Mr. TAKANO.
H.R. 563: Mrs. BUSTOS.
H.R. 592: Mr. CICILLINE, Mrs. DINGELL, and Mrs. WATSON COLEMAN.
H.R. 602: Mr. CURBELO of Florida.
H.R. 663: Ms. PINGREE.
H.R. 740: Mr. ASHFORD.
H.R. 769: Mr. DUNCAN of Tennessee.
H.R. 836: Mr. NUNES and Mr. WOODALL.
H.R. 845: Mr. CÁRDENAS.
H.R. 870: Ms. BASS.
H.R. 953: Mr. SMITH of Texas, Mr. JEFFRIES, and Mr. O'ROURKE.
H.R. 1027: Ms. DELAURO.
H.R. 1145: Mr. GUINTA and Mr. TONKO.
H.R. 1197: Mr. MARCHANT, Mr. DUNCAN of Tennessee, and Mr. POMPEO.
H.R. 1209: Mr. MACARTHUR.
H.R. 1220: Mr. NORCROSS, Mr. SALMON, Mr. LUCAS, and Mr. MULLIN.
H.R. 1221: Mr. RUPPERSBERGER.
H.R. 1247: Mr. KIND.
H.R. 1258: Mrs. KIRKPATRICK and Mr. HANNA.
H.R. 1288: Mr. GOODLATTE.
H.R. 1301: Mr. KELLY of Pennsylvania.
H.R. 1309: Mr. ROKITA.
H.R. 1312: Ms. TITUS.
H.R. 1343: Ms. ROYBAL-ALLARD and Mr. CULBERSON.
H.R. 1427: Mr. KELLY of Pennsylvania.
H.R. 1439: Mr. JEFFRIES and Mrs. BEATTY.
H.R. 1441: Mr. SWALWELL of California.
H.R. 1453: Mr. TOM PRICE of Georgia.
H.R. 1550: Mr. FINCHER.
H.R. 1567: Mr. MCCAUL, Mr. SERRANO, Mr. HONDA, Ms. KAPTUR, and Ms. ROYBAL-ALLARD.
H.R. 1604: Mr. HUELSKAMP.
H.R. 1625: Mr. BEYER and Mr. SWALWELL of California.
H.R. 1671: Mrs. WAGNER.
H.R. 1728: Ms. KUSTER and Ms. CLARK of Massachusetts.
H.R. 1745: Mr. BLUMENAUER.
H.R. 1751: Ms. MOORE.
H.R. 1763: Mr. NOLAN, Mr. PETERS, Mr. DANNY K. DAVIS of Illinois, Ms. FUDGE, and Mr. FRANKS of Arizona.
H.R. 1769: Mr. HANNA.
H.R. 1779: Ms. BASS.
H.R. 1786: Mr. ROTHFUS, Ms. KELLY of Illinois, Mr. CUMMINGS, Ms. ROYBAL-ALLARD, Mrs. BEATTY, Ms. MAXINE WATERS of California, Mr. RYAN of Ohio, Mrs. DAVIS of California, Mr. CASTRO of Texas, Ms. LINDA T. SÁNCHEZ of California, and Mr. CLYBURN.
H.R. 1853: Mr. DONOVAN, Mr. BISHOP of Georgia, Ms. KAPTUR, Ms. TITUS, Mr. FLEISCHMANN, Mr. JOHNSON of Georgia, Mr. MEEKS, Mr. CRENSHAW, Mr. AL GREEN of Texas, Ms. MENG, Mr. ISRAEL, Mr. DAVID SCOTT of Georgia, Mr. KELLY of Pennsylvania, Mr. WALKER, Mr. BRADY of Pennsylvania, Mr. JONES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CRAWFORD, Mr. CLAY, Mr. CURBELO of Florida, Mr. LAMALFA, and Mrs. WAGNER.
H.R. 1984: Mr. PERLMUTTER and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2065: Miss RICE of New York, Ms. KAPTUR, Mr. KILDEE, Mr. STIVERS, Ms. STEFANIK, and Mr. RYAN of Ohio.
H.R. 2224: Mr. NOLAN, Ms. SLAUGHTER, and Mr. HONDA.
H.R. 2355: Ms. SCHAKOWSKY.
H.R. 2400: Mr. DENT and Ms. ROS-LEHTINEN.
H.R. 2643: Mr. KILDEE.
H.R. 2646: Ms. ROS-LEHTINEN, Mr. YOUNG of Iowa, and Mr. MEEHAN.
H.R. 2692: Mr. NOLAN.
H.R. 2710: Mr. MESSER and Mr. BARLETTA.
H.R. 2759: Mr. KATKO.
H.R. 2764: Mr. CICILLINE and Mr. HASTINGS.
H.R. 2798: Mr. DESAULNIER.
H.R. 2813: Mr. CONYERS and Mr. DEUTCH.
H.R. 2880: Mr. POLIS.
H.R. 2894: Ms. TITUS.
H.R. 2902: Mr. DEFAZIO, Mr. LARSEN of Washington, Ms. WILSON of Florida, Ms. ESTY, Mr. COURTNEY, Mr. GALLEGO, Mr. HECK of Washington, Mr. KEATING, Ms. LEE, Mr. SEAN PATRICK MALONEY of New York, Mr. DELANEY, Mr. CROWLEY, Ms. BROWN of Florida, Mr. DAVID SCOTT of Georgia, Mr. RYAN of Ohio, Mr. HASTINGS, Ms. MOORE, Mr. ENGEL, Ms. CASTOR of Florida, Mr. GARAMENDI, Mr. MCGOVERN, Ms. VELÁZQUEZ, Mr. HUFFMAN, Mr. RANGEL, Ms. SPIER, Mr. SERRANO, Mr. SARBANES, Ms. FRANKEL of Florida, Mr. RUPPERSBERGER, Mr. WELCH, Ms. SLAUGHTER, Mrs. BUSTOS, Mr. FARR, Mr. QUIGLEY, Ms. KUSTER, and Ms. ROYBAL-ALLARD.
H.R. 2903: Mr. KINZINGER of Illinois.
H.R. 2939: Mr. BLUMENAUER and Mr. DEUTCH.
H.R. 3032: Mr. KILDEE.
H.R. 3046: Mr. VARGAS.
H.R. 3055: Mr. CRAWFORD.
H.R. 3067: Mr. HASTINGS.
H.R. 3071: Ms. MENG.
H.R. 3110: Mr. JOLLY.
H.R. 3119: Mr. ROSS and Ms. JACKSON LEE.
H.R. 3126: Mr. DUNCAN of South Carolina.
H.R. 3159: Mr. YOUNG of Iowa.
H.R. 3238: Mr. CRAMER.
H.R. 3250: Mr. BURGESS and Mr. GUTHRIE.
H.R. 3257: Mr. HUFFMAN.
H.R. 3279: Mr. POE of Texas and Mr. TROTT.
H.R. 3309: Mr. RUSSELL.
H.R. 3312: Mr. MACARTHUR.
H.R. 3314: Mrs. LUMMIS, Mr. YOHO, Mr. LABRADOR, and Mr. ABRAHAM.

H.R. 3323: Mr. OLSON.
H.R. 3339: Mr. POLIQUIN.
H.R. 3351: Mr. WELCH, Mr. COHEN, and Mrs. WATSON COLEMAN.
H.R. 3355: Mr. BURGESS.
H.R. 3364: Mr. PETERS and Mr. LOWENTHAL.
H.R. 3381: Mr. CONNOLLY, Mr. DESAULNIER, Ms. ROYBAL-ALLARD, and Mr. CARSON of Indiana.
H.R. 3406: Mr. THOMPSON of Mississippi.
H.R. 3411: Mrs. WATSON COLEMAN.
H.R. 3427: Mr. SERRANO, Mr. GUTIÉRREZ, Mr. JEFFRIES, Mr. MCGOVERN, Mr. TAKANO, and Mr. VAN HOLLEN.
H.R. 3459: Mr. HANNA, Mrs. BLACK, and Mrs. ROBY.
H.R. 3471: Mr. LUETKEMEYER.
H.R. 3488: Mr. TIPTON.
H.R. 3520: Mr. OLSON.
H.R. 3532: Mr. GARAMENDI.
H.R. 3546: Mr. SMITH of New Jersey, Ms. CASTOR of Florida, Mr. PETERS, Ms. PINGREE, and Ms. MCSALLY.
H.R. 3582: Mr. LOEBSACK.
H.R. 3680: Mr. BUCSHON.
H.R. 3686: Mr. LATTA.
H.R. 3687: Mr. AUSTIN SCOTT of Georgia, Mr. PETERSON, Mr. RODNEY DAVIS of Illinois, Mr. WOODALL, and Mrs. BUSTOS.
H.R. 3696: Mr. PETERSON, Mr. SABLAN, Mr. O'ROURKE, Mr. GARAMENDI, Ms. LINDA T. SÁNCHEZ of California, Mr. GUTIÉRREZ, Ms. KUSTER, and Mr. AGUILAR.
H.R. 3700: Mr. PEARCE.
H.R. 3706: Mr. JOLLY.
H.R. 3727: Mr. POCAN.
H.R. 3743: Mr. OLSON.
H.R. 3745: Mr. BRIDENSTINE.
H.R. 3776: Mr. RIBBLE and Mr. DUNCAN of South Carolina.
H.R. 3780: Mr. BENISHEK.
H.R. 3785: Ms. LOFGREN, Mr. HOYER, Ms. DELBENE, Mr. MURPHY of Florida, Mr. TONKO, Mr. BECERRA, Mr. LEWIS, Mr. KENNEDY, Mr. DOGGETT, Ms. WILSON of Florida, Mr. TED LIEU of California, and Ms. ESTY.
H.R. 3793: Mr. PETERS and Mr. SWALWELL of California.
H.R. 3799: Mr. DUNCAN of South Carolina, Mr. ABRAHAM, Mr. SCHWEIKERT, and Mr. BUCK.
H.R. 3801: Mr. BEYER and Mr. HONDA.
H.R. 3802: Mr. BARR.
H.R. 3807: Mr. ELLISON, Mr. LARSEN of Washington, Mr. BRADY of Pennsylvania, and Mr. CONNOLLY.
H.R. 3818: Mr. BENISHEK.
H.R. 3830: Mr. SERRANO, Mr. MEEKS, Mr. RANGEL, Mr. ELLISON, Mr. FARR, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. NADLER, Mr. CROWLEY, Mr. HONDA, and Ms. CLARKE of New York.
H.R. 3831: Ms. SINEMA.
H.J. Res. 14: Mr. POMPEO and Mr. MASSIE.
H. Con. Res. 40: Mr. BECERRA and Mr. VAN HOLLEN.
H. Con. Res. 65: Ms. DUCKWORTH.
H. Res. 14: Mr. ROHRABACHER.
H. Res. 112: Mr. DESJARLAIS.
H. Res. 354: Mr. MACARTHUR, Mrs. WATSON COLEMAN, and Mr. DUNCAN of South Carolina.
H. Res. 396: Mr. DEFAZIO.
H. Res. 416: Ms. DELBENE, Mrs. BLACKBURN, and Mr. BISHOP of Georgia.
H. Res. 428: Mr. CARTWRIGHT.
H. Res. 432: Mr. COFFMAN.
H. Res. 451: Mr. JOYCE, Mrs. BLACKBURN, and Mr. OLSON.
H. Res. 485: Mr. KLINE and Mr. HUDSON.
H. Res. 492: Mr. COSTA.

## WEDNESDAY, OCTOBER 28, 2015 (135)

### ¶135.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. PALAZZO, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 28, 2015.*

I hereby appoint the Honorable STEVEN M. PALAZZO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker.*

### ¶135.2 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 754. An Act to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

### ¶135.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. PALAZZO, pursuant to the order of the House of January 6, 2015, recognized Members for morning-hour debate.

### ¶135.4 RECESS—11:05 A.M.

The SPEAKER pro tempore, Mr. PALAZZO, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 5 minutes a.m., until noon.

### ¶135.5 AFTER RECESS—NOON

The SPEAKER called the House to order.

### ¶135.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, October 27, 2015.

Mrs. WALORSKI, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mrs. WALORSKI objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

### ¶135.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3288. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Importation of Fresh Peppers From Ecuador Into the United States [Doc. No.: APHIS-2014-0086] (RIN: 0579-AE07) received October 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3289. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Direct Grant Programs (RIN: 1890-AA19) received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3290. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Student Assistance General Provisions, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program [Docket ID: ED-2014-OPE-0161] (RIN: 1840-AD18) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3291. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Program Integrity and Improvement [Docket ID: ED-2015-OPE-0020] (RIN: 1840-AD14) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3292. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's interim final rule — Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Vicks VapoInhaler [Docket No.: DEA-367] (RIN: 1117-AB39) received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3293. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Protection System, Automatic Reclosing, and Sudden Pressure Relaying Maintenance Reliability Standard [Docket No.: RM15-9-000, Order No. 813] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3294. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's interim final rule — Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Nasal Decongestant Inhaler/Vapor Inhaler [Docket No.: DEA-409] (RIN: 1117-ZA30) received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3295. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report by the Department on progress toward a negotiated solution of the Cyprus question covering the period of June 1 through July 31, 2015, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

3296. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Special Wage Schedules for U.S. Army Corps of Engineers Flood Control Employees of the Vicksburg District in Mississippi (RIN: 3206-AN17) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3297. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's final rule — Change of Address for the Interior Board of Indian Appeals received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3298. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — Special Regulations, Areas of the National Park System, Klondike Gold Rush National Historical Park, Horse Management [NPS-KLGO-19374; PPAKKLGOL0, PPMPRLE1Z.L00000] (RIN: 1024-AE27) received October 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3299. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act of 1938 for the six month period ending December 31, 2014, pursuant to Sec. 11 of the Foreign Agents Registration Act, as amended (22 U.S.C. 621); to the Committee on the Judiciary.

3300. A letter from the Federal Liaison Officer, United States Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Changes to Facilitate Applicant's Authorization of Access to Unpublished U.S. Patent Applications by Foreign Intellectual Property Offices [Docket No.: PTO-P-2014-0012] (RIN: 0651-AC95) received October 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3301. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2015-1419; Directorate Identifier 2014-NM-183-AD; Amendment 39-18279; AD 2015-20-01] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3302. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Turboprop Engines (Type Certificate previously held by AlliedSignal Inc., Garrett Engine Division; Garrett Turbine Engine Company; and AiResearch Manufacturing Company of Arizona) [Docket No.: FAA-2012-0913; Directorate Identifier 2012-NE-23-AD; Amendment 39-18261; AD 2015-18-03] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3303. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2015-0677; Directorate Identifier 2013-NM-244-AD; Amendment 39-18289; AD 2015-20-10] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3304. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2015-0934; Directorate Identifier 2014-NM-030-AD; Amendment 39-18287; AD 2015-20-08] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3305. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0656; Directorate Identifier 2013-NM-224-AD; Amendment 39-18295; AD 2015-21-03] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3306. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Fuel Injected Reciprocating Engines [Docket No.: FAA-2007-0218; Directorate Identifier 92-ANE-56-AD; Amendment 39-18269; AD 2015-19-07] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3307. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; M7 Aerospace LLC Airplanes [Docket No.: FAA-2015-2207; Directorate Identifier 2015-CE-003-AD; Amendment 39-18272; AD 2015-19-10] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3308. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes [Docket No.: FAA-2015-2775; Directorate Identifier 2015-CE-021-AD; Amendment 39-18277; AD 2015-19-15] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3309. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0773; Directorate Identifier 2014-NM-068-AD; Amendment 39-18271; AD 2015-19-09] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3310. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-0494; Directorate Identifier 2014-NM-160-AD; Amendment 39-18275; AD 2015-19-13] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3311. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (formerly Eurocopter Deutschland GmbH) (Airbus Helicopters) Helicopters [Docket No.: FAA-2012-0503; Directorate Identifier 2011-SW-032-AD; Amendment 39-18276; AD 2015-19-14] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3312. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piaggio Aero Industries S.p.A. Airplanes [Docket No.: FAA-2015-2466; Directorate Identifier 2015-CE-018-AD; Amendment 39-18273; AD 2015-19-11] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3313. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0929; Directorate Identifier 2014-NM-118-AD; Amendment 39-18274; AD 2015-19-12] (RIN: 2120-AA64) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3314. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Poplarville-Pearl River County Airport, MS [Docket No.: FAA-2012-1210; Airspace Docket No.: 12-ASO-42] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3315. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Mackall AAF, NC [Docket No.: FAA-2015-3057; Airspace Docket No.: 15-ASO-9] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3316. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class C Airspace; Portland International Airport, OR [Docket No.: FAA-2015-2905; Airspace Docket No.: 15-AWA-3] (RIN: 2120-AA66) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3317. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the following Nebraska towns: Albion, NE; Bassett, NE; Lexington, NE [Docket No.: FAA-2015-0841; Airspace Docket No.: 15-ACE-3] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3318. A letter from the Regulatory Ombudsman, FMCSA, Department of Transportation, transmitting the Department's final rule — General Technical, Organizational, Conforming, and Correcting Amendments to the Federal Motor Carrier Safety Regulations [Docket No.: FMCSA-2015-0207] (RIN: 2126-AB83) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3319. A letter from the Senior Assistant Chief Counsel for Hazmat Safety Law, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Special Permit and Approvals Standard Operating Procedures and Evaluation Process [Docket No.: PHMSA-2012-0260 (HM-233E)] (RIN: 2137-AE99) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3320. A letter from the Attorney-Advisor, Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule — Design Standards for Highways [Docket No.: FHWA-2015-0003]

(RIN: 2125-AF67) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3321. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Request for Comments on Definitions of Section 48 Property [Notice 2015-70] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3322. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB rule — Morehouse v. Commissioner, 769 F.3d 616 (8th Cir. 2014), rev'g 140 T.C. 350 (2013) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3323. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2015-71] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3324. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Supplement to Rev. Proc. 2014-64, Implementation of Nonresident Alien Deposit Interest Regulations (Rev. Proc. 2015-50) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3325. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — November 2015 (Rev. Rul. 2015-22) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3326. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2015 National Pool (Rev. Proc. 2015-49) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3327. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Listing Notice for Basket Option Contacts [Notice 2015-73] received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

¶135.8 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO H.R. 1314

Mr. COLE, by direction of the Committee on Rules, called up the following resolution (H. Res. 495):

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the Majority Leader or his designee that the House concur in the Senate amendment with the amendment printed in part A of the report of the Committee on Rules accompanying this resolution modified by the amendment printed in part B of that report. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

When said resolution was considered.

After debate,

Mr. COLE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

Mr. COLE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶135.9 RECESS—12:58 P.M.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 58 minutes p.m., subject to the call of the Chair.

¶135.10 AFTER RECESS—2:53 P.M.

The SPEAKER pro tempore, Mr. HULTGREN, called the House to order.

¶135.11 H. RES. 495—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 495) providing for consideration of the Senate amendment to the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 325 / Nays ..... 103

¶135.12 [Roll No. 577]

YEAS—325

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capuano
Carney
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Cicilline
Clawson (FL)
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Holding
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lawrence
Levin
Lieu, Ted
LoBiondo
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Newhouse
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanford
Scalise
Schiff
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (PA)
Thornberry
Tiberi
Tipton
Torres
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—103

| | | |
|---|---|---|
| Bass | Gallego | McNerney |
| Becerra | Garamendi | Meng |
| Bera | Green, Al | Moore |
| Beyer | Green, Gene | Nadler |
| Blumenauer | Grijalva | Napolitano |
| Brown (FL) | Hastings | Norcross |
| Butterfield | Heck (WA) | Pallone |
| Capps | Higgins | Pelosi |
| Cárdenas | Hinojosa | Peters |
| Carson (IN) | Honda | Pingree |
| Castro (TX) | Israel | Pocan |
| Chu, Judy | Jackson Lee | Polis |
| Clark (MA) | Jeffries | Price (NC) |
| Clarke (NY) | Johnson (GA) | Rangel |
| Clay | Johnson, E. B. | Rice (NY) |
| Cleaver | Kildee | Roybal-Allard |
| Conyers | Kilmer | Ryan (OH) |
| Cummings | Kirkpatrick | Sanchez, Loretta |
| Davis, Danny | Langevin | Sarbanes |
| DeFazio | Larsen (WA) | Schakowsky |
| DeGette | Larson (CT) | Scott (VA) |
| Delaney | Lee | Sherman |
| DeLauro | Lewis | Slaughter |
| DelBene | Lipinski | Smith (WA) |
| DeSaulnier | Loebsack | Speier |
| Deutch | Lofgren | Thompson (CA) |
| Dingell | Lowey | Thompson (MS) |
| Doggett | Luján, Ben Ray (NM) | Titus |
| Edwards | Maloney, Carolyn | Tonko |
| Ellison | Maloney, Sean | Tsongas |
| Engel | Matsui | Van Hollen |
| Farr | McDermott | Vargas |
| Foster | McGovern | Veasey |
| Frankel (FL) | | Velázquez |
| Fudge | | Waters, Maxine |

NOT VOTING—6

| | | |
|---|---|---|
| Diaz-Balart | Meeks | Takai |
| Hudson | Payne | Visclosky |

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

Mr. COLE demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 392 / Noes ..... 37

¶135.13 [Roll No. 578]

AYES—392

| | | |
|---|---|---|
| Abraham | Brownley (CA) | Conaway |
| Adams | Buchanan | Connolly |
| Aderholt | Bucshon | Conyers |
| Aguilar | Burgess | Cook |
| Allen | Bustos | Cooper |
| Amodei | Butterfield | Costa |
| Ashford | Byrne | Costello (PA) |
| Babin | Calvert | Courtney |
| Barletta | Capps | Cramer |
| Barr | Capuano | Crawford |
| Barton | Cárdenas | Crenshaw |
| Bass | Carney | Crowley |
| Beatty | Carson (IN) | Cuellar |
| Becerra | Carter (GA) | Culberson |
| Benishek | Carter (TX) | Cummings |
| Bera | Cartwright | Curbelo (FL) |
| Beyer | Castor (FL) | Davis (CA) |
| Bilirakis | Castro (TX) | Davis, Danny |
| Bishop (GA) | Chabot | Davis, Rodney |
| Bishop (MI) | Chaffetz | DeFazio |
| Bishop (UT) | Chu, Judy | DeGette |
| Black | Cicilline | Delaney |
| Blackburn | Clark (MA) | DeLauro |
| Blumenauer | Clarke (NY) | DelBene |
| Bonamici | Clay | Denham |
| Bost | Cleaver | Dent |
| Boustany | Clyburn | DeSantis |
| Boyle, Brendan F. | Coffman | DeSaulnier |
| Brady (PA) | Cohen | Deutch |
| Brady (TX) | Cole | Diaz-Balart |
| Brooks (IN) | Collins (GA) | Dingell |
| Brown (FL) | Collins (NY) | Dold |
| | Comstock | Donovan |
| Doyle, Michael F. | LaMalfa | Richmond |
| Duckworth | Lamborn | Rigell |
| Duffy | Lance | Roby |
| Duncan (SC) | Langevin | Roe (TN) |
| Duncan (TN) | Larsen (WA) | Rogers (AL) |
| Edwards | Larson (CT) | Rogers (KY) |
| Ellison | Latta | Rohrabacher |
| Ellmers (NC) | Lawrence | Rokita |
| Emmer (MN) | Levin | Rooney (FL) |
| Engel | Lewis | Ros-Lehtinen |
| Eshoo | Lieu, Ted | Roskam |
| Esty | Lipinski | Ross |
| Farenthold | LoBiondo | Rothfus |
| Farr | Loebsack | Rouzer |
| Fattah | Lofgren | Roybal-Allard |
| Fincher | Long | Royce |
| Fitzpatrick | Loudermilk | Ruiz |
| Fleischmann | Love | Ruppersberger |
| Flores | Lowenthal | Rush |
| Forbes | Lowey | Russell |
| Fortenberry | Lucas | Ryan (OH) |
| Foster | Luetkemeyer | Ryan (WI) |
| Foxx | Lujan Grisham (NM) | Sánchez, Linda T. |
| Frankel (FL) | Luján, Ben Ray (NM) | Sanchez, Loretta |
| Franks (AZ) | Lummis | Sarbanes |
| Frelinghuysen | Lynch | Scalise |
| Gabbard | MacArthur | Schakowsky |
| Gallego | Maloney, Carolyn | Schiff |
| Garamendi | Maloney, Sean | Schrader |
| Garrett | Marchant | Schweikert |
| Gibbs | Marino | Scott (VA) |
| Gibson | Matsui | Scott, Austin |
| Goodlatte | McCarthy | Scott, David |
| Gowdy | McCaul | Sensenbrenner |
| Graham | McClintock | Serrano |
| Granger | McCollum | Sessions |
| Graves (GA) | McGovern | Sewell (AL) |
| Graves (LA) | McHenry | Sherman |
| Graves (MO) | McKinley | Shimkus |
| Grayson | McMorris Rodgers | Shuster |
| Green, Al | McNerney | Simpson |
| Green, Gene | McSally | Sinema |
| Grijalva | Meadows | Sires |
| Grothman | Meehan | Slaughter |
| Guinta | Meng | Smith (MO) |
| Guthrie | Messer | Smith (NE) |
| Gutiérrez | Mica | Smith (NJ) |
| Hahn | Miller (FL) | Smith (TX) |
| Hanna | Miller (MI) | Smith (WA) |
| Hardy | Moolenaar | Speier |
| Harper | Moore | Stefanik |
| Hartzler | Moulton | Stewart |
| Heck (NV) | Mullin | Stivers |
| Heck (WA) | Murphy (FL) | Swalwell (CA) |
| Hensarling | Murphy (PA) | Takano |
| Herrera Beutler | Nadler | Thompson (CA) |
| Higgins | Napolitano | Thompson (MS) |
| Hill | Neal | Thompson (PA) |
| Himes | Neugebauer | Thornberry |
| Hinojosa | Newhouse | Tiberi |
| Holding | Noem | Tipton |
| Honda | Nolan | Tonko |
| Hoyer | Norcross | Torres |
| Huffman | Nugent | Trott |
| Huizenga (MI) | Nunes | Tsongas |
| Hultgren | O'Rourke | Turner |
| Hunter | Olson | Upton |
| Hurd (TX) | Palazzo | Valadao |
| Hurt (VA) | Pallone | Van Hollen |
| Israel | Palmer | Vargas |
| Issa | Pascrell | Veasey |
| Jackson Lee | Paulsen | Vela |
| Jeffries | Pearce | Velázquez |
| Jenkins (KS) | Pelosi | Wagner |
| Jenkins (WV) | Perlmutter | Walberg |
| Johnson (GA) | Peterson | Walden |
| Johnson (OH) | Pingree | Walker |
| Johnson, E. B. | Pittenger | Walorski |
| Johnson, Sam | Pitts | Walters, Mimi |
| Jolly | Pocan | Walz |
| Joyce | Poe (TX) | Wasserman Schultz |
| Kaptur | Poliquin | Watson Coleman |
| Katko | Polis | Webster (FL) |
| Keating | Pompeo | Welch |
| Kelly (IL) | Posey | Wenstrup |
| Kelly (MS) | Price (NC) | Westerman |
| Kelly (PA) | Price, Tom | Westmoreland |
| Kennedy | Quigley | Whitfield |
| Kildee | Rangel | Williams |
| Kilmer | Ratcliffe | Wilson (FL) |
| Kind | Reed | Wilson (SC) |
| King (NY) | Reichert | Wittman |
| Kinzinger (IL) | Renacci | Womack |
| Kirkpatrick | Rice (NY) | Woodall |
| Kline | Rice (SC) | Yarmuth |
| Knight | | Yoder |
| Kuster | | Young (IA) |
| LaHood | | Young (AK) |
| | | Young (IN) |
| | | Zeldin |
| | | Zinke |

NOES—37

| | | |
|---|---|---|
| Amash | Griffith | Mulvaney |
| Blum | Harris | Perry |
| Brat | Hastings | Peters |
| Bridenstine | Hice, Jody B. | Ribble |
| Brooks (AL) | Huelskamp | Salmon |
| Buck | Jones | Sanford |
| Clawson (FL) | Jordan | Stutzman |
| DesJarlais | King (IA) | Titus |
| Doggett | Labrador | Waters, Maxine |
| Fleming | Lee | Weber (TX) |
| Fudge | Massie | Yoho |
| Gohmert | McDermott | |
| Gosar | Mooney (WV) | |

NOT VOTING—5

| | | |
|---|---|---|
| Hudson | Payne | Visclosky |
| Meeks | Takai | |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶135.14 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

¶135.15 AMENDMENT OF THE SENATE TO H.R. 1314

Mr. ROGERS of Kentucky, pursuant to House Resolution 495, the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Trade Act of 2015''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*

*for protecting or recognizing geographical indications, including failing to ensure transparency and procedural fairness and protecting generic terms.*

*(4) FOREIGN INVESTMENT.—Recognizing that United States law on the whole provides a high level of protection for investment, consistent with or greater than the level required by international law, the principal negotiating objectives of the United States regarding foreign investment are to reduce or eliminate artificial or trade distorting barriers to foreign investment, while ensuring that foreign investors in the United States are not accorded greater substantive rights with respect to investment protections than United States investors in the United States, and to secure for investors important rights comparable to those that would be available under United States legal principles and practice, by—*

*(A) reducing or eliminating exceptions to the principle of national treatment;*

*(B) freeing the transfer of funds relating to investments;*

*(C) reducing or eliminating performance requirements, forced technology transfers, and other unreasonable barriers to the establishment and operation of investments;*

*(D) seeking to establish standards for expropriation and compensation for expropriation, consistent with United States legal principles and practice;*

*(E) seeking to establish standards for fair and equitable treatment, consistent with United States legal principles and practice, including the principle of due process;*

*(F) providing meaningful procedures for resolving investment disputes;*

*(G) seeking to improve mechanisms used to resolve disputes between an investor and a government through—*

*(i) mechanisms to eliminate frivolous claims and to deter the filing of frivolous claims;*

*(ii) procedures to ensure the efficient selection of arbitrators and the expeditious disposition of claims;*

*(iii) procedures to enhance opportunities for public input into the formulation of government positions; and*

*(iv) providing for an appellate body or similar mechanism to provide coherence to the interpretations of investment provisions in trade agreements; and*

*(H) ensuring the fullest measure of transparency in the dispute settlement mechanism, to the extent consistent with the need to protect information that is classified or business confidential, by—*

*(i) ensuring that all requests for dispute settlement are promptly made public;*

*(ii) ensuring that—*

*(I) all proceedings, submissions, findings, and decisions are promptly made public; and*

*(II) all hearings are open to the public; and*

*(iii) establishing a mechanism for acceptance of amicus curiae submissions from businesses, unions, and nongovernmental organizations.*

*(5) INTELLECTUAL PROPERTY.—The principal negotiating objectives of the United States regarding trade-related intellectual property are—*

*(A) to further promote adequate and effective protection of intellectual property rights, including through—*

*(i)(I) ensuring accelerated and full implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15)), particularly with respect to meeting enforcement obligations under that agreement; and*

*(II) ensuring that the provisions of any trade agreement governing intellectual property rights that is entered into by the United States reflect a standard of protection similar to that found in United States law;*

*(ii) providing strong protection for new and emerging technologies and new methods of transmitting and distributing products embodying intellectual property, including in a manner that facilitates legitimate digital trade;*

*(iii) preventing or eliminating discrimination with respect to matters affecting the availability, acquisition, scope, maintenance, use, and enforcement of intellectual property rights;*

*(iv) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other global communication media, and to prevent the unauthorized use of their works;*

*(v) providing strong enforcement of intellectual property rights, including through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms; and*

*(vi) preventing or eliminating government involvement in the violation of intellectual property rights, including cyber theft and piracy;*

*(B) to secure fair, equitable, and nondiscriminatory market access opportunities for United States persons that rely upon intellectual property protection; and*

*(C) to respect the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001, and to ensure that trade agreements foster innovation and promote access to medicines.*

*(6) DIGITAL TRADE IN GOODS AND SERVICES AND CROSS-BORDER DATA FLOWS.—The principal negotiating objectives of the United States with respect to digital trade in goods and services, as well as cross-border data flows, are—*

*(A) to ensure that current obligations, rules, disciplines, and commitments under the World Trade Organization and bilateral and regional trade agreements apply to digital trade in goods and services and to cross-border data flows;*

*(B) to ensure that—*

*(i) electronically delivered goods and services receive no less favorable treatment under trade rules and commitments than like products delivered in physical form; and*

*(ii) the classification of such goods and services ensures the most liberal trade treatment possible, fully encompassing both existing and new trade;*

*(C) to ensure that governments refrain from implementing trade-related measures that impede digital trade in goods and services, restrict cross-border data flows, or require local storage or processing of data;*

*(D) with respect to subparagraphs (A) through (C), where legitimate policy objectives require domestic regulations that affect digital trade in goods and services or cross-border data flows, to obtain commitments that any such regulations are the least restrictive on trade, nondiscriminatory, and transparent, and promote an open market environment; and*

*(E) to extend the moratorium of the World Trade Organization on duties on electronic transmissions.*

*(7) REGULATORY PRACTICES.—The principal negotiating objectives of the United States regarding the use of government regulation or other practices to reduce market access for United States goods, services, and investments are—*

*(A) to achieve increased transparency and opportunity for the participation of affected parties in the development of regulations;*

*(B) to require that proposed regulations be based on sound science, cost benefit analysis, risk assessment, or other objective evidence;*

*(C) to establish consultative mechanisms and seek other commitments, as appropriate, to improve regulatory practices and promote increased regulatory coherence, including through—*

*(i) transparency in developing guidelines, rules, regulations, and laws for government procurement and other regulatory regimes;*

*(ii) the elimination of redundancies in testing and certification;*

*(iii) early consultations on significant regulations;*

*(iv) the use of impact assessments;*

*(v) the periodic review of existing regulatory measures; and*

*(vi) the application of good regulatory practices;*

*(D) to seek greater openness, transparency, and convergence of standards development processes, and enhance cooperation on standards issues globally;*

*(E) to promote regulatory compatibility through harmonization, equivalence, or mutual recognition of different regulations and standards and to encourage the use of international and interoperable standards, as appropriate;*

*(F) to achieve the elimination of government measures such as price controls and reference pricing which deny full market access for United States products;*

*(G) to ensure that government regulatory reimbursement regimes are transparent, provide procedural fairness, are nondiscriminatory, and provide full market access for United States products; and*

*(H) to ensure that foreign governments—*

*(i) demonstrate that the collection of undisclosed proprietary information is limited to that necessary to satisfy a legitimate and justifiable regulatory interest; and*

*(ii) protect such information against disclosure, except in exceptional circumstances to protect the public, or where such information is effectively protected against unfair competition.*

*(8) STATE-OWNED AND STATE-CONTROLLED ENTERPRISES.—The principal negotiating objective of the United States regarding competition by state-owned and state-controlled enterprises is to seek commitments that—*

*(A) eliminate or prevent trade distortions and unfair competition favoring state-owned and state-controlled enterprises to the extent of their engagement in commercial activity, and*

*(B) ensure that such engagement is based solely on commercial considerations,*

*in particular through disciplines that eliminate or prevent discrimination and market-distorting subsidies and that promote transparency.*

*(9) LOCALIZATION BARRIERS TO TRADE.—The principal negotiating objective of the United States with respect to localization barriers is to eliminate and prevent measures that require United States producers and service providers to locate facilities, intellectual property, or other assets in a country as a market access or investment condition, including indigenous innovation measures.*

*(10) LABOR AND THE ENVIRONMENT.—The principal negotiating objectives of the United States with respect to labor and the environment are—*

*(A) to ensure that a party to a trade agreement with the United States—*

*(i) adopts and maintains measures implementing internationally recognized core labor standards (as defined in section 111(17)) and its obligations under common multilateral environmental agreements (as defined in section 111(6)),*

*(ii) does not waive or otherwise derogate from, or offer to waive or otherwise derogate from—*

*(I) its statutes or regulations implementing internationally recognized core labor standards (as defined in section 111(17)), in a manner affecting trade or investment between the United States and that party, where the waiver or derogation would be inconsistent with one or more such standards, or*

*(II) its environmental laws in a manner that weakens or reduces the protections afforded in those laws and in a manner affecting trade or investment between the United States and that party, except as provided in its law and provided not inconsistent with its obligations under common multilateral environmental agreements (as defined in section 111(6)) or other provisions of the trade agreement specifically agreed upon, and*

*(iii) does not fail to effectively enforce its environmental or labor laws, through a sustained or recurring course of action or inaction,*

*in a manner affecting trade or investment between the United States and that party after*

*entry into force of a trade agreement between those countries;*

*(B) to recognize that—*

*(i) with respect to environment, parties to a trade agreement retain the right to exercise prosecutorial discretion and to make decisions regarding the allocation of enforcement resources with respect to other environmental laws determined to have higher priorities, and a party is effectively enforcing its laws if a course of action or inaction reflects a reasonable, bona fide exercise of such discretion, or results from a reasonable, bona fide decision regarding the allocation of resources; and*

*(ii) with respect to labor, decisions regarding the distribution of enforcement resources are not a reason for not complying with a party's labor obligations; a party to a trade agreement retains the right to reasonable exercise of discretion and to make bona fide decisions regarding the allocation of resources between labor enforcement activities among core labor standards, provided the exercise of such discretion and such decisions are not inconsistent with its obligations;*

*(C) to strengthen the capacity of United States trading partners to promote respect for core labor standards (as defined in section 111(7));*

*(D) to strengthen the capacity of United States trading partners to protect the environment through the promotion of sustainable development;*

*(E) to reduce or eliminate government practices or policies that unduly threaten sustainable development;*

*(F) to seek market access, through the elimination of tariffs and nontariff barriers, for United States environmental technologies, goods, and services;*

*(G) to ensure that labor, environmental, health, or safety policies and practices of the parties to trade agreements with the United States do not arbitrarily or unjustifiably discriminate against United States exports or serve as disguised barriers to trade;*

*(H) to ensure that enforceable labor and environment obligations are subject to the same dispute settlement and remedies as other enforceable obligations under the agreement; and*

*(I) to ensure that a trade agreement is not construed to empower a party's authorities to undertake labor or environmental law enforcement activities in the territory of the United States.*

*(11) CURRENCY.—The principal negotiating objective of the United States with respect to currency practices is that parties to a trade agreement with the United States avoid manipulating exchange rates in order to prevent effective balance of payments adjustment or to gain an unfair competitive advantage over other parties to the agreement, such as through cooperative mechanisms, enforceable rules, reporting, monitoring, transparency, or other means, as appropriate.*

*(12) FOREIGN CURRENCY MANIPULATION.—The principal negotiating objective of the United States with respect to unfair currency practices is to seek to establish accountability through enforceable rules, transparency, reporting, monitoring, cooperative mechanisms, or other means to address exchange rate manipulation involving protracted large scale intervention in one direction in the exchange markets and a persistently undervalued foreign exchange rate to gain an unfair competitive advantage in trade over other parties to a trade agreement, consistent with existing obligations of the United States as a member of the International Monetary Fund and the World Trade Organization.*

*(13) WTO AND MULTILATERAL TRADE AGREEMENTS.—Recognizing that the World Trade Organization is the foundation of the global trading system, the principal negotiating objectives of the United States regarding the World Trade Organization, the Uruguay Round Agreements, and other multilateral and plurilateral trade agreements are—*

*(A) to achieve full implementation and extend the coverage of the World Trade Organization and multilateral and plurilateral agreements to products, sectors, and conditions of trade not adequately covered;*

*(B) to expand country participation in and enhancement of the Information Technology Agreement, the Government Procurement Agreement, and other plurilateral trade agreements of the World Trade Organization;*

*(C) to expand competitive market opportunities for United States exports and to obtain fairer and more open conditions of trade, including through utilization of global value chains, through the negotiation of new WTO multilateral and plurilateral trade agreements, such as an agreement on trade facilitation;*

*(D) to ensure that regional trade agreements to which the United States is not a party fully achieve the high standards of, and comply with, WTO disciplines, including Article XXIV of GATT 1994, Article V and V bis of the General Agreement on Trade in Services, and the Enabling Clause, including through meaningful WTO review of such regional trade agreements;*

*(E) to enhance compliance by WTO members with their obligations as WTO members through active participation in the bodies of the World Trade Organization by the United States and all other WTO members, including in the trade policy review mechanism and the committee system of the World Trade Organization, and by working to increase the effectiveness of such bodies; and*

*(F) to encourage greater cooperation between the World Trade Organization and other international organizations.*

*(14) TRADE INSTITUTION TRANSPARENCY.—The principal negotiating objective of the United States with respect to transparency is to obtain wider and broader application of the principle of transparency in the World Trade Organization, entities established under bilateral and regional trade agreements, and other international trade fora through seeking—*

*(A) timely public access to information regarding trade issues and the activities of such institutions;*

*(B) openness by ensuring public access to appropriate meetings, proceedings, and submissions, including with regard to trade and investment dispute settlement; and*

*(C) public access to all notifications and supporting documentation submitted by WTO members.*

*(15) ANTI-CORRUPTION.—The principal negotiating objectives of the United States with respect to the use of money or other things of value to influence acts, decisions, or omissions of foreign governments or officials or to secure any improper advantage in a manner affecting trade are—*

*(A) to obtain high standards and effective domestic enforcement mechanisms applicable to persons from all countries participating in the applicable trade agreement that prohibit such attempts to influence acts, decisions, or omissions of foreign governments or officials or to secure any such improper advantage;*

*(B) to ensure that such standards level the playing field for United States persons in international trade and investment; and*

*(C) to seek commitments to work jointly to encourage and support anti-corruption and anti-bribery initiatives in international trade fora, including through the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organization for Economic Cooperation and Development, done at Paris December 17, 1997 (commonly known as the ''OECD Anti-Bribery Convention'').*

*(16) DISPUTE SETTLEMENT AND ENFORCEMENT.—The principal negotiating objectives of the United States with respect to dispute settlement and enforcement of trade agreements are—*

*(A) to seek provisions in trade agreements providing for resolution of disputes between governments under those trade agreements in an effective, timely, transparent, equitable, and reasoned manner, requiring determinations based on facts and the principles of the agreements, with the goal of increasing compliance with the agreements;*

*(B) to seek to strengthen the capacity of the Trade Policy Review Mechanism of the World Trade Organization to review compliance with commitments;*

*(C) to seek adherence by panels convened under the Dispute Settlement Understanding and by the Appellate Body to—*

*(i) the mandate of those panels and the Appellate Body to apply the WTO Agreement as written, without adding to or diminishing rights and obligations under the Agreement; and*

*(ii) the standard of review applicable under the Uruguay Round Agreement involved in the dispute, including greater deference, where appropriate, to the fact finding and technical expertise of national investigating authorities;*

*(D) to seek provisions encouraging the early identification and settlement of disputes through consultation;*

*(E) to seek provisions to encourage the provision of trade-expanding compensation if a party to a dispute under the agreement does not come into compliance with its obligations under the agreement;*

*(F) to seek provisions to impose a penalty upon a party to a dispute under the agreement that—*

*(i) encourages compliance with the obligations of the agreement;*

*(ii) is appropriate to the parties, nature, subject matter, and scope of the violation; and*

*(iii) has the aim of not adversely affecting parties or interests not party to the dispute while maintaining the effectiveness of the enforcement mechanism; and*

*(G) to seek provisions that treat United States principal negotiating objectives equally with respect to—*

*(i) the ability to resort to dispute settlement under the applicable agreement;*

*(ii) the availability of equivalent dispute settlement procedures; and*

*(iii) the availability of equivalent remedies.*

*(17) TRADE REMEDY LAWS.—The principal negotiating objectives of the United States with respect to trade remedy laws are—*

*(A) to preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and*

*(B) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market access barriers.*

*(18) BORDER TAXES.—The principal negotiating objective of the United States regarding border taxes is to obtain a revision of the rules of the World Trade Organization with respect to the treatment of border adjustments for internal taxes to redress the disadvantage to countries relying primarily on direct taxes for revenue rather than indirect taxes.*

*(19) TEXTILE NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in textiles and apparel articles are to obtain competitive opportunities for United States exports of textiles and apparel in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in textiles and apparel.*

*(20) COMMERCIAL PARTNERSHIPS.—*

*(A) IN GENERAL.—With respect to an agreement that is proposed to be entered into with the Transatlantic Trade and Investment Partnership countries and to which section 103(b) will apply, the principal negotiating objectives of the*

*United States regarding commercial partnerships are the following:*

*(i) To discourage actions by potential trading partners that directly or indirectly prejudice or otherwise discourage commercial activity solely between the United States and Israel.*

*(ii) To discourage politically motivated actions to boycott, divest from, or sanction Israel and to seek the elimination of politically motivated nontariff barriers on Israeli goods, services, or other commerce imposed on the State of Israel.*

*(iii) To seek the elimination of state-sponsored unsanctioned foreign boycotts against Israel or compliance with the Arab League Boycott of Israel by prospective trading partners.*

*(B) DEFINITION.—In this paragraph, the term ''actions to boycott, divest from, or sanction Israel'' means actions by states, non-member states of the United Nations, international organizations, or affiliated agencies of international organizations that are politically motivated and are intended to penalize or otherwise limit commercial relations specifically with Israel or persons doing business in Israel or in Israeli-controlled territories.*

*(21) GOOD GOVERNANCE, TRANSPARENCY, THE EFFECTIVE OPERATION OF LEGAL REGIMES, AND THE RULE OF LAW OF TRADING PARTNERS.—The principal negotiating objectives of the United States with respect to ensuring implementation of trade commitments and obligations by strengthening good governance, transparency, the effective operation of legal regimes and the rule of law of trading partners of the United States is through capacity building and other appropriate means, which are important parts of the broader effort to create more open democratic societies and to promote respect for internationally recognized human rights.*

*(c) CAPACITY BUILDING AND OTHER PRIORITIES.—In order to address and maintain United States competitiveness in the global economy, the President shall—*

*(1) direct the heads of relevant Federal agencies—*

*(A) to work to strengthen the capacity of United States trading partners to carry out obligations under trade agreements by consulting with any country seeking a trade agreement with the United States concerning that country's laws relating to customs and trade facilitation, sanitary and phytosanitary measures, technical barriers to trade, intellectual property rights, labor, and the environment; and*

*(B) to provide technical assistance to that country if needed;*

*(2) seek to establish consultative mechanisms among parties to trade agreements to strengthen the capacity of United States trading partners to develop and implement standards for the protection of the environment and human health based on sound science;*

*(3) promote consideration of multilateral environmental agreements and consult with parties to such agreements regarding the consistency of any such agreement that includes trade measures with existing environmental exceptions under Article XX of GATT 1994; and*

*(4) submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an annual report on capacity-building activities undertaken in connection with trade agreements negotiated or being negotiated pursuant to this title.*

***SEC. 103. TRADE AGREEMENTS AUTHORITY.***

*(a) AGREEMENTS REGARDING TARIFF BARRIERS.—*

*(1) IN GENERAL.—Whenever the President determines that one or more existing duties or other import restrictions of any foreign country or the United States are unduly burdening and restricting the foreign trade of the United States and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President—*

*(A) may enter into trade agreements with foreign countries before—*

*(i) July 1, 2018; or*

*(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c); and*

*(B) may, subject to paragraphs (2) and (3), proclaim—*

*(i) such modification or continuance of any existing duty,*

*(ii) such continuance of existing duty free or excise treatment, or*

*(iii) such additional duties,*

*as the President determines to be required or appropriate to carry out any such trade agreement.*

*Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.*

*(2) NOTIFICATION.—The President shall notify Congress of the President's intention to enter into an agreement under this subsection.*

*(3) LIMITATIONS.—No proclamation may be made under paragraph (1) that—*

*(A) reduces any rate of duty (other than a rate of duty that does not exceed 5 percent ad valorem on the date of the enactment of this Act) to a rate of duty which is less than 50 percent of the rate of such duty that applies on such date of enactment;*

*(B) reduces the rate of duty below that applicable under the Uruguay Round Agreements or a successor agreement, on any import sensitive agricultural product; or*

*(C) increases any rate of duty above the rate that applied on the date of the enactment of this Act.*

*(4) AGGREGATE REDUCTION; EXEMPTION FROM STAGING.—*

*(A) AGGREGATE REDUCTION.—Except as provided in subparagraph (B), the aggregate reduction in the rate of duty on any article which is in effect on any day pursuant to a trade agreement entered into under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—*

*(i) a reduction of 3 percent ad valorem or a reduction of 1/10 of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclaimed under paragraph (1) to carry out such agreement with respect to such article; and*

*(ii) a reduction equal to the amount applicable under clause (i) had taken effect at 1-year intervals after the effective date of such first reduction.*

*(B) EXEMPTION FROM STAGING.—No staging is required under subparagraph (A) with respect to a duty reduction that is proclaimed under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall advise the President of the identity of articles that may be exempted from staging under this subparagraph.*

*(5) ROUNDING.—If the President determines that such action will simplify the computation of reductions under paragraph (4), the President may round an annual reduction by an amount equal to the lesser of—*

*(A) the difference between the reduction without regard to this paragraph and the next lower whole number; or*

*(B) 1/2 of 1 percent ad valorem.*

*(6) OTHER LIMITATIONS.—A rate of duty reduction that may not be proclaimed by reason of paragraph (3) may take effect only if a provision authorizing such reduction is included within an implementing bill provided for under section 106 and that bill is enacted into law.*

*(7) OTHER TARIFF MODIFICATIONS.—Notwithstanding paragraphs (1)(B), (3)(A), (3)(C), and (4) through (6), and subject to the consultation and layover requirements of section 115 of the Uruguay Round Agreements Act (19 U.S.C. 3524), the President may proclaim the modification of any duty or staged rate reduction of any duty set forth in Schedule XX, as defined in section 2(5) of that Act (19 U.S.C. 3501(5)), if the United States agrees to such modification or staged rate reduction in a negotiation for the reciprocal elimination or harmonization of duties under the auspices of the World Trade Organization.*

*(8) AUTHORITY UNDER URUGUAY ROUND AGREEMENTS ACT NOT AFFECTED.—Nothing in this subsection shall limit the authority provided to the President under section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).*

*(b) AGREEMENTS REGARDING TARIFF AND NONTARIFF BARRIERS.—*

*(1) IN GENERAL.—(A) Whenever the President determines that—*

*(i) 1 or more existing duties or any other import restriction of any foreign country or the United States or any other barrier to, or other distortion of, international trade unduly burdens or restricts the foreign trade of the United States or adversely affects the United States economy, or*

*(ii) the imposition of any such barrier or distortion is likely to result in such a burden, restriction, or effect,*

*and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) during the period described in subparagraph (C).*

*(B) The President may enter into a trade agreement under subparagraph (A) with foreign countries providing for—*

*(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or*

*(ii) the prohibition of, or limitation on the imposition of, such barrier or other distortion.*

*(C) The President may enter into a trade agreement under this paragraph before—*

*(i) July 1, 2018; or*

*(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c).*

*Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.*

*(2) CONDITIONS.—A trade agreement may be entered into under this subsection only if such agreement makes progress in meeting the applicable objectives described in subsections (a) and (b) of section 102 and the President satisfies the conditions set forth in sections 104 and 105.*

*(3) BILLS QUALIFYING FOR TRADE AUTHORITIES PROCEDURES.—(A) The provisions of section 151 of the Trade Act of 1974 (in this title referred to as ''trade authorities procedures'') apply to a bill of either House of Congress which contains provisions described in subparagraph (B) to the same extent as such section 151 applies to implementing bills under that section. A bill to which this paragraph applies shall hereafter in this title be referred to as an ''implementing bill''.*

*(B) The provisions referred to in subparagraph (A) are—*

*(i) a provision approving a trade agreement entered into under this subsection and approving the statement of administrative action, if any, proposed to implement such trade agreement; and*

*(ii) if changes in existing laws or new statutory authority are required to implement such trade agreement or agreements, only such provisions as are strictly necessary or appropriate to implement such trade agreement or agreements, either repealing or amending existing laws or providing new statutory authority.*

*(c) EXTENSION DISAPPROVAL PROCESS FOR CONGRESSIONAL TRADE AUTHORITIES PROCEDURES.—*

*(1) IN GENERAL.—Except as provided in section 106(b)—*

*(A) the trade authorities procedures apply to implementing bills submitted with respect to trade agreements entered into under subsection (b) before July 1, 2018; and*

*(B) the trade authorities procedures shall be extended to implementing bills submitted with*

*respect to trade agreements entered into under subsection (b) after June 30, 2018, and before July 1, 2021, if (and only if)—*

*(i) the President requests such extension under paragraph (2); and*

*(ii) neither House of Congress adopts an extension disapproval resolution under paragraph (5) before July 1, 2018.*

*(2) REPORT TO CONGRESS BY THE PRESIDENT.—If the President is of the opinion that the trade authorities procedures should be extended to implementing bills described in paragraph (1)(B), the President shall submit to Congress, not later than April 1, 2018, a written report that contains a request for such extension, together with—*

*(A) a description of all trade agreements that have been negotiated under subsection (b) and the anticipated schedule for submitting such agreements to Congress for approval;*

*(B) a description of the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title, and a statement that such progress justifies the continuation of negotiations; and*

*(C) a statement of the reasons why the extension is needed to complete the negotiations.*

*(3) OTHER REPORTS TO CONGRESS.—*

*(A) REPORT BY THE ADVISORY COMMITTEE.—The President shall promptly inform the Advisory Committee for Trade Policy and Negotiations established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) of the decision of the President to submit a report to Congress under paragraph (2). The Advisory Committee shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains—*

*(i) its views regarding the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title; and*

*(ii) a statement of its views, and the reasons therefor, regarding whether the extension requested under paragraph (2) should be approved or disapproved.*

*(B) REPORT BY INTERNATIONAL TRADE COMMISSION.—The President shall promptly inform the United States International Trade Commission of the decision of the President to submit a report to Congress under paragraph (2). The International Trade Commission shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains a review and analysis of the economic impact on the United States of all trade agreements implemented between the date of the enactment of this Act and the date on which the President decides to seek an extension requested under paragraph (2).*

*(4) STATUS OF REPORTS.—The reports submitted to Congress under paragraphs (2) and (3), or any portion of such reports, may be classified to the extent the President determines appropriate.*

*(5) EXTENSION DISAPPROVAL RESOLUTIONS.—(A) For purposes of paragraph (1), the term ''extension disapproval resolution'' means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: ''That the _____ disapproves the request of the President for the extension, under section 103(c)(1)(B)(i) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, of the trade authorities procedures under that Act to any implementing bill submitted with respect to any trade agreement entered into under section 103(b) of that Act after June 30, 2018.'', with the blank space being filled with the name of the resolving House of Congress.*

*(B) Extension disapproval resolutions—*

*(i) may be introduced in either House of Congress by any member of such House; and*

*(ii) shall be referred, in the House of Representatives, to the Committee on Ways and Means and, in addition, to the Committee on Rules.*

*(C) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to extension disapproval resolutions.*

*(D) It is not in order for—*

*(i) the House of Representatives to consider any extension disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules;*

*(ii) the Senate to consider any extension disapproval resolution not reported by the Committee on Finance; or*

*(iii) either House of Congress to consider an extension disapproval resolution after June 30, 2018.*

*(d) COMMENCEMENT OF NEGOTIATIONS.—In order to contribute to the continued economic expansion of the United States, the President shall commence negotiations covering tariff and nontariff barriers affecting any industry, product, or service sector, and expand existing sectoral agreements to countries that are not parties to those agreements, in cases where the President determines that such negotiations are feasible and timely and would benefit the United States. Such sectors include agriculture, commercial services, intellectual property rights, industrial and capital goods, government procurement, information technology products, environmental technology and services, medical equipment and services, civil aircraft, and infrastructure products. In so doing, the President shall take into account all of the negotiating objectives set forth in section 102.*

***SEC. 104. CONGRESSIONAL OVERSIGHT, CONSULTATIONS, AND ACCESS TO INFORMATION.***

*(a) CONSULTATIONS WITH MEMBERS OF CONGRESS.—*

*(1) CONSULTATIONS DURING NEGOTIATIONS.—In the course of negotiations conducted under this title, the United States Trade Representative shall—*

*(A) meet upon request with any Member of Congress regarding negotiating objectives, the status of negotiations in progress, and the nature of any changes in the laws of the United States or the administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement;*

*(B) upon request of any Member of Congress, provide access to pertinent documents relating to the negotiations, including classified materials;*

*(C) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;*

*(D) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under subsection (c) and all committees of the House of Representatives and the Senate with jurisdiction over laws that could be affected by a trade agreement resulting from the negotiations; and*

*(E) with regard to any negotiations and agreement relating to agricultural trade, also consult closely and on a timely basis (including immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.*

*(2) CONSULTATIONS PRIOR TO ENTRY INTO FORCE.—Prior to exchanging notes providing for the entry into force of a trade agreement, the United States Trade Representative shall consult closely and on a timely basis with Members of Congress and committees as specified in paragraph (1), and keep them fully apprised of the measures a trading partner has taken to comply with those provisions of the agreement that are to take effect on the date that the agreement enters into force.*

*(3) ENHANCED COORDINATION WITH CONGRESS.—*

*(A) WRITTEN GUIDELINES.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—*

*(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with Congress, including coordination with designated congressional advisers under subsection (b), regarding negotiations conducted under this title; and*

*(ii) may make such revisions to the guidelines as may be necessary from time to time.*

*(B) CONTENT OF GUIDELINES.—The guidelines developed under subparagraph (A) shall enhance coordination with Congress through procedures to ensure—*

*(i) timely briefings upon request of any Member of Congress regarding negotiating objectives, the status of negotiations in progress conducted under this title, and the nature of any changes in the laws of the United States or the administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement; and*

*(ii) the sharing of detailed and timely information with Members of Congress, and their staff with proper security clearances as appropriate, regarding those negotiations and pertinent documents related to those negotiations (including classified information), and with committee staff with proper security clearances as would be appropriate in the light of the responsibilities of that committee over the trade agreements programs affected by those negotiations.*

*(C) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under subparagraph (A) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.*

*(b) DESIGNATED CONGRESSIONAL ADVISERS.—*

*(1) DESIGNATION.—*

*(A) HOUSE OF REPRESENTATIVES.—In each Congress, any Member of the House of Representatives may be designated as a congressional adviser on trade policy and negotiations by the Speaker of the House of Representatives, after consulting with the chairman and ranking member of the Committee on Ways and Means and the chairman and ranking member of the committee from which the Member will be selected.*

*(B) SENATE.—In each Congress, any Member of the Senate may be designated as a congressional adviser on trade policy and negotiations by the President pro tempore of the Senate, after consultation with the chairman and ranking member of the Committee on Finance and the chairman and ranking member of the committee from which the Member will be selected.*

*(2) CONSULTATIONS WITH DESIGNATED CONGRESSIONAL ADVISERS.—In the course of negotiations conducted under this title, the United States Trade Representative shall consult closely and on a timely basis (including immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the congressional advisers for trade policy and negotiations designated under paragraph (1).*

*(3) ACCREDITATION.—Each Member of Congress designated as a congressional adviser under paragraph (1) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegations to international conferences, meetings, and negotiating sessions relating to trade agreements.*

*(c) CONGRESSIONAL ADVISORY GROUPS ON NEGOTIATIONS.—*

*(1) IN GENERAL.—By not later than 60 days after the date of the enactment of this Act, and not later than 30 days after the convening of each Congress, the chairman of the Committee*

*on Ways and Means of the House of Representatives shall convene the House Advisory Group on Negotiations and the chairman of the Committee on Finance of the Senate shall convene the Senate Advisory Group on Negotiations (in this subsection referred to collectively as the ''congressional advisory groups'').*

*(2) MEMBERS AND FUNCTIONS.—*

*(A) MEMBERSHIP OF THE HOUSE ADVISORY GROUP ON NEGOTIATIONS.—In each Congress, the House Advisory Group on Negotiations shall be comprised of the following Members of the House of Representatives:*

*(i) The chairman and ranking member of the Committee on Ways and Means, and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).*

*(ii) The chairman and ranking member, or their designees, of the committees of the House of Representatives that would have, under the Rules of the House of Representatives, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.*

*(B) MEMBERSHIP OF THE SENATE ADVISORY GROUP ON NEGOTIATIONS.—In each Congress, the Senate Advisory Group on Negotiations shall be comprised of the following Members of the Senate:*

*(i) The chairman and ranking member of the Committee on Finance and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).*

*(ii) The chairman and ranking member, or their designees, of the committees of the Senate that would have, under the Rules of the Senate, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.*

*(C) ACCREDITATION.—Each member of the congressional advisory groups described in subparagraphs (A)(i) and (B)(i) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegation in negotiations for any trade agreement to which this title applies. Each member of the congressional advisory groups described in subparagraphs (A)(ii) and (B)(ii) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegation in the negotiations by reason of which the member is in one of the congressional advisory groups.*

*(D) CONSULTATION AND ADVICE.—The congressional advisory groups shall consult with and provide advice to the Trade Representative regarding the formulation of specific objectives, negotiating strategies and positions, the development of the applicable trade agreement, and compliance and enforcement of the negotiated commitments under the trade agreement.*

*(E) CHAIR.—The House Advisory Group on Negotiations shall be chaired by the Chairman of the Committee on Ways and Means of the House of Representatives and the Senate Advisory Group on Negotiations shall be chaired by the Chairman of the Committee on Finance of the Senate.*

*(F) COORDINATION WITH OTHER COMMITTEES.—Members of any committee represented on one of the congressional advisory groups may submit comments to the member of the appropriate congressional advisory group from that committee regarding any matter related to a negotiation for any trade agreement to which this title applies.*

*(3) GUIDELINES.—*

*(A) PURPOSE AND REVISION.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—*

*(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines to facilitate the useful and timely exchange of information between the Trade Representative and the congressional advisory groups; and*

*(ii) may make such revisions to the guidelines as may be necessary from time to time.*

*(B) CONTENT.—The guidelines developed under subparagraph (A) shall provide for, among other things—*

*(i) detailed briefings on a fixed timetable to be specified in the guidelines of the congressional advisory groups regarding negotiating objectives and positions and the status of the applicable negotiations, beginning as soon as practicable after the congressional advisory groups are convened, with more frequent briefings as trade negotiations enter the final stage;*

*(ii) access by members of the congressional advisory groups, and staff with proper security clearances, to pertinent documents relating to the negotiations, including classified materials;*

*(iii) the closest practicable coordination between the Trade Representative and the congressional advisory groups at all critical periods during the negotiations, including at negotiation sites;*

*(iv) after the applicable trade agreement is concluded, consultation regarding ongoing compliance and enforcement of negotiated commitments under the trade agreement; and*

*(v) the timeframe for submitting the report required under section 105(d)(3).*

*(4) REQUEST FOR MEETING.—Upon the request of a majority of either of the congressional advisory groups, the President shall meet with that congressional advisory group before initiating negotiations with respect to a trade agreement, or at any other time concerning the negotiations.*

*(d) CONSULTATIONS WITH THE PUBLIC.—*

*(1) GUIDELINES FOR PUBLIC ENGAGEMENT.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—*

*(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on public access to information regarding negotiations conducted under this title; and*

*(B) may make such revisions to the guidelines as may be necessary from time to time.*

*(2) PURPOSES.—The guidelines developed under paragraph (1) shall—*

*(A) facilitate transparency;*

*(B) encourage public participation; and*

*(C) promote collaboration in the negotiation process.*

*(3) CONTENT.—The guidelines developed under paragraph (1) shall include procedures that—*

*(A) provide for rapid disclosure of information in forms that the public can readily find and use; and*

*(B) provide frequent opportunities for public input through Federal Register requests for comment and other means.*

*(4) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.*

*(e) CONSULTATIONS WITH ADVISORY COMMITTEES.—*

*(1) GUIDELINES FOR ENGAGEMENT WITH ADVISORY COMMITTEES.—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—*

*(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with advisory committees established pursuant to section 135 of the Trade Act of 1974 (19 U.S.C. 2155) regarding negotiations conducted under this title; and*

*(B) may make such revisions to the guidelines as may be necessary from time to time.*

*(2) CONTENT.—The guidelines developed under paragraph (1) shall enhance coordination with advisory committees described in that paragraph through procedures to ensure—*

*(A) timely briefings of advisory committees and regular opportunities for advisory committees to provide input throughout the negotiation process on matters relevant to the sectors or functional areas represented by those committees; and*

*(B) the sharing of detailed and timely information with each member of an advisory committee regarding negotiations and pertinent documents related to the negotiation (including classified information) on matters relevant to the sectors or functional areas the member represents, and with a designee with proper security clearances of each such member as appropriate.*

*(3) DISSEMINATION.—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.*

*(f) ESTABLISHMENT OF POSITION OF CHIEF TRANSPARENCY OFFICER IN THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.—Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended—*

*(1) by redesignating paragraph (3) as paragraph (4); and*

*(2) by inserting after paragraph (2) the following:*

*''(3) There shall be in the Office one Chief Transparency Officer. The Chief Transparency Officer shall consult with Congress on transparency policy, coordinate transparency in trade negotiations, engage and assist the public, and advise the United States Trade Representative on transparency policy.''.*

***SEC. 105. NOTICE, CONSULTATIONS, AND REPORTS.***

*(a) NOTICE, CONSULTATIONS, AND REPORTS BEFORE NEGOTIATION.—*

*(1) NOTICE.—The President, with respect to any agreement that is subject to the provisions of section 103(b), shall—*

*(A) provide, at least 90 calendar days before initiating negotiations with a country, written notice to Congress of the President's intention to enter into the negotiations with that country and set forth in the notice the date on which the President intends to initiate those negotiations, the specific United States objectives for the negotiations with that country, and whether the President intends to seek an agreement, or changes to an existing agreement;*

*(B) before and after submission of the notice, consult regarding the negotiations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, such other committees of the House and Senate as the President deems appropriate, and the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c);*

*(C) upon the request of a majority of the members of either the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations convened under section 104(c), meet with the requesting congressional advisory group before initiating the negotiations or at any other time concerning the negotiations; and*

*(D) after consulting with the Committee on Ways and Means and the Committee on Finance, and at least 30 calendar days before initiating negotiations with a country, publish on a publicly available Internet website of the Office of the United States Trade Representative, and regularly update thereafter, a detailed and comprehensive summary of the specific objectives with respect to the negotiations, and a description of how the agreement, if successfully concluded, will further those objectives and benefit the United States.*

*(2) NEGOTIATIONS REGARDING AGRICULTURE.—*

*(A) ASSESSMENT AND CONSULTATIONS FOLLOWING ASSESSMENT.—Before initiating or con-*

*tinuing negotiations the subject matter of which is directly related to the subject matter under section 102(b)(3)(B) with any country, the President shall—*

*(i) assess whether United States tariffs on agricultural products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country;*

*(ii) consider whether the tariff levels bound and applied throughout the world with respect to imports from the United States are higher than United States tariffs and whether the negotiation provides an opportunity to address any such disparity; and*

*(iii) consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met.*

*(B) SPECIAL CONSULTATIONS ON IMPORT SENSITIVE PRODUCTS.—(i) Before initiating negotiations with regard to agriculture and, with respect to agreements described in paragraphs (2) and (3) of section 107(a), as soon as practicable after the date of the enactment of this Act, the United States Trade Representative shall—*

*(I) identify those agricultural products subject to tariff rate quotas on the date of enactment of this Act, and agricultural products subject to tariff reductions by the United States as a result of the Uruguay Round Agreements, for which the rate of duty was reduced on January 1, 1995, to a rate which was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994;*

*(II) consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning—*

*(aa) whether any further tariff reductions on the products identified under subclause (I) should be appropriate, taking into account the impact of any such tariff reduction on the United States industry producing the product concerned;*

*(bb) whether the products so identified face unjustified sanitary or phytosanitary restrictions, including those not based on scientific principles in contravention of the Uruguay Round Agreements; and*

*(cc) whether the countries participating in the negotiations maintain export subsidies or other programs, policies, or practices that distort world trade in such products and the impact of such programs, policies, and practices on United States producers of the products;*

*(III) request that the International Trade Commission prepare an assessment of the probable economic effects of any such tariff reduction on the United States industry producing the product concerned and on the United States economy as a whole; and*

*(IV) upon complying with subclauses (I), (II), and (III), notify the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate of those products identified under subclause (I) for which the Trade Representative intends to seek tariff liberalization in the negotiations and the reasons for seeking such tariff liberalization.*

*(ii) If, after negotiations described in clause (i) are commenced—*

*(I) the United States Trade Representative identifies any additional agricultural product described in clause (i)(I) for tariff reductions which were not the subject of a notification under clause (i)(IV), or*

*(II) any additional agricultural product described in clause (i)(I) is the subject of a request for tariff reductions by a party to the negotiations,*

*the Trade Representative shall, as soon as practicable, notify the committees referred to in clause (i)(IV) of those products and the reasons for seeking such tariff reductions.*

*(3) NEGOTIATIONS REGARDING THE FISHING INDUSTRY.—Before initiating, or continuing, negotiations that directly relate to fish or shellfish trade with any country, the President shall consult with the Committee on Ways and Means and the Committee on Natural Resources of the House of Representatives, and the Committee on Finance and the Committee on Commerce, Science, and Transportation of the Senate, and shall keep the Committees apprised of the negotiations on an ongoing and timely basis.*

*(4) NEGOTIATIONS REGARDING TEXTILES.—Before initiating or continuing negotiations the subject matter of which is directly related to textiles and apparel products with any country, the President shall—*

*(A) assess whether United States tariffs on textile and apparel products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country and whether the negotiation provides an opportunity to address any such disparity; and*

*(B) consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met.*

*(5) ADHERENCE TO EXISTING INTERNATIONAL TRADE AND INVESTMENT AGREEMENT OBLIGATIONS.—In determining whether to enter into negotiations with a particular country, the President shall take into account the extent to which that country has implemented, or has accelerated the implementation of, its international trade and investment commitments to the United States, including pursuant to the WTO Agreement.*

*(b) CONSULTATION WITH CONGRESS BEFORE ENTRY INTO AGREEMENT.—*

*(1) CONSULTATION.—Before entering into any trade agreement under section 103(b), the President shall consult with—*

*(A) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;*

*(B) each other committee of the House and the Senate, and each joint committee of Congress, which has jurisdiction over legislation involving subject matters which would be affected by the trade agreement; and*

*(C) the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c).*

*(2) SCOPE.—The consultation described in paragraph (1) shall include consultation with respect to—*

*(A) the nature of the agreement;*

*(B) how and to what extent the agreement will achieve the applicable purposes, policies, priorities, and objectives of this title; and*

*(C) the implementation of the agreement under section 106, including the general effect of the agreement on existing laws.*

*(3) REPORT REGARDING UNITED STATES TRADE REMEDY LAWS.—*

*(A) CHANGES IN CERTAIN TRADE LAWS.—The President, not less than 180 calendar days before the day on which the President enters into a trade agreement under section 103(b), shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate—*

*(i) the range of proposals advanced in the negotiations with respect to that agreement, that may be in the final agreement, and that could require amendments to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) or to chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.); and*

*(ii) how these proposals relate to the objectives described in section 102(b)(16).*

*(B) RESOLUTIONS.—(i) At any time after the transmission of the report under subparagraph (A), if a resolution is introduced with respect to that report in either House of Congress, the procedures set forth in clauses (iii) through (vii) shall apply to that resolution if—*

*(I) no other resolution with respect to that report has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to those procedures; and*

*(II) no procedural disapproval resolution under section 106(b) introduced with respect to a trade agreement entered into pursuant to the negotiations to which the report under subparagraph (A) relates has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be.*

*(ii) For purposes of this subparagraph, the term ''resolution'' means only a resolution of either House of Congress, the matter after the resolving clause of which is as follows: ''That the _____ finds that the proposed changes to United States trade remedy laws contained in the report of the President transmitted to Congress on _____ under section 105(b)(3) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 with respect to _____, are inconsistent with the negotiating objectives described in section 102(b)(16) of that Act.'', with the first blank space being filled with the name of the resolving House of Congress, the second blank space being filled with the appropriate date of the report, and the third blank space being filled with the name of the country or countries involved.*

*(iii) Resolutions in the House of Representatives—*

*(I) may be introduced by any Member of the House;*

*(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and*

*(III) may not be amended by either Committee.*

*(iv) Resolutions in the Senate—*

*(I) may be introduced by any Member of the Senate;*

*(II) shall be referred to the Committee on Finance; and*

*(III) may not be amended.*

*(v) It is not in order for the House of Representatives to consider any resolution that is not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.*

*(vi) It is not in order for the Senate to consider any resolution that is not reported by the Committee on Finance.*

*(vii) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to floor consideration of certain resolutions in the House and Senate) shall apply to resolutions.*

*(4) ADVISORY COMMITTEE REPORTS.—The report required under section 135(e)(1) of the Trade Act of 1974 (19 U.S.C. 2155(e)(1)) regarding any trade agreement entered into under subsection (a) or (b) of section 103 shall be provided to the President, Congress, and the United States Trade Representative not later than 30 days after the date on which the President notifies Congress under section 103(a)(2) or 106(a)(1)(A) of the intention of the President to enter into the agreement.*

*(c) INTERNATIONAL TRADE COMMISSION ASSESSMENT.—*

*(1) SUBMISSION OF INFORMATION TO COMMISSION.—The President, not later than 90 calendar days before the day on which the President enters into a trade agreement under section 103(b), shall provide the International Trade Commission (referred to in this subsection as the ''Commission'') with the details of the agreement as it exists at that time and request the Commission to prepare and submit an assessment of the agreement as described in paragraph (2). Between the time the President makes the request under this paragraph and the time the Commission submits the assessment, the President shall keep the Commission current with respect to the details of the agreement.*

*(2) ASSESSMENT.—Not later than 105 calendar days after the President enters into a trade agreement under section 103(b), the Commission shall submit to the President and Congress a report assessing the likely impact of the agreement on the United States economy as a whole and on specific industry sectors, including the impact the agreement will have on the gross domestic product, exports and imports, aggregate employment and employment opportunities, the production, employment, and competitive position of industries likely to be significantly affected by the agreement, and the interests of United States consumers.*

*(3) REVIEW OF EMPIRICAL LITERATURE.—In preparing the assessment under paragraph (2), the Commission shall review available economic assessments regarding the agreement, including literature regarding any substantially equivalent proposed agreement, and shall provide in its assessment a description of the analyses used and conclusions drawn in such literature, and a discussion of areas of consensus and divergence between the various analyses and conclusions, including those of the Commission regarding the agreement.*

*(4) PUBLIC AVAILABILITY.—The President shall make each assessment under paragraph (2) available to the public.*

*(d) REPORTS SUBMITTED TO COMMITTEES WITH AGREEMENT.—*

*(1) ENVIRONMENTAL REVIEWS AND REPORTS.—The President shall—*

*(A) conduct environmental reviews of future trade and investment agreements, consistent with Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its relevant guidelines; and*

*(B) submit a report on those reviews and on the content and operation of consultative mechanisms established pursuant to section 102(c) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).*

*(2) EMPLOYMENT IMPACT REVIEWS AND REPORTS.—The President shall—*

*(A) review the impact of future trade agreements on United States employment, including labor markets, modeled after Executive Order 13141 (64 Fed. Reg. 63169) to the extent appropriate in establishing procedures and criteria; and*

*(B) submit a report on such reviews to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).*

*(3) REPORT ON LABOR RIGHTS.—The President shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, on a timeframe determined in accordance with section 104(c)(3)(B)(v)—*

*(A) a meaningful labor rights report of the country, or countries, with respect to which the President is negotiating; and*

*(B) a description of any provisions that would require changes to the labor laws and labor practices of the United States.*

*(4) PUBLIC AVAILABILITY.—The President shall make all reports required under this subsection available to the public.*

*(e) IMPLEMENTATION AND ENFORCEMENT PLAN.—*

*(1) IN GENERAL.—At the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E), the President shall also submit to Congress a plan for implementing and enforcing the agreement.*

*(2) ELEMENTS.—The implementation and enforcement plan required by paragraph (1) shall include the following:*

*(A) BORDER PERSONNEL REQUIREMENTS.—A description of additional personnel required at border entry points, including a list of additional customs and agricultural inspectors.*

*(B) AGENCY STAFFING REQUIREMENTS.—A description of additional personnel required by Federal agencies responsible for monitoring and implementing the trade agreement, including personnel required by the Office of the United States Trade Representative, the Department of Commerce, the Department of Agriculture (including additional personnel required to implement sanitary and phytosanitary measures in order to obtain market access for United States exports), the Department of Homeland Security, the Department of the Treasury, and such other agencies as may be necessary.*

*(C) CUSTOMS INFRASTRUCTURE REQUIREMENTS.—A description of the additional equipment and facilities needed by U.S. Customs and Border Protection.*

*(D) IMPACT ON STATE AND LOCAL GOVERNMENTS.—A description of the impact the trade agreement will have on State and local governments as a result of increases in trade.*

*(E) COST ANALYSIS.—An analysis of the costs associated with each of the items listed in subparagraphs (A) through (D).*

*(3) BUDGET SUBMISSION.—The President shall include a request for the resources necessary to support the plan required by paragraph (1) in the first budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, after the date of the submission of the plan.*

*(4) PUBLIC AVAILABILITY.—The President shall make the plan required under this subsection available to the public.*

*(f) OTHER REPORTS.—*

*(1) REPORT ON PENALTIES.—Not later than one year after the imposition by the United States of a penalty or remedy permitted by a trade agreement to which this title applies, the President shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the effectiveness of the penalty or remedy applied under United States law in enforcing United States rights under the trade agreement, which shall address whether the penalty or remedy was effective in changing the behavior of the targeted party and whether the penalty or remedy had any adverse impact on parties or interests not party to the dispute.*

*(2) REPORT ON IMPACT OF TRADE PROMOTION AUTHORITY.—Not later than one year after the date of the enactment of this Act, and not later than 5 years thereafter, the United States International Trade Commission shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the economic impact on the United States of all trade agreements with respect to which Congress has enacted an implementing bill under trade authorities procedures since January 1, 1984.*

*(3) ENFORCEMENT CONSULTATIONS AND REPORTS.—(A) The United States Trade Representative shall consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate after acceptance of a petition for review or taking an enforcement action in regard to an obligation under a trade agreement, including a labor or environmental obligation. During such consultations, the United States Trade Representative shall describe the matter, including the basis for such action and the application of any relevant legal obligations.*

*(B) As part of the report required pursuant to section 163 of the Trade Act of 1974 (19 U.S.C. 2213), the President shall report annually to Congress on enforcement actions taken pursuant to a trade agreement to which the United States is a party, as well as on any public reports issued by Federal agencies on enforcement matters relating to a trade agreement.*

*(g) ADDITIONAL COORDINATION WITH MEMBERS.—Any Member of the House of Representatives may submit to the Committee on Ways and Means of the House of Representatives and any Member of the Senate may submit to the Committee on Finance of the Senate the views of that Member on any matter relevant to a proposed trade agreement, and the relevant Committee shall receive those views for consideration.*

***SEC. 106. IMPLEMENTATION OF TRADE AGREEMENTS.***

*(a) IN GENERAL.—*

*(1) NOTIFICATION AND SUBMISSION.—Any agreement entered into under section 103(b) shall enter into force with respect to the United States if (and only if)—*

*(A) the President, at least 90 calendar days before the day on which the President enters into the trade agreement, notifies the House of Representatives and the Senate of the President's intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register;*

*(B) the President, at least 60 days before the day on which the President enters into the agreement, publishes the text of the agreement on a publicly available Internet website of the Office of the United States Trade Representative;*

*(C) within 60 days after entering into the agreement, the President submits to Congress a description of those changes to existing laws that the President considers would be required in order to bring the United States into compliance with the agreement;*

*(D) the President, at least 30 days before submitting to Congress the materials under subparagraph (E), submits to Congress—*

*(i) a draft statement of any administrative action proposed to implement the agreement; and*

*(ii) a copy of the final legal text of the agreement;*

*(E) after entering into the agreement, the President submits to Congress, on a day on which both Houses of Congress are in session, a copy of the final legal text of the agreement, together with—*

*(i) a draft of an implementing bill described in section 103(b)(3);*

*(ii) a statement of any administrative action proposed to implement the trade agreement; and*

*(iii) the supporting information described in paragraph (2)(A);*

*(F) the implementing bill is enacted into law; and*

*(G) the President, not later than 30 days before the date on which the agreement enters into force with respect to a party to the agreement, submits written notice to Congress that the President has determined that the party has taken measures necessary to comply with those provisions of the agreement that are to take effect on the date on which the agreement enters into force.*

*(2) SUPPORTING INFORMATION.—*

*(A) IN GENERAL.—The supporting information required under paragraph (1)(E)(iii) consists of—*

*(i) an explanation as to how the implementing bill and proposed administrative action will change or affect existing law; and*

*(ii) a statement—*

*(I) asserting that the agreement makes progress in achieving the applicable purposes, policies, priorities, and objectives of this title; and*

*(II) setting forth the reasons of the President regarding—*

*(aa) how and to what extent the agreement makes progress in achieving the applicable purposes, policies, and objectives referred to in subclause (I);*

*(bb) whether and how the agreement changes provisions of an agreement previously negotiated;*

*(cc) how the agreement serves the interests of United States commerce; and*

*(dd) how the implementing bill meets the standards set forth in section 103(b)(3).*

*(B) PUBLIC AVAILABILITY.—The President shall make the supporting information described in subparagraph (A) available to the public.*

*(3) RECIPROCAL BENEFITS.—In order to ensure that a foreign country that is not a party to a trade agreement entered into under section 103(b) does not receive benefits under the agreement unless the country is also subject to the obligations under the agreement, the implementing bill submitted with respect to the agreement shall provide that the benefits and obligations under the agreement apply only to the parties to the agreement, if such application is consistent with the terms of the agreement. The implementing bill may also provide that the benefits and obligations under the agreement do not apply uniformly to all parties to the agreement, if such application is consistent with the terms of the agreement.*

*(4) DISCLOSURE OF COMMITMENTS.—Any agreement or other understanding with a foreign government or governments (whether oral or in writing) that—*

*(A) relates to a trade agreement with respect to which Congress enacts an implementing bill under trade authorities procedures; and*

*(B) is not disclosed to Congress before an implementing bill with respect to that agreement is introduced in either House of Congress,*

*shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law or in any dispute settlement body.*

*(b) LIMITATIONS ON TRADE AUTHORITIES PROCEDURES.—*

*(1) FOR LACK OF NOTICE OR CONSULTATIONS.—*

*(A) IN GENERAL.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) if during the 60-day period beginning on the date that one House of Congress agrees to a procedural disapproval resolution for lack of notice or consultations with respect to such trade agreement or agreements, the other House separately agrees to a procedural disapproval resolution with respect to such trade agreement or agreements.*

*(B) PROCEDURAL DISAPPROVAL RESOLUTION.—(i) For purposes of this paragraph, the term ''procedural disapproval resolution'' means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: ''That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply to any implementing bill submitted with respect to such trade agreement or agreements.'', with the blank space being filled with a description of the trade agreement or agreements with respect to which the President is considered to have failed or refused to notify or consult.*

*(ii) For purposes of clause (i) and paragraphs (3)(C) and (4)(C), the President has ''failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015'' on negotiations with respect to a trade agreement or trade agreements if—*

*(I) the President has failed or refused to consult (as the case may be) in accordance with sections 104 and 105 and this section with respect to the negotiations, agreement, or agreements;*

*(II) guidelines under section 104 have not been developed or met with respect to the negotiations, agreement, or agreements;*

*(III) the President has not met with the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations pursuant to a request made under section 104(c)(4) with respect to the negotiations, agreement, or agreements; or*

*(IV) the agreement or agreements fail to make progress in achieving the purposes, policies, priorities, and objectives of this title.*

*(2) PROCEDURES FOR CONSIDERING RESOLUTIONS.—(A) Procedural disapproval resolutions—*

*(i) in the House of Representatives—*

*(I) may be introduced by any Member of the House;*

*(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and*

*(III) may not be amended by either Committee; and*

*(ii) in the Senate—*

*(I) may be introduced by any Member of the Senate;*

*(II) shall be referred to the Committee on Finance; and*

*(III) may not be amended.*

*(B) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to a procedural disapproval resolution introduced with respect to a trade agreement if no other procedural disapproval resolution with respect to that trade agreement has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, and if no resolution described in clause (ii) of section 105(b)(3)(B) with respect to that trade agreement has been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to the procedures set forth in clauses (iii) through (vii) of such section.*

*(C) It is not in order for the House of Representatives to consider any procedural disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.*

*(D) It is not in order for the Senate to consider any procedural disapproval resolution not reported by the Committee on Finance.*

*(3) CONSIDERATION IN SENATE OF CONSULTATION AND COMPLIANCE RESOLUTION TO REMOVE TRADE AUTHORITIES PROCEDURES.—*

*(A) REPORTING OF RESOLUTION.—If, when the Committee on Finance of the Senate meets on whether to report an implementing bill with respect to a trade agreement or agreements entered into under section 103(b), the committee fails to favorably report the bill, the committee shall report a resolution described in subparagraph (C).*

*(B) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures shall not apply in the Senate to any implementing bill submitted with respect to a trade agreement or agreements described in subparagraph (A) if the Committee on Finance reports a resolution described in subparagraph (C) and such resolution is agreed to by the Senate.*

*(C) RESOLUTION DESCRIBED.—A resolution described in this subparagraph is a resolution of the Senate originating from the Committee on Finance the sole matter after the resolving clause of which is as follows: ''That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply in the Senate to any implementing bill submitted with respect to such trade agreement or agreements.'', with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A).*

*(D) PROCEDURES.—If the Senate does not agree to a motion to invoke cloture on the motion to proceed to a resolution described in subparagraph (C), the resolution shall be committed to the Committee on Finance.*

*(4) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES OF A CONSULTATION AND COMPLIANCE RESOLUTION.—*

*(A) QUALIFICATIONS FOR REPORTING RESOLUTION.—If—*

*(i) the Committee on Ways and Means of the House of Representatives reports an implementing bill with respect to a trade agreement or agreements entered into under section 103(b) with other than a favorable recommendation; and*

*(ii) a Member of the House of Representatives has introduced a consultation and compliance resolution on the legislative day following the filing of a report to accompany the implementing bill with other than a favorable recommendation,*

*then the Committee on Ways and Means shall consider a consultation and compliance resolution pursuant to subparagraph (B).*

*(B) COMMITTEE CONSIDERATION OF A QUALIFYING RESOLUTION.—(i) Not later than the fourth legislative day after the date of introduction of the resolution, the Committee on Ways and Means shall meet to consider a resolution meeting the qualifications set forth in subparagraph (A).*

*(ii) After consideration of one such resolution by the Committee on Ways and Means, this subparagraph shall not apply to any other such resolution.*

*(iii) If the Committee on Ways and Means has not reported the resolution by the sixth legislative day after the date of its introduction, that committee shall be discharged from further consideration of the resolution.*

*(C) CONSULTATION AND COMPLIANCE RESOLUTION DESCRIBED.—A consultation and compliance resolution—*

*(i) is a resolution of the House of Representatives, the sole matter after the resolving clause of which is as follows: ''That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to _____ and, therefore, the trade authorities procedures under that Act shall not apply in the House of Representatives to any implementing bill submitted with respect to such trade agreement or agreements.'', with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A); and*

*(ii) shall be referred to the Committee on Ways and Means.*

*(D) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures shall not apply in the House of Representatives to any implementing bill submitted with respect to a trade agreement or agreements which are the object of a consultation and compliance resolution if such resolution is adopted by the House.*

*(5) FOR FAILURE TO MEET OTHER REQUIREMENTS.—Not later than December 15, 2015, the Secretary of Commerce, in consultation with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative, shall transmit to Congress a report setting forth the strategy of the executive branch to address concerns of Congress regarding whether dispute settlement panels and the Appellate Body of the World Trade Organization have added to obligations, or diminished rights, of the United States, as described in section 102(b)(15)(C). Trade authorities procedures shall not apply to any implementing bill with respect to an agreement negotiated under the auspices of the World Trade Organization unless the Secretary of Commerce has issued such report by the deadline specified in this paragraph.*

*(6) LIMITATIONS ON PROCEDURES WITH RESPECT TO AGREEMENTS WITH COUNTRIES NOT IN COMPLIANCE WITH TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—*

*(A) IN GENERAL.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) with a country to which the minimum standards for the elimination of trafficking are applicable and the government of which does not fully comply with such standards and is not making significant efforts to bring the country into compliance (commonly referred to as a ''tier 3'' country), as determined in the most recent*

*annual report on trafficking in persons submitted under section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)).*

*(B) MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING DEFINED.—In this paragraph, the term ''minimum standards for the elimination of trafficking'' means the standards set forth in section 108 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106).*

*(c) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—Subsection (b) of this section, section 103(c), and section 105(b)(3) are enacted by Congress—*

*(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and*

*(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.*

***SEC. 107. TREATMENT OF CERTAIN TRADE AGREEMENTS FOR WHICH NEGOTIATIONS HAVE ALREADY BEGUN.***

*(a) CERTAIN AGREEMENTS.—Notwithstanding the prenegotiation notification and consultation requirement described in section 105(a), if an agreement to which section 103(b) applies—*

*(1) is entered into under the auspices of the World Trade Organization,*

*(2) is entered into with the Trans-Pacific Partnership countries with respect to which notifications have been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act,*

*(3) is entered into with the European Union,*

*(4) is an agreement with respect to international trade in services entered into with WTO members with respect to which a notification has been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act, or*

*(5) is an agreement with respect to environmental goods entered into with WTO members with respect to which a notification has been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act,*

*and results from negotiations that were commenced before the date of the enactment of this Act, subsection (b) shall apply.*

*(b) TREATMENT OF AGREEMENTS.—In the case of any agreement to which subsection (a) applies, the applicability of the trade authorities procedures to implementing bills shall be determined without regard to the requirements of section 105(a) (relating only to notice prior to initiating negotiations), and any resolution under paragraph (1)(B), (3)(C), or (4)(C) of section 106(b) shall not be in order on the basis of a failure or refusal to comply with the provisions of section 105(a), if (and only if) the President, as soon as feasible after the date of the enactment of this Act—*

*(1) notifies Congress of the negotiations described in subsection (a), the specific United States objectives in the negotiations, and whether the President is seeking a new agreement or changes to an existing agreement; and*

*(2) before and after submission of the notice, consults regarding the negotiations with the committees referred to in section 105(a)(1)(B) and the House and Senate Advisory Groups on Negotiations convened under section 104(c).*

***SEC. 108. SOVEREIGNTY.***

*(a) UNITED STATES LAW TO PREVAIL IN EVENT OF CONFLICT.—No provision of any trade agreement entered into under section 103(b), nor the application of any such provision to any person or circumstance, that is inconsistent with any law of the United States, any State of the United States, or any locality of the United States shall have effect.*

*(b) AMENDMENTS OR MODIFICATIONS OF UNITED STATES LAW.—No provision of any trade agreement entered into under section 103(b) shall prevent the United States, any State of the United States, or any locality of the United States from amending or modifying any law of the United States, that State, or that locality (as the case may be).*

*(c) DISPUTE SETTLEMENT REPORTS.—Reports, including findings and recommendations, issued by dispute settlement panels convened pursuant to any trade agreement entered into under section 103(b) shall have no binding effect on the law of the United States, the Government of the United States, or the law or government of any State or locality of the United States.*

***SEC. 109. INTERESTS OF SMALL BUSINESSES.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) the United States Trade Representative should facilitate participation by small businesses in the trade negotiation process; and*

*(2) the functions of the Office of the United States Trade Representative relating to small businesses should continue to be reflected in the title of the Assistant United States Trade Representative assigned the responsibility for small businesses.*

*(b) CONSIDERATION OF SMALL BUSINESS INTERESTS.—The Assistant United States Trade Representative for Small Business, Market Access, and Industrial Competitiveness shall be responsible for ensuring that the interests of small businesses are considered in all trade negotiations in accordance with the objective described in section 102(a)(8).*

***SEC. 110. CONFORMING AMENDMENTS; APPLICATION OF CERTAIN PROVISIONS.***

*(a) CONFORMING AMENDMENTS.—*

*(1) ADVICE FROM UNITED STATES INTERNATIONAL TRADE COMMISSION.—Section 131 of the Trade Act of 1974 (19 U.S.C. 2151) is amended—*

*(A) in subsection (a)—*

*(i) in paragraph (1), by striking ''section 2103(a) or (b) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''subsection (a) or (b) of section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and*

*(ii) in paragraph (2), by striking ''section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015'';*

*(B) in subsection (b), by striking ''section 2103(a)(3)(A) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103(a)(4)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and*

*(C) in subsection (c), by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.*

*(2) HEARINGS.—Section 132 of the Trade Act of 1974 (19 U.S.C. 2152) is amended by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.*

*(3) PUBLIC HEARINGS.—Section 133(a) of the Trade Act of 1974 (19 U.S.C. 2153(a)) is amended by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.*

*(4) PREREQUISITES FOR OFFERS.—Section 134 of the Trade Act of 1974 (19 U.S.C. 2154) is amended by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' each place it appears and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.*

*(5) INFORMATION AND ADVICE FROM PRIVATE AND PUBLIC SECTORS.—Section 135 of the Trade Act of 1974 (19 U.S.C. 2155) is amended—*

*(A) in subsection (a)(1)(A), by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and*

*(B) in subsection (e)—*

*(i) in paragraph (1)—*

*(I) by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' each place it appears and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and*

*(II) by striking ''not later than the date on which the President notifies the Congress under section 2105(a)(1)(A) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''not later than the date that is 30 days after the date on which the President notifies Congress under section 106(a)(1)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and*

*(ii) in paragraph (2), by striking ''section 2102 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 102 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.*

*(6) PROCEDURES RELATING TO IMPLEMENTING BILLS.—Section 151 of the Trade Act of 1974 (19 U.S.C. 2191) is amended—*

*(A) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''section 2105(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 106(a)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''; and*

*(B) in subsection (c)(1), by striking ''section 2105(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 106(a)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.*

*(7) TRANSMISSION OF AGREEMENTS TO CONGRESS.—Section 162(a) of the Trade Act of 1974 (19 U.S.C. 2212(a)) is amended by striking ''section 2103 of the Bipartisan Trade Promotion Authority Act of 2002'' and inserting ''section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015''.*

*(b) APPLICATION OF CERTAIN PROVISIONS.—For purposes of applying sections 125, 126, and 127 of the Trade Act of 1974 (19 U.S.C. 2135, 2136, and 2137)—*

*(1) any trade agreement entered into under section 103 shall be treated as an agreement entered into under section 101 or 102 of the Trade Act of 1974 (19 U.S.C. 2111 or 2112), as appropriate; and*

*(2) any proclamation or Executive order issued pursuant to a trade agreement entered into under section 103 shall be treated as a proclamation or Executive order issued pursuant to a trade agreement entered into under section 102 of the Trade Act of 1974 (19 U.S.C. 2112).*

***SEC. 111. DEFINITIONS.***

*In this title:*

*(1) AGREEMENT ON AGRICULTURE.—The term ''Agreement on Agriculture'' means the agreement referred to in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).*

*(2) AGREEMENT ON SAFEGUARDS.—The term ''Agreement on Safeguards'' means the agreement referred to in section 101(d)(13) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(13)).*

*(3) AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES.—The term ''Agreement on Subsidies and Countervailing Measures'' means the agreement referred to in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(12)).*

*(4) ANTIDUMPING AGREEMENT.—The term ''Antidumping Agreement'' means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 referred to in section 101(d)(7) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(7)).*

*(5) APPELLATE BODY.—The term ''Appellate Body'' means the Appellate Body established*

*under Article 17.1 of the Dispute Settlement Understanding.*

*(6) COMMON MULTILATERAL ENVIRONMENTAL AGREEMENT.—*

*(A) IN GENERAL.—The term ''common multilateral environmental agreement'' means any agreement specified in subparagraph (B) or included under subparagraph (C) to which both the United States and one or more other parties to the negotiations are full parties, including any current or future mutually agreed upon protocols, amendments, annexes, or adjustments to such an agreement.*

*(B) AGREEMENTS SPECIFIED.—The agreements specified in this subparagraph are the following:*

*(i) The Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249).*

*(ii) The Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal September 16, 1987.*

*(iii) The Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, done at London February 17, 1978.*

*(iv) The Convention on Wetlands of International Importance Especially as Waterfowl Habitat, done at Ramsar February 2, 1971 (TIAS 11084).*

*(v) The Convention on the Conservation of Antarctic Marine Living Resources, done at Canberra May 20, 1980 (33 UST 3476).*

*(vi) The International Convention for the Regulation of Whaling, done at Washington December 2, 1946 (62 Stat. 1716).*

*(vii) The Convention for the Establishment of an Inter-American Tropical Tuna Commission, done at Washington May 31, 1949 (1 UST 230).*

*(C) ADDITIONAL AGREEMENTS.—Both the United States and one or more other parties to the negotiations may agree to include any other multilateral environmental or conservation agreement to which they are full parties as a common multilateral environmental agreement under this paragraph.*

*(7) CORE LABOR STANDARDS.—The term ''core labor standards'' means—*

*(A) freedom of association;*

*(B) the effective recognition of the right to collective bargaining;*

*(C) the elimination of all forms of forced or compulsory labor;*

*(D) the effective abolition of child labor and a prohibition on the worst forms of child labor; and*

*(E) the elimination of discrimination in respect of employment and occupation.*

*(8) DISPUTE SETTLEMENT UNDERSTANDING.—The term ''Dispute Settlement Understanding'' means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16)).*

*(9) ENABLING CLAUSE.—The term ''Enabling Clause'' means the Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries (L/4903), adopted November 28, 1979, under GATT 1947 (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)).*

*(10) ENVIRONMENTAL LAWS.—The term ''environmental laws'', with respect to the laws of the United States, means environmental statutes and regulations enforceable by action of the Federal Government.*

*(11) GATT 1994.—The term ''GATT 1994'' has the meaning given that term in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).*

*(12) GENERAL AGREEMENT ON TRADE IN SERVICES.—The term ''General Agreement on Trade in Services'' means the General Agreement on Trade in Services (referred to in section 101(d)(14) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(14))).*

*(13) GOVERNMENT PROCUREMENT AGREEMENT.—The term ''Government Procurement Agreement'' means the Agreement on Government Procurement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).*

*(14) ILO.—The term ''ILO'' means the International Labor Organization.*

*(15) IMPORT SENSITIVE AGRICULTURAL PRODUCT.—The term ''import sensitive agricultural product'' means an agricultural product—*

*(A) with respect to which, as a result of the Uruguay Round Agreements, the rate of duty was the subject of tariff reductions by the United States and, pursuant to such Agreements, was reduced on January 1, 1995, to a rate that was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994; or*

*(B) which was subject to a tariff rate quota on the date of the enactment of this Act.*

*(16) INFORMATION TECHNOLOGY AGREEMENT.—The term ''Information Technology Agreement'' means the Ministerial Declaration on Trade in Information Technology Products of the World Trade Organization, agreed to at Singapore December 13, 1996.*

*(17) INTERNATIONALLY RECOGNIZED CORE LABOR STANDARDS.—The term ''internationally recognized core labor standards'' means the core labor standards only as stated in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998).*

*(18) LABOR LAWS.—The term ''labor laws'' means the statutes and regulations, or provisions thereof, of a party to the negotiations that are directly related to core labor standards as well as other labor protections for children and minors and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health, and for the United States, includes Federal statutes and regulations addressing those standards, protections, or conditions, but does not include State or local labor laws.*

*(19) UNITED STATES PERSON.—The term ''United States person'' means—*

*(A) a United States citizen;*

*(B) a partnership, corporation, or other legal entity that is organized under the laws of the United States; and*

*(C) a partnership, corporation, or other legal entity that is organized under the laws of a foreign country and is controlled by entities described in subparagraph (B) or United States citizens, or both.*

*(20) URUGUAY ROUND AGREEMENTS.—The term ''Uruguay Round Agreements'' has the meaning given that term in section 2(7) of the Uruguay Round Agreements Act (19 U.S.C. 3501(7)).*

*(21) WORLD TRADE ORGANIZATION; WTO.—The terms ''World Trade Organization'' and ''WTO'' mean the organization established pursuant to the WTO Agreement.*

*(22) WTO AGREEMENT.—The term ''WTO Agreement'' means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.*

*(23) WTO MEMBER.—The term ''WTO member'' has the meaning given that term in section 2(10) of the Uruguay Round Agreements Act (19 U.S.C. 3501(10)).*

## *TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE*

### *SEC. 201. SHORT TITLE.*

*This title may be cited as the ''Trade Adjustment Assistance Reauthorization Act of 2015''.*

### *SEC. 202. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.*

*(a) REPEAL OF SNAPBACK.—Section 233 of the Trade Adjustment Assistance Extension Act of 2011 (Public Law 112–40; 125 Stat. 416) is repealed.*

*(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this title, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on December 31, 2013, and as amended by this title, shall—*

*(1) take effect on the date of the enactment of this Act; and*

*(2) apply to petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.*

*(c) REFERENCES.—Except as otherwise provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on December 31, 2013.*

### *SEC. 203. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM.*

*(a) EXTENSION OF TERMINATION PROVISIONS.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking ''December 31, 2013'' each place it appears and inserting ''June 30, 2021''.*

*(b) TRAINING FUNDS.—Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) is amended by striking ''shall not exceed'' and all that follows and inserting ''shall not exceed $450,000,000 for each of fiscal years 2015 through 2021.''.*

*(c) REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking ''December 31, 2013'' and inserting ''June 30, 2021''.*

*(d) AUTHORIZATIONS OF APPROPRIATIONS.—*

*(1) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking ''December 31, 2013'' and inserting ''June 30, 2021''.*

*(2) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended by striking ''fiscal years 2012 and 2013'' and all that follows through ''December 31, 2013'' and inserting ''fiscal years 2015 through 2021''.*

*(3) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by striking ''fiscal years 2012 and 2013'' and all that follows through ''December 31, 2013'' and inserting ''fiscal years 2015 through 2021''.*

### *SEC. 204. PERFORMANCE MEASUREMENT AND REPORTING.*

*(a) PERFORMANCE MEASURES.—Section 239(j) of the Trade Act of 1974 (19 U.S.C. 2311(j)) is amended—*

*(1) in the subsection heading, by striking ''DATA REPORTING'' and inserting ''PERFORMANCE MEASURES'';*

*(2) in paragraph (1)—*

*(A) in the matter preceding subparagraph (A)—*

*(i) by striking ''a quarterly'' and inserting ''an annual''; and*

*(ii) by striking ''data'' and inserting ''measures'';*

*(B) in subparagraph (A), by striking ''core'' and inserting ''primary''; and*

*(C) in subparagraph (C), by inserting ''that promote efficiency and effectiveness'' after ''assistance program'';*

*(3) in paragraph (2)—*

*(A) in the paragraph heading, by striking ''CORE INDICATORS DESCRIBED'' and inserting ''INDICATORS OF PERFORMANCE''; and*

*(B) by striking subparagraph (A) and inserting the following:*

*''(A) PRIMARY INDICATORS OF PERFORMANCE DESCRIBED.—*

*''(i) IN GENERAL.—The primary indicators of performance referred to in paragraph (1)(A) shall consist of—*

*''(I) the percentage and number of workers who received benefits under the trade adjustment assistance program who are in unsubsidized employment during the second calendar quarter after exit from the program;*

*''(II) the percentage and number of workers who received benefits under the trade adjustment assistance program and who are in unsubsidized employment during the fourth calendar quarter after exit from the program;*

*''(III) the median earnings of workers described in subclause (I);*

''(IV) the percentage and number of workers who received benefits under the trade adjustment assistance program who, subject to clause (ii), obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in the program or within one year after exit from the program; and

''(V) the percentage and number of workers who received benefits under the trade adjustment assistance program who, during a year while receiving such benefits, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable gains in skills toward such a credential or employment.

''(ii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), a worker who received benefits under the trade adjustment assistance program who obtained a secondary school diploma or its recognized equivalent shall be included in the percentage counted for purposes of that clause only if the worker, in addition to obtaining such a diploma or its recognized equivalent, has obtained or retained employment or is in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.'';

(4) in paragraph (3)—

(A) in the paragraph heading, by striking ''DATA'' and inserting ''MEASURES'';

(B) by striking ''quarterly'' and inserting ''annual''; and

(C) by striking ''data'' and inserting ''measures''; and

(5) by adding at the end the following:

''(4) ACCESSIBILITY OF STATE PERFORMANCE REPORTS.—The Secretary shall, on an annual basis, make available (including by electronic means), in an easily understandable format, the reports of cooperating States or cooperating State agencies required by paragraph (1) and the information contained in those reports.''.

(b) COLLECTION AND PUBLICATION OF DATA.—Section 249B of the Trade Act of 1974 (19 U.S.C. 2323) is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking ''enrolled in'' and inserting ''who received'';

(ii) in subparagraph (B)—

(I) by striking ''complete'' and inserting ''exited''; and

(II) by striking ''who were enrolled in'' and inserting '', including who received'';

(iii) in subparagraph (E), by striking ''complete'' and inserting ''exited'';

(iv) in subparagraph (F), by striking ''complete'' and inserting ''exit''; and

(v) by adding at the end the following:

''(G) The average cost per worker of receiving training approved under section 236.

''(H) The percentage of workers who received training approved under section 236 and obtained unsubsidized employment in a field related to that training.''; and

(B) in paragraph (4)—

(i) in subparagraphs (A) and (B), by striking ''quarterly'' each place it appears and inserting ''annual''; and

(ii) by striking subparagraph (C) and inserting the following:

''(C) The median earnings of workers described in section 239(j)(2)(A)(i)(III) during the second calendar quarter after exit from the program, expressed as a percentage of the median earnings of such workers before the calendar quarter in which such workers began receiving benefits under this chapter.''; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(ii) by inserting after subparagraph (A) the following:

''(B) the reports required under section 239(j);''; and

(B) in paragraph (2), by striking ''a quarterly'' and inserting ''an annual''.

(c) RECOGNIZED POSTSECONDARY CREDENTIAL DEFINED.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end the following:

''(19) The term 'recognized postsecondary credential' means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by a State or the Federal Government, or an associate or baccalaureate degree.''.

**SEC. 205. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.**

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—

(1) PETITIONS FILED ON OR AFTER JANUARY 1, 2014, AND BEFORE DATE OF ENACTMENT.—

(A) CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(i) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) RECONSIDERATION OF DENIALS OF CERTIFICATIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination; and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) PETITION DESCRIBED.—A petition described in this clause is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(B) ELIGIBILITY FOR BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date that is 90 days after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in clause (i) under chapter 2 of title II of the Trade Act of 1974 before the date of the enactment of this Act shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act.

(2) PETITIONS FILED BEFORE JANUARY 1, 2014.—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or before December 31, 2013, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on December 31, 2013.

(3) QUALIFYING SEPARATIONS WITH RESPECT TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF ENACTMENT.—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting ''before January 1, 2014'' for ''more than one year before the date of the petition on which such certification was granted'' for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—

(1) CERTIFICATION OF FIRMS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(A) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) RECONSIDERATION OF DENIAL OF CERTAIN PETITIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) PETITION DESCRIBED.—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(2) CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN JANUARY 1, 2014, AND DATE OF ENACTMENT.—

(A) IN GENERAL.—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) FIRM DESCRIBED.—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

(i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on January 1, 2014, and ending on the day before the date of the enactment of this Act; and

(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

**SEC. 206. SUNSET PROVISIONS.**

(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on July 1, 2021, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on January 1, 2014, shall be in effect and apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting ''104-week period'' for ''104-week period'' and all that follows through ''130-week period)''; and

(ii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by substituting ''65'' for ''52''; and

(II) by substituting ''78-week period'' for ''52-week period'' each place it appears; and

*(B) by applying and administering subsection (g) as if it read as follows:*

*''(g) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—*

*''(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;*

*''(2) the worker participates in training in each such week; and*

*''(3) the worker—*

*''(A) has substantially met the performance benchmarks established as part of the training approved for the worker;*

*''(B) is expected to continue to make progress toward the completion of the training; and*

*''(C) will complete the training during that period of eligibility.'';*

*(3) section 245(a) of that Act shall be applied and administered by substituting ''June 30, 2022'' for ''December 31, 2007'';*

*(4) section 246(b)(1) of that Act shall be applied and administered by substituting ''June 30, 2022'' for ''the date that is 5 years'' and all that follows through ''State'';*

*(5) section 256(b) of that Act shall be applied and administered by substituting ''the 1-year period beginning on July 1, 2021'' for ''each of fiscal years 2003 through 2007, and $4,000,000 for the 3-month period beginning on October 1, 2007'';*

*(6) section 298(a) of that Act shall be applied and administered by substituting ''the 1-year period beginning on July 1, 2021'' for ''each of the fiscal years'' and all that follows through ''October 1, 2007''; and*

*(7) section 285 of that Act shall be applied and administered—*

*(A) in subsection (a), by substituting ''June 30, 2022'' for ''December 31, 2007'' each place it appears; and*

*(B) by applying and administering subsection (b) as if it read as follows:*

*''(b) OTHER ASSISTANCE.—*

*''(1) ASSISTANCE FOR FIRMS.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after June 30, 2022.*

*''(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 pursuant to a petition filed under section 251 on or before June 30, 2022, may be provided—*

*''(i) to the extent funds are available pursuant to such chapter for such purpose; and*

*''(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.*

*''(2) FARMERS.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after June 30, 2022.*

*''(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before June 30, 2022, may be provided—*

*''(i) to the extent funds are available pursuant to such chapter for such purpose; and*

*''(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.''.*

*(b) EXCEPTIONS.—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after July 1, 2021, with respect to—*

*(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before July 1, 2021;*

*(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before July 1, 2021; and*

*(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before July 1, 2021.*

***SEC. 207. EXTENSION AND MODIFICATION OF HEALTH COVERAGE TAX CREDIT.***

*(a) EXTENSION.—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by striking ''before January 1, 2014'' and inserting ''before January 1, 2020''.*

*(b) COORDINATION WITH CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN.—Subsection (g) of section 35 of the Internal Revenue Code of 1986 is amended—*

*(1) by redesignating paragraph (11) as paragraph (13), and*

*(2) by inserting after paragraph (10) the following new paragraphs:*

*''(11) ELECTION.—*

*''(A) IN GENERAL.—This section shall not apply to any taxpayer for any eligible coverage month unless such taxpayer elects the application of this section for such month.*

*''(B) TIMING AND APPLICABILITY OF ELECTION.—Except as the Secretary may provide—*

*''(i) an election to have this section apply for any eligible coverage month in a taxable year shall be made not later than the due date (including extensions) for the return of tax for the taxable year, and*

*''(ii) any election for this section to apply for an eligible coverage month shall apply for all subsequent eligible coverage months in the taxable year and, once made, shall be irrevocable with respect to such months.*

*''(12) COORDINATION WITH PREMIUM TAX CREDIT.—*

*''(A) IN GENERAL.—An eligible coverage month to which the election under paragraph (11) applies shall not be treated as a coverage month (as defined in section 36B(c)(2)) for purposes of section 36B with respect to the taxpayer.*

*''(B) COORDINATION WITH ADVANCE PAYMENTS OF PREMIUM TAX CREDIT.—In the case of a taxpayer who makes the election under paragraph (11) with respect to any eligible coverage month in a taxable year or on behalf of whom any advance payment is made under section 7527 with respect to any month in such taxable year—*

*''(i) the tax imposed by this chapter for the taxable year shall be increased by the excess, if any, of—*

*''(I) the sum of any advance payments made on behalf of the taxpayer under section 1412 of the Patient Protection and Affordable Care Act and section 7527 for months during such taxable year, over*

*''(II) the sum of the credits allowed under this section (determined without regard to paragraph (1)) and section 36B (determined without regard to subsection (f)(1) thereof) for such taxable year, and*

*''(ii) section 36B(f)(2) shall not apply with respect to such taxpayer for such taxable year, except that if such taxpayer received any advance payments under section 7527 for any month in such taxable year and is later allowed a credit under section 36B for such taxable year, then section 36B(f)(2)(B) shall be applied by substituting the amount determined under clause (i) for the amount determined under section 36B(f)(2)(A).''.*

*(c) EXTENSION OF ADVANCE PAYMENT PROGRAM.—*

*(1) IN GENERAL.—Subsection (a) of section 7527 of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2003'' and inserting ''the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015''.*

*(2) CONFORMING AMENDMENT.—Paragraph (1) of section 7527(e) of such Code is amended by striking ''occurring'' and all that follows and inserting ''occurring—*

*''(A) after the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015, and*

*''(B) prior to the first month for which an advance payment is made on behalf of such individual under subsection (a).''.*

*(d) INDIVIDUAL INSURANCE TREATED AS QUALIFIED HEALTH INSURANCE WITHOUT REGARD TO ENROLLMENT DATE.—*

*(1) IN GENERAL.—Subparagraph (J) of section 35(e)(1) of the Internal Revenue Code of 1986 is amended by striking ''insurance if the eligible individual'' and all that follows through ''For purposes of'' and inserting ''insurance. For purposes of''.*

*(2) SPECIAL RULE.—Subparagraph (J) of section 35(e)(1) of such Code, as amended by paragraph (1), is amended by striking ''insurance.'' and inserting ''insurance (other than coverage enrolled in through an Exchange established under the Patient Protection and Affordable Care Act).''.*

*(e) CONFORMING AMENDMENT.—Subsection (m) of section 6501 of the Internal Revenue Code of 1986 is amended by inserting '', 35(g)(11)'' after ''30D(e)(4)''.*

*(f) EFFECTIVE DATE.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to coverage months in taxable years beginning after December 31, 2013.*

*(2) PLANS AVAILABLE ON INDIVIDUAL MARKET FOR USE OF TAX CREDIT.—The amendment made by subsection (d)(2) shall apply to coverage months in taxable years beginning after December 31, 2015.*

*(3) TRANSITION RULE.—Notwithstanding section 35(g)(11)(B)(i) of the Internal Revenue Code of 1986 (as added by this title), an election to apply section 35 of such Code to an eligible coverage month (as defined in section 35(b) of such Code) (and not to claim the credit under section 36B of such Code with respect to such month) in a taxable year beginning after December 31, 2013, and before the date of the enactment of this Act—*

*(A) may be made at any time on or after such date of enactment and before the expiration of the 3-year period of limitation prescribed in section 6511(a) with respect to such taxable year; and*

*(B) may be made on an amended return.*

*(g) AGENCY OUTREACH.—As soon as possible after the date of the enactment of this Act, the Secretaries of the Treasury, Health and Human Services, and Labor (or such Secretaries' delegates) and the Director of the Pension Benefit Guaranty Corporation (or the Director's delegate) shall carry out programs of public outreach, including on the Internet, to inform potential eligible individuals (as defined in section 35(c)(1) of the Internal Revenue Code of 1986) of the extension of the credit under section 35 of the Internal Revenue Code of 1986 and the availability of the election to claim such credit retroactively for coverage months beginning after December 31, 2013.*

***SEC. 208. CUSTOMS USER FEES.***

*(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—*

*(1) in subparagraph (B)(i), by striking ''September 30, 2024'' and inserting ''September 30, 2025''; and*

*(2) by adding at the end the following:*

*''(D) Fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on July 29, 2025, and ending on September 30, 2025.''.*

*(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended by adding at the end the following:*

*''(c) FURTHER ADDITIONAL PERIOD.—For the period beginning on July 15, 2025, and ending*

*on September 30, 2025, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—*

*''(1) in subparagraph (A), by substituting '0.3464' for '0.21'; and*

*''(2) in subparagraph (B)(i), by substituting '0.3464' for '0.21'.''.*

***SEC. 209. CHILD TAX CREDIT NOT REFUNDABLE FOR TAXPAYERS ELECTING TO EXCLUDE FOREIGN EARNED INCOME FROM TAX.***

*(a) IN GENERAL.—Section 24(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:*

*''(5) EXCEPTION FOR TAXPAYERS EXCLUDING FOREIGN EARNED INCOME.—Paragraph (1) shall not apply to any taxpayer for any taxable year if such taxpayer elects to exclude any amount from gross income under section 911 for such taxable year.''.*

*(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.*

***SEC. 210. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.***

*Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than $1,000,000,000 (determined as of the end of the preceding taxable year)—*

*(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2020 shall be increased by 2.75 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and*

*(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.*

***SEC. 211. COVERAGE AND PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.***

*(a) COVERAGE.—Section 1861(s)(2)(F) of the Social Security Act (42 U.S.C. 1395x(s)(2)(F)) is amended by inserting before the semicolon the following: '', including such renal dialysis services furnished on or after January 1, 2017, by a renal dialysis facility or provider of services paid under section 1881(b)(14) to an individual with acute kidney injury (as defined in section 1834(r)(2))''.*

*(b) PAYMENT.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:*

*''(r) PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.—*

*''(1) PAYMENT RATE.—In the case of renal dialysis services (as defined in subparagraph (B) of section 1881(b)(14)) furnished under this part by a renal dialysis facility or provider of services paid under such section during a year (beginning with 2017) to an individual with acute kidney injury (as defined in paragraph (2)), the amount of payment under this part for such services shall be the base rate for renal dialysis services determined for such year under such section, as adjusted by any applicable geographic adjustment factor applied under subparagraph (D)(iv)(II) of such section and may be adjusted by the Secretary (on a budget neutral basis for payments under this paragraph) by any other adjustment factor under subparagraph (D) of such section.*

*''(2) INDIVIDUAL WITH ACUTE KIDNEY INJURY DEFINED.—In this subsection, the term 'individual with acute kidney injury' means an individual who has acute loss of renal function and does not receive renal dialysis services for which payment is made under section 1881(b)(14).''.*

***SEC. 212. MODIFICATION OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2024.***

*Section 251A(6)(D)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)(D)(ii)) is amended by striking ''0.0 percent'' and inserting ''0.25 percent''.*

Mr. ROGERS of Kentucky, pursuant to House Resolution 495, moved to agree to the amendment of the Senate with the following amendment, printed in Part A of House Report 114-315, as modified by the amendment printed in Part B of House Report 114-315:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Bipartisan Budget Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:



**TITLE I—BUDGET ENFORCEMENT**

**SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.**

(a) REVISED DISCRETIONARY SPENDING LIMITS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (3) and (4) and inserting the following:

''(3) for fiscal year 2016—

''(A) for the revised security category, $548,091,000,000 in new budget authority; and

''(B) for the revised nonsecurity category $518,491,000,000 in new budget authority;

''(4) for fiscal year 2017—

''(A) for the revised security category, $551,068,000,000 in new budget authority; and

''(B) for the revised nonsecurity category, $518,531,000,000 in new budget authority;''.

(b) DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2016 AND 2017.—Section 251A of the

Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), is amended—

(1) in paragraph (5)(B), by striking ''paragraph (10)'' and inserting ''paragraphs (10) and (11)''; and

(2) by adding at the end the following:

''(11) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2016 AND 2017.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2016 and 2017 by the Bipartisan Budget Act of 2015.

''(B) Paragraph (5)(B) shall not be implemented for fiscal years 2016 and 2017.''.

(c) EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEAR 2025.—Section 251A(6) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking ''and for fiscal year 2024'' and by inserting ''for fiscal year 2024, and for fiscal year 2025'';

(2) by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C); and

(3) in subparagraph (C) (as so redesignated), by striking ''fiscal year 2024'' and inserting ''fiscal year 2025''.

(d) OVERSEAS CONTINGENCY OPERATIONS AMOUNTS.—In fiscal years 2016 and 2017, the adjustments under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)) for Overseas Contingency Operations/Global War on Terrorism appropriations will be as follows:

(1) For budget function 150—

(A) for fiscal year 2016, $14,895,000,000; and

(B) for fiscal year 2017, $14,895,000,000.

(2) For budget function 050—

(A) for fiscal year 2016, $58,798,000,000; and

(B) for fiscal year 2017, $58,798,000,000.

This subsection shall not affect the applicability of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 102. AUTHORITY FOR FISCAL YEAR 2017 BUDGET RESOLUTION IN THE SENATE.**

(a) FISCAL YEAR 2017.—For the purpose of enforcing the Congressional Budget Act of 1974, after April 15, 2016, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2017 with appropriate budgetary levels for fiscal years 2018 through 2026.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—After April 15, 2016, but not later than May 15, 2016, the Chairman of the Committee on the Budget of the Senate shall file—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with discretionary spending limits set forth in section 251(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by this Act, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2017 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) levels of Social Security revenues and outlays for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) ADDITIONAL MATTER.—The filing referred to in subsection (b) may also include for fiscal year 2017 the matter contained in subtitles A and B of title IV of S. Con. Res. 11 (114th Congress) updated by 1 fiscal year.

(d) EXPIRATION.—This section shall expire if a concurrent resolution on the budget for fiscal year 2017 is agreed to by the Senate and the House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

## TITLE II—AGRICULTURE

**SEC. 201. STANDARD REINSURANCE AGREEMENT.**

Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ''may renegotiate'' and all that follows through the end of clause (ii) and inserting the following: ''shall renegotiate the financial terms and conditions of each Standard Reinsurance Agreement—

''(i) not later than December 31, 2016; and

''(ii) not less than once during each period of 5 reinsurance years thereafter.''; and

(2) by striking subparagraph (E) and inserting the following:

''(E) CAP ON OVERALL RATE OF RETURN.—Notwithstanding subparagraph (F), the Board shall ensure that the Standard Reinsurance Agreement renegotiated under subparagraph (A)(i) establishes a target rate of return for the approved insurance providers, taken as a whole, that does not exceed 8.9 percent of retained premium for each of the 2017 through 2026 reinsurance years.''.

## TITLE III—COMMERCE

**SEC. 301. DEBT COLLECTION IMPROVEMENTS.**

(a) IN GENERAL.—Section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(iii), by inserting '', unless such call is made solely to collect a debt owed to or guaranteed by the United States'' after ''charged for the call''; and

(B) in subparagraph (B), by inserting '', is made solely pursuant to the collection of a debt owed to or guaranteed by the United States,'' after ''purposes''; and

(2) in paragraph (2)—

(A) in subparagraph (F), by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(H) may restrict or limit the number and duration of calls made to a telephone number assigned to a cellular telephone service to collect a debt owed to or guaranteed by the United States.''.

(b) DEADLINE FOR REGULATIONS.—Not later than 9 months after the date of enactment of this Act, the Federal Communications Commission, in consultation with the Department of the Treasury, shall prescribe regulations to implement the amendments made by this section.

## TITLE IV—STRATEGIC PETROLEUM RESERVE

**SEC. 401. STRATEGIC PETROLEUM RESERVE TEST DRAWDOWN AND SALE NOTIFICATION AND DEFINITION CHANGE.**

(a) NOTICE TO CONGRESS.—Section 161(g) of the Energy Policy and Conservation Act (42 U.S.C. 6241(g)) is amended by striking paragraph (8) and inserting the following:

''(8) NOTICE TO CONGRESS.—

''(A) PRIOR NOTICE.—Not less than 14 days before the date on which a test is carried out under this subsection, the Secretary shall notify both Houses of Congress of the test.

''(B) EMERGENCY.—The prior notice requirement in subparagraph (A) shall not apply if the Secretary determines that an emergency exists which requires a test to be carried out, in which case the Secretary shall notify both Houses of Congress of the test as soon as possible.

''(C) DETAILED DESCRIPTION.—

''(i) IN GENERAL.—Not later than 180 days after the date on which a test is completed under this subsection, the Secretary shall submit to both Houses of Congress a detailed description of the test.

''(ii) REPORT.—A detailed description submitted under clause (i) may be included as part of a report made to the President and Congress under section 165.''.

(b) DEFINITION CHANGE.—Section 3(8)(C)(iii) of the Energy Policy and Conservation Act (42 U.S.C. 6202(8)(C)(iii)) is amended by striking ''sabotage or an act of God'' and inserting ''sabotage, an act of terrorism, or an act of God''.

**SEC. 402. STRATEGIC PETROLEUM RESERVE MISSION READINESS OPTIMIZATION.**

Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) complete a long-range strategic review of the Strategic Petroleum Reserve; and

(2) develop and submit to Congress a proposed action plan, including a proposed implementation schedule, that—

(A) specifies near- and long-term roles of the Strategic Petroleum Reserve relative to the energy and economic security goals and objectives of the United States;

(B) describes whether existing legal authorities that govern the policies, configuration, and capabilities of the Strategic Petroleum Reserve are adequate to ensure that the Strategic Petroleum Reserve can meet the current and future energy and economic security goals and objectives of the United States;

(C) identifies the configuration and performance capabilities of the Strategic Petroleum Reserve and recommends an action plan to achieve the optimal—

(i) capacity, location, and composition of petroleum products in the Strategic Petroleum Reserve; and

(ii) storage and distributional capabilities; and

(D) estimates the resources required to attain and maintain the long-term sustainability and operational effectiveness of the Strategic Petroleum Reserve.

**SEC. 403. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.**

(a) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall draw down and sell—

(1) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2018;

(2) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2019;

(3) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2020;

(4) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2021;

(5) 8,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2022;

(6) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2023;

(7) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2024; and

(8) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2025.

(b) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this section in amounts that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C.6241(h)) in the full amount authorized by that subsection.

(c) PROCEEDS.—Proceeds from a sale under this section shall be deposited into the general fund of the Treasury during the fiscal year in which the sale occurs.

**SEC. 404. ENERGY SECURITY AND INFRASTRUCTURE MODERNIZATION FUND.**

(a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a fund to be known as the Energy Security and Infrastructure Modernization Fund (referred to in this section as the ''Fund''), consisting of—

(1) collections deposited in the Fund under subsection (c); and

(2) amounts otherwise appropriated to the Fund.

(b) PURPOSE.—The purpose of the Fund is to provide for the construction, maintenance, repair, and replacement of Strategic Petroleum Reserve facilities.

(c) COLLECTION AND DEPOSIT OF SALE PROCEEDS IN FUND.—

(1) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), to the extent provided in advance in appropriation Acts, the Secretary of Energy shall draw down and sell crude oil from the Strategic Petroleum Reserve in amounts as authorized under subsection (e), except as provided in paragraph (2). Amounts received for a sale under this paragraph shall be deposited into the Fund during the fiscal year in which the sale occurs. Such amounts shall remain available in the Fund without fiscal year limitation.

(2) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this subsection in amounts that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C.6241(h)) in the full amount authorized by that subsection.

(d) AUTHORIZED USES OF FUND.—

(1) IN GENERAL.—Amounts in the Fund may be used for, or may be credited as offsetting collections for amounts used for, carrying out the program described in paragraph (2)(B), to the extent provided in advance in appropriation Acts.

(2) PROGRAM TO MODERNIZE THE STRATEGIC PETROLEUM RESERVE.—

(A) FINDINGS.—Congress finds the following:

(i) The Strategic Petroleum Reserve is one of the Nation's most valuable energy security assets.

(ii) The age and condition of the Strategic Petroleum Reserve have diminished its value as a Federal energy security asset.

(iii) Global oil markets and the location and amount of United States oil production and refining capacity have dramatically changed in the 40 years since the establishment of the Strategic Petroleum Reserve.

(iv) Maximizing the energy security value of the Strategic Petroleum Reserve requires a modernized infrastructure that meets the drawdown and distribution needs of changed domestic and international oil and refining market conditions.

(B) PROGRAM.—The Secretary of Energy shall establish a Strategic Petroleum Reserve modernization program to protect the United States economy from the impacts of emergency product supply disruptions. The program may include—

(i) operational improvements to extend the useful life of surface and subsurface infrastructure;

(ii) maintenance of cavern storage integrity; and

(iii) addition of infrastructure and facilities to optimize the drawdown and incremental distribution capacity of the Strategic Petroleum Reserve.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated (and drawdowns and sales under subsection (c) in an equal amount are authorized) for carrying out subsection (d)(2)(B), $2,000,000,000 for the period encompassing fiscal years 2017 through 2020.

(f) TRANSMISSION OF DEPARTMENT BUDGET REQUESTS.—The Secretary of Energy shall prepare and submit in the Department's annual budget request to Congress—

(1) an itemization of the amounts of funds necessary to carry out subsection (d); and

(2) a designation of any activities thereunder for which a multiyear budget authority would be appropriate.

(g) SUNSET.—The authority of the Secretary to draw down and sell crude oil from the Strategic Petroleum Reserve under this section shall expire at the end of fiscal year 2020.

## TITLE V—PENSIONS

**SEC. 501. SINGLE EMPLOYER PLAN ANNUAL PREMIUM RATES.**

(a) FLAT-RATE PREMIUM.—

(1) IN GENERAL.—Section 4006(a)(3)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)(i)) is amended by striking ''and'' at the end of subclause (IV), by striking the period at the end of subclause (V) and inserting a semicolon, and by inserting after subclause (V) the following:

''(VI) for plan years beginning after December 31, 2016, and before January 1, 2018, $69;

''(VII) for plan years beginning after December 31, 2017, and before January 1, 2019, $74; and

''(VIII) for plan years beginning after December 31, 2018, $80.''.

(2) PREMIUM RATES AFTER 2019.—Section 4006(a)(3)(G) of such Act (29 U.S.C. 1306(a)(3)(G)) is amended—

(A) in the matter preceding clause (i), by striking ''2016'' and inserting ''2019''; and

(B) in clause (i)(II) by striking ''2014'' and inserting ''2017''.

(b) VARIABLE-RATE PREMIUM INCREASES.—

(1) IN GENERAL.—Section 4006(a)(8)(C) of such Act (29 U.S.C. 1306(a)(8)(C)) is amended—

(A) in the subparagraph heading, by striking ''increase in 2014 and 2015'' and inserting ''increases'';

(B) in clause (ii), by striking ''and'' at the end;

(C) in clause (iii), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(iv) in the case of plan years beginning in calendar year 2017, by $3;

''(v) in the case of plan years beginning in calendar year 2018, by $4; and

''(vi) in the case of plan years beginning in calendar year 2019, by $4.''.

(2) CONFORMING AMENDMENTS.—Section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended—

(A) in subparagraph (A)—

(i) in clause (iii), by striking ''and'' at the end;

(ii) in clause (iv), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(v) for plan years beginning after calendar year 2017, the amount in effect for plan years beginning in 2017 (determined after application of subparagraph (C));

''(vi) for plan years beginning after calendar year 2018, the amount in effect for plan years beginning in 2018 (determined after application of subparagraph (C)); and

''(vii) for plan years beginning after calendar year 2019, the amount in effect for plan years beginning in 2019 (determined after application of subparagraph (C)).''; and

(B) in subparagraph (D)—

(i) in clause (iii), by striking ''and'' at the end;

(ii) in clause (iv), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(v) 2015, in the case of plan years beginning after calendar year 2017;

''(vi) 2016, in the case of plan years beginning after calendar year 2018; and

''(vii) 2017, in the case of plan years beginning after calendar year 2019.''.

(3) EFFECTIVE DATE.— The amendments made by this section shall apply to plan years beginning after December 31, 2016.

**SEC. 502. PENSION PAYMENT ACCELERATION.**

Notwithstanding section 4007(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1307(a)) and section 4007.11 of title 29, Code of Federal Regulations, for plan years commencing after December 31, 2024, and before January 1, 2026, the premium due date for such plan years shall be the fifteenth day of the ninth calendar month that begins on or after the first day of the premium payment year.

**SEC. 503. MORTALITY TABLES.**

(a) CREDIBILITY.—For purposes of subclause (I) of section 430(h)(3)(C)(iii) of the Internal Revenue Code of 1986 and subclause (I) of section 303(h)(3)(C)(iii) of the Employee Retirement Income Security Act of 1974, the determination of whether plans have credible information shall be made in accordance with established actuarial credibility theory, which—

(1) is materially different from rules under such section of such Code, including Revenue Procedure 2007-37, that are in effect on the date of the enactment of this Act, and

(2) permits the use of tables that reflect adjustments to the tables described in subparagraphs (A) and (B) of section 430(h)(3) of such Code, and subparagraphs (A) and (B) of section 303(h)(3) of such Act, if such adjustments are based on the experience described in subclause (II) of section 430(h)(3)(C)(iii) of such Code and in subclause (II) of section 303(h)(3)(C)(iii) of such Act.

(b) EFFECTIVE DATE.—This section shall apply to plan years beginning after December 31, 2015.

**SEC. 504. EXTENSION OF CURRENT FUNDING STABILIZATION PERCENTAGES TO 2018, 2019 AND 2020.**

(a) FUNDING STABILIZATION UNDER THE INTERNAL REVENUE CODE OF 1986.—The table in subclause (II) of section 430(h)(2)(C)(iv) of the Internal Revenue Code of 1986 is amended to read as follows:

| ''If the calendar year is: | The applicable minimum percentage is: | The applicable maximum percentage is: |
|---|---|---|
| 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, or 2020. | 90% | 110% |
| 2021 | 85% | 115% |
| 2022 | 80% | 120% |
| 2023 | 75% | 125% |
| After 2023 | 70% | 130%''. |

(b) FUNDING STABILIZATION UNDER EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—The table in subclause (II) of section 303(h)(2)(C)(iv) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)(2)(C)(iv)) is amended to read as follows:

| ''If the calendar year is: | The applicable minimum percentage is: | The applicable maximum percentage is: |
|---|---|---|
| 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, or 2020. | 90% | 110% |
| 2021 | 85% | 115% |
| 2022 | 80% | 120% |
| 2023 | 75% | 125% |
| After 2023 | 70% | 130%''. |

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 101(f)(2)(D) of such Act (29 U.S.C. 1021(f)(2)(D)) is amended—

(i) in clause (i) by striking ''and the Highway and Transportation Funding Act of 2014'' both places it appears and inserting '', the Highway and Transportation Funding Act of 2014, and the Bipartisan Budget Act of 2015'', 'and

(ii) in clause (ii) by striking ''2020'' and inserting ''2023''.

(B) STATEMENTS.—The Secretary of Labor shall modify the statements required under subclauses (I) and (II) of section 101(f)(2)(D)(i) of such Act to conform to the amendments made by this section.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2015.

## TITLE VI—HEALTH CARE

### SEC. 601. MAINTAINING 2016 MEDICARE PART B PREMIUM AND DEDUCTIBLE LEVELS CONSISTENT WITH ACTUARIALLY FAIR RATES.

(a) 2016 PREMIUM AND DEDUCTIBLE AND REPAYMENT THROUGH FUTURE PREMIUMS.—Section 1839(a) of the Social Security Act (42 U.S.C. 1395r(a)) is amended—

(1) in the second sentence of paragraph (1), by striking ''Such'' and inserting ''Subject to paragraphs (5) and (6), such''; and

(2) by adding at the end the following:

''(5)(A) In applying this part (including subsection (i) and section 1833(b)), the monthly actuarial rate for enrollees age 65 and over for 2016 shall be determined as if subsection (f) did not apply.

''(B) Subsection (f) shall continue to be applied to paragraph (6)(A) (during a repayment month, as described in paragraph (6)(B)) and without regard to the application of subparagraph (A).

''(6)(A) With respect to a repayment month (as described in subparagraph (B)), the monthly premium otherwise established under paragraph (3) shall be increased by, subject to subparagraph (D), $3.

''(B) For purposes of this paragraph, a repayment month is a month during a year, beginning with 2016, for which a balance due amount is computed under subparagraph (C) as greater than zero.

''(C) For purposes of this paragraph, the balance due amount computed under this subparagraph, with respect to a month, is the amount estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services to be equal to—

''(i) the amount transferred under section 1844(d)(1); plus

''(ii) the amount that is equal to the aggregate reduction, for all individuals enrolled under this part, in the income related monthly adjustment amount as a result of the application of paragraph (5); minus

''(iii) the amounts payable under this part as a result of the application of this paragraph for preceding months.

''(D) If the balance due amount computed under subparagraph (C), without regard to this subparagraph, for December of a year would be less than zero, the Chief Actuary of the Centers for Medicare & Medicaid Services shall estimate, and the Secretary shall apply, a reduction to the dollar amount increase applied under subparagraph (A) for each month during such year in a manner such that the balance due amount for January of the subsequent year is equal to zero.''.

(b) TRANSITIONAL GOVERNMENT CONTRIBUTION.—Section 1844 of the Social Security Act (42 U.S.C. 1395w) is amended—

(1) in subsection (a), by adding at the end the following:

''In applying paragraph (1), the amounts transferred under subsection (d)(1) with respect to enrollees described in subparagraphs (A) and (B) of such subsection shall be treated as premiums payable and deposited in the Trust Fund under subparagraphs (A) and (B), respectively, of paragraph (1).''; and

(2) by adding at the end the following:

''(d)(1) For 2016, there shall be transferred from the General Fund to the Trust Fund an amount, as estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services, equal to the reduction in aggregate premiums payable under this part for a month in such year (excluding any changes in amounts collected under section 1839(i)) that is attributable to the application of section 1839(a)(5)(A) with respect to—

''(A) enrollees age 65 and over; and

''(B) enrollees under age 65.

Such amounts shall be transferred from time to time as appropriate.

''(2) Premium increases affected under section 1839(a)(6) shall not be taken into account in applying subsection (a).

''(3) There shall be transferred from the Trust Fund to the General Fund of the Treasury amounts equivalent to the additional premiums payable as a result of the application of section 1839(a)(6), excluding the aggregate payments attributable to the application of section 1839(i)(3)(A)(ii)(II).''.

(c) CONFORMING APPLICATION OF HIGH INCOME ADJUSTMENTS TO INCREASED MONTHLY PREMIUM IN SAME MANNER AS FOR REGULAR MEDICARE PREMIUMS.—Section 1839(i)(3)(A)(ii) of the Social Security Act (42 U.S.C. 1395r(i)(3)(A)(ii)) is amended—

(1) by striking ''AMOUNT.–200 percent'' and inserting the following: ''AMOUNT.–

''(I) 200 percent''; and

(2) by striking the period at the end and inserting ''; plus''; and

(3) by adding at the end the following new subclause:

''(II) 4 times the amount of the increase in the monthly premium under subsection (a)(6) for a month in the year.''.

(d) CONDITIONAL APPLICATION TO 2017 IF NO SOCIAL SECURITY COLA FOR 2017.—If there is no increase in the monthly insurance benefits payable under title II with respect to December 2016 pursuant to section 215(i), then the amendments made by this section shall be applied as if—

(1) the reference to ''2016'' in paragraph (5)(A) of section 1839(a) of the Social Security Act (42 U.S.C. 1395r(a)), as added by subsection (a)(2), was a reference to ''2016 and 2017'';

(2) the reference to ''a month during a year, beginning with 2016'' in paragraph (6)(B) of section 1839 of such Act (42 U.S.C. 1395r(a)), as added by subsection (a)(2), was a reference to ''a month in a year, beginning with 2016 and beginning with 2017, respectively''; and

(3) the reference to ''2016'' in subsection (d)(1) of section 1844 of such Act (42 U.S.C. 1395w), as added by subsection (b)(2), was a reference to ''each of 2016 and 2017''.

Any increase in premiums effected under this subsection shall be in addition to the increase effected by the amendments made by subsection (a).

(e) CONSTRUCTION REGARDING NO AUTHORITY TO INITIATE APPLICATION TO YEARS AFTER 2017.—Nothing in subsection (d) or the amendments made by this section shall be construed as authorizing the Secretary of Health and Human Services to initiate application of such subsection or amendments for a year after 2017.

### SEC. 602. APPLYING THE MEDICAID ADDITIONAL REBATE REQUIREMENT TO GENERIC DRUGS.

(a) IN GENERAL.—Section 1927(c)(3) of the Social Security Act (42 U.S.C. 1396r–8(c)(3)) is amended—

(1) in subparagraph (A), by striking ''The amount'' and inserting ''Except as provided in subparagraph (C), the amount''; and

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

''(C) ADDITIONAL REBATE.—

''(i) IN GENERAL.—The amount of the rebate specified in this paragraph for a rebate period, with respect to each dosage form and strength of a covered outpatient drug other than a single source drug or an innovator multiple source drug of a manufacturer, shall be increased in the manner that the rebate for a dosage form and strength of a single source drug or an innovator multiple source drug is increased under subparagraphs (A) and (D) of paragraph (2), except as provided in clause (ii).

''(ii) SPECIAL RULES FOR APPLICATION OF PROVISION.—In applying subparagraphs (A) and (D) of paragraph (2) under clause (i)—

''(I) the reference in subparagraph (A)(i) of such paragraph to '1990' shall be deemed a reference to '2014';

''(II) subject to clause (iii), the reference in subparagraph (A)(ii) of such paragraph to 'the calendar quarter beginning July 1, 1990' shall be deemed a reference to 'the calendar quarter beginning July 1, 2014'; and

''(III) subject to clause (iii), the reference in subparagraph (A)(ii) of such paragraph to 'September 1990' shall be deemed a reference to 'September 2014';

''(IV) the references in subparagraph (D) of such paragraph to 'paragraph (1)(A)(ii)', 'this paragraph', and 'December 31, 2009' shall be deemed references to 'subparagraph (A)', 'this subparagraph', and 'December 31, 2014', respectively; and

''(V) any reference in such paragraph to a 'single source drug or an innovator multiple source drug' shall be deemed to be a reference to a drug to which clause (i) applies.

''(iii) SPECIAL RULE FOR CERTAIN NONINNOVATOR MULTIPLE SOURCE DRUGS.—In applying paragraph (2)(A)(ii)(II) under clause (i) with respect to a covered outpatient drug that is first marketed as a drug other than a single source drug or an innovator multiple source drug after April 1, 2013, such paragraph shall be applied—

''(I) by substituting 'the applicable quarter' for 'the calendar quarter beginning July 1, 1990'; and

''(II) by substituting 'the last month in such applicable quarter' for 'September 1990'.

''(iv) APPLICABLE QUARTER DEFINED.—In this subsection, the term 'applicable quarter' means, with respect to a drug described in clause (iii), the fifth full calendar quarter after which the drug is marketed as a drug other than a single source drug or an innovator multiple source drug.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to rebate periods beginning after the date that is one year after the date of the enactment of this Act.

**SEC. 603. TREATMENT OF OFF-CAMPUS OUTPATIENT DEPARTMENTS OF A PROVIDER.**

Section 1833(t) of the Social Security Act (42 U.S.C. 13951(t)) is amended—

(1) in paragraph (1)(B)—

(A) in clause (iii), by striking ''but'' at the end;

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

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

''(v) does not include applicable items and services (as defined in subparagraph (A) of paragraph (21)) that are furnished on or after January 1, 2017, by an off-campus outpatient department of a provider (as defined in subparagraph (B) of such paragraph).''; and

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

''(21) SERVICES FURNISHED BY AN OFF-CAMPUS OUTPATIENT DEPARTMENT OF A PROVIDER.—

''(A) APPLICABLE ITEMS AND SERVICES.—For purposes of paragraph (1)(B)(v) and this paragraph, the term 'applicable items and services' means items and services other than items emergency department (as defined in section 489.24(b) of title 42 of the Code of Federal Regulations).

''(B) OFF-CAMPUS OUTPATIENT DEPARTMENT OF A PROVIDER.—

''(i) IN GENERAL.—For purposes of paragraph (1)(B)(v) and this paragraph, subject to clause (ii), the term 'off-campus outpatient department of a provider' means a department of a provider (as defined in section 413.65(a)(2) of title 42 of the Code of Federal Regulations, as in effect as of the date of the enactment of this paragraph) that is not located—

''(I) on the campus (as defined in such section 413.65(a)(2)) of such provider; or

''(II) within the distance (described in such definition of campus) from a remote location of a hospital facility (as defined in such section 413.65(a)(2)).

''(ii) EXCEPTION.—For purposes of paragraph (1)(B)(v) and this paragraph, the term 'off-campus outpatient department of a provider' shall not include a department of a provider (as so defined) that was billing under this subsection with respect to covered OPD services furnished prior to the date of the enactment of this paragraph.

''(C) AVAILABILITY OF PAYMENT UNDER OTHER PAYMENT SYSTEMS.—Payments for applicable items and services furnished by an off-campus outpatient department of a provider that are described in paragraph (1)(B)(v) shall be made under the applicable payment system under this part (other than under this subsection) if the requirements for such payment are otherwise met.

''(D) INFORMATION NEEDED FOR IMPLEMENTATION.—Each hospital shall provide to the Secretary such information as the Secretary determines appropriate to implement this paragraph and paragraph (1)(B)(v) (which may include reporting of information on a hospital claim using a code or modifier and reporting information about off-campus outpatient departments of a provider on the enrollment form described in section 1866(j)).

''(E) LIMITATIONS.—There shall be no administrative or judicial review under section 1869, section 1878, or otherwise of the following:

''(i) The determination of the applicable items and services under subparagraph (A) and applicable payment systems under subparagraph (C).

''(ii) The determination of whether a department of a provider meets the term described in subparagraph (B).

''(iii) Any information that hospitals are required to report pursuant to subparagraph (D).''.

**SEC. 604. REPEAL OF AUTOMATIC ENROLLMENT REQUIREMENT.**

The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) is amended by repealing section 18A (as added by section 1511 of the Patient Protection and Affordable Care Act (Public Law 111–148)).

## TITLE VII—JUDICIARY

**SEC. 701. CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS.**

(a) SHORT TITLE.—This section may be cited as the ''Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015''.

(b) AMENDMENTS.—The Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) is amended—

(1) in section 4—

(A) by striking the matter preceding paragraph (1) and inserting the following:

''(a) IN GENERAL.—Not later than July 1, 2016, and not later than January 15 of every year thereafter, and subject to subsections (c) and (d), the head of each agency shall—'';

(B) in paragraph (1)—

(i) by striking ''by regulation adjust'' and inserting ''in accordance with subsection (b), adjust''; and

(ii) by striking '', the Tariff Act of 1930, the Occupational Safety and Health Act of 1970, or the Social Security Act'' and inserting '' or the Tariff Act of 1930'';

(C) in paragraph (2), by striking ''such regulation'' and inserting ''such adjustment''; and

(D) by adding at the end the following:

''(b) PROCEDURES FOR ADJUSTMENTS.—

''(1) CATCH UP ADJUSTMENT.—For the first adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015—

''(A) the head of an agency shall adjust civil monetary penalties through an interim final rulemaking; and

''(B) the adjustment shall take effect not later than August 1, 2016.

''(2) SUBSEQUENT ADJUSTMENTS.—For the second adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, and each adjustment thereafter, the head of an agency shall adjust civil monetary penalties and shall make the adjustment notwithstanding section 553 of title 5, United States Code.

''(c) EXCEPTION.—For the first adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the head of an agency may adjust the amount of a civil monetary penalty by less than the otherwise required amount if—

''(1) the head of the agency, after publishing a notice of proposed rulemaking and providing an opportunity for comment, determines in a final rule that—

''(A) increasing the civil monetary penalty by the otherwise required amount will have a negative economic impact; or

''(B) the social costs of increasing the civil monetary penalty by the otherwise required amount outweigh the benefits; and

''(2) the Director of the Office of Management and Budget concurs with the determination of the head of the agency under paragraph (1).

''(d) OTHER ADJUSTMENTS MADE.—If a civil monetary penalty subject to a cost-of-living adjustment under this Act is, during the 12 months preceding a required cost-of-living adjustment, increased by an amount greater than the amount of the adjustment required under subsection (a), the head of the agency is not required to make the cost-of-living adjustment for that civil monetary penalty in that year.'';

(2) in section 5—

(A) in subsection (a), by striking ''to the nearest—'' and all that follows through the end of subsection (a) and inserting ''to the nearest multiple of $1.''; and

(B) by amending subsection (b) to read as follows:

''(b) DEFINITION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of subsection (a), the term 'cost-of-living adjustment' means the percentage (if any) for each civil monetary penalty by which—

''(A) the Consumer Price Index for the month of October preceding the date of the adjustment, exceeds

''(B) the Consumer Price Index for the month of October 1 year before the month of October referred to in subparagraph (A).

''(2) INITIAL ADJUSTMENT.—

''(A) IN GENERAL.—Subject to subparagraph (C), for the first inflation adjustment under section 4 made by an agency after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the term 'cost-of-living adjustment' means the percentage (if any) for each civil monetary penalty by which the Consumer Price Index for the month of October, 2015 exceeds the Consumer Price Index for the month of October of the calendar year during which the amount of such civil monetary penalty was established or adjusted under a provision of law other than this Act.

''(B) APPLICATION OF ADJUSTMENT.—The cost-of-living adjustment described in subparagraph (A) shall be applied to the amount of the civil monetary penalty as it was most recently established or adjusted under a provision of law other than this Act.

''(C) MAXIMUM ADJUSTMENT.—The amount of the increase in a civil monetary penalty under subparagraph (A) shall not exceed 150 percent of the amount of that civil monetary penalty on the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.'';

(3) in section 6, by striking ''violations which occur'' and inserting ''civil monetary penalties, including those whose associated violation predated such increase, which are assessed''; and

(4) by adding at the end the following:

**''SEC. 7. IMPLEMENTATION AND OVERSIGHT ENHANCEMENTS.**

''(a) OMB GUIDANCE.—Not later than February 29, 2016, not later than December 15, 2016, and December 15 of every year thereafter, the Director of the Office of Management and Budget shall issue guidance to agencies on implementing the inflation adjustments required under this Act.

''(b) AGENCY FINANCIAL REPORTS.—The head of each agency shall include in the Agency Financial Report submitted under OMB Circular A–136, or any successor thereto, information about the civil monetary penalties within the jurisdiction of the agency, including the adjustment of the civil monetary penalties by the head of the agency under this Act.

''(c) GAO REVIEW.—The Comptroller General of the United States shall annually submit to Congress a report assessing the compliance of agencies with the inflation adjustments required under this Act, which may be included as part of another report submitted to Congress.''.

(c) REPEAL.—Section 31001(s) of the Debt Collection Improvement Act of 1996 (28 U.S.C. 2461 note) is amended by striking paragraph (2).

**SEC. 702. CRIME VICTIMS FUND.**

There is hereby rescinded and permanently canceled $1,500,000,000 of the funds deposited or available in the Crime Victims Fund created by section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601).

**SEC. 703. ASSETS FORFEITURE FUND.**

Of the amounts deposited in the Department of Justice Assets Forfeiture Fund, $746,000,000 are hereby rescinded and permanently cancelled.

## TITLE VIII—SOCIAL SECURITY

**SEC. 801. SHORT TITLE.**

This title may be cited as the ''Social Security Benefit Protection and Opportunity Enhancement Act of 2015''.

### Subtitle A—Ensuring Correct Payments and Reducing Fraud

**SEC. 811. EXPANSION OF COOPERATIVE DISABILITY INVESTIGATIONS UNITS.**

(a) IN GENERAL.—Not later than October 1, 2022, the Commissioner of Social Security shall take any necessary actions, subject to the availability of appropriations, to ensure that cooperative disability investigations units have been established, in areas where there is cooperation with local law enforcement agencies, that would cover each of the 50 States, the District of Columbia, Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until the earlier of 2022 or the date on which nationwide coverage is achieved, the Commissioner of Social Security shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report describing a plan to implement the nationwide coverage described in subsection (a) and outlining areas where the Social Security Administration did not receive the cooperation of local law enforcement agencies.

**SEC. 812. EXCLUSION OF CERTAIN MEDICAL SOURCES OF EVIDENCE.**

(a) IN GENERAL.—Section 223(d)(5) of the Social Security Act (42 U.S.C. 423(d)(5)) is amended by adding at the end the following:

''(C)(i) In making any determination with respect to whether an individual is under a disability or continues to be under a disability, the Commissioner of Social Security may not consider (except for good cause as determined by the Commissioner) any evidence furnished by—

''(I) any individual or entity who has been convicted of a felony under section 208 or under section 1632;

''(II) any individual or entity who has been excluded from participation in any Federal health care program under section 1128; or

''(III) any person with respect to whom a civil money penalty or assessment has been imposed under section 1129 for the submission of false evidence.

''(ii) To the extent and at such times as is necessary for the effective implementation of clause (i) of this subparagraph—

''(I) the Inspector General of the Social Security Administration shall transmit to the Commissioner information relating to persons described in subclause (I) or (III) of clause (i);

''(II) the Secretary of Health and Human Services shall transmit to the Commissioner information relating to persons described in subclause (II) of clause (i); and''.

(b) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall issue regulations to carry out the amendment made by subsection (a).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to determinations of disability made on or after the earlier of—

(1) the effective date of the regulations issued by the Commissioner under subsection (b); or

(2) one year after the date of the enactment of this Act.

**SEC. 813. NEW AND STRONGER PENALTIES.**

(a) CONSPIRACY TO COMMIT SOCIAL SECURITY FRAUD.—

(1) AMENDMENT TO TITLE II.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(A) in paragraph (7)(C), by striking ''or'' at the end;

(B) in paragraph (8), by adding ''or'' at the end; and

(C) by inserting after paragraph (8) the following:

''(9) conspires to commit any offense described in any of paragraphs (1) through (4),''.

(2) AMENDMENT TO TITLE VIII.—Section 811(a) of such Act (42 U.S.C. 1011(a)) is amended—

(A) in paragraph (3), by striking ''or'' at the end;

(B) in paragraph (4), by striking the comma and adding ''; or'' at the end; and

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

''(5) conspires to commit any offense described in any of paragraphs (1) through (3),''.

(3) AMENDMENT TO TITLE XVI.—Section 1632(a) of such Act (42 U.S.C. 1383a(a)) is amended—

(A) in paragraph (3), by striking ''or'' at the end;

(B) in paragraph (4), by adding ''or'' at the end; and

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

''(5) conspires to commit any offense described in any of paragraphs (1) through (3),''.

(b) INCREASED CRIMINAL PENALTIES FOR CERTAIN INDIVIDUALS VIOLATING POSITIONS OF TRUST.—

(1) AMENDMENT TO TITLE II.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting '', except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.''.

(2) AMENDMENT TO TITLE VIII.—Section 811(a) of such Act (42 U.S.C. 1011(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting '', except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.''.

(3) AMENDMENT TO TITLE XVI.—Section 1632(a) of such Act (42 U.S.C. 1383a(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting '', except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.''.

(c) INCREASED CIVIL MONETARY PENALTIES FOR CERTAIN INDIVIDUALS VIOLATING POSITIONS OF TRUST.—Section 1129(a)(1) of the Social Security Act (42 U.S.C. 1320a-8(a)(1)) is amended, in the matter following subparagraph (C), by inserting after ''withholding disclosure of such fact'' the following: '', except that in the case of such a person who receives a fee or other income for services performed in connection with any such determination (including a claimant representative, translator, or current or former employee of the Social Security Administration) or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, the amount of such penalty shall be not more than $7,500''.

(d) NO BENEFITS PAYABLE TO INDIVIDUALS FOR WHOM A CIVIL MONETARY PENALTY IS IMPOSED FOR FRAUDULENTLY CONCEALING WORK ACTIVITY.—Section 222(c)(5) of the Social Security Act (42 U.S.C. 422(c)(5)) is amended by inserting after ''conviction by a Federal court'' the following: '', or the imposition of a civil monetary penalty under section 1129,''.

**SEC. 814. REFERENCES TO SOCIAL SECURITY AND MEDICARE IN ELECTRONIC COMMUNICATIONS.**

(a) IN GENERAL.—Section 1140(a)(1) of the Social Security Act (42 U.S.C. 1320b-10(a)(1)) is amended by inserting ''(including any Internet or other electronic communication)'' after ''or other communication''.

(b) EACH COMMUNICATION TREATED AS SEPARATE VIOLATION.—Section 1140(b) of such Act (42 U.S.C. 1320b-10(b)) is amended by inserting after the second sentence the following: ''In the case of any items referred to in subsection (a)(1) consisting of Internet or other electronic communications, each dissemination, viewing, or accessing of such a communication which contains one or more words, letters, symbols, or emblems in violation of subsection (a) shall represent a separate violation''.

**SEC. 815. CHANGE TO CAP ADJUSTMENT AUTHORITY.**

Section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(B)) is amended—

(1) in clause (i)—

(A) in the matter before subclause (I), by striking ''and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act'' and inserting '', for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys'';

(B) in subclause (VI), by striking ''$1,309,000,000' '''' and inserting ''$1,546,000,000'';

(C) in subclause (VII), by striking ''$1,309,000,000'' and inserting ''$1,462,000,000'';

(D) in subclause (VIII), by striking ''$1,309,000,000'' and inserting ''$1,410,000,000''; and

(E) in subclause (X), by striking ''$1,309,000,000'' and inserting ''$1,302,000,000'';

(2) in clause (ii)(I), by inserting '', including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity'' before the semicolon; and

(3) in clause (ii)(III), by striking ''and redeterminations'' and inserting '', redeterminations, co-operative disability investigation units, and fraud prosecutions''.

**Subtitle B—Promoting Opportunity for Disability Beneficiaries**

**SEC. 821. TEMPORARY REAUTHORIZATION OF DISABILITY INSURANCE DEMONSTRATION PROJECT AUTHORITY.**

(a) TERMINATION DATE.—Section 234(d)(2) of the Social Security Act (42 U.S.C. 434(d)(2)) is amended by striking ''December 18, 2005'' and inserting ''December 31, 2021, and the authority to carry out such projects shall terminate on December 31, 2022''.

(b) AUTHORITY TO WAIVE COMPLIANCE WITH BENEFITS REQUIREMENTS.—Section 234(c) of such Act is amended by striking ''December 17, 2005'' and inserting ''December 30, 2021''.

**SEC. 822. MODIFICATION OF DEMONSTRATION PROJECT AUTHORITY.**

(a) IN GENERAL.—Section 234(a)(1) of the Social Security Act (42 U.S.C. 434(a)(1)) is amended in the matter preceding subparagraph (A) by inserting ''to promote attachment to the labor force and'' after ''designed''.

(b) CONGRESSIONAL REVIEW PERIOD.—Section 234(c) of the Social Security Act (42 U.S.C. 434(c)), as amended by section 821(b) of this Act, is further amended by inserting ''including the objectives of the experiment or demonstration project, the expected annual and total costs, and the dates on which the experiment or demonstration project is expected to start and finish,'' after ''thereof,''

(c) ADDITIONAL REQUIREMENTS.—Section 234 of the Social Security Act (42 U.S.C. 434), as amended by subsection (b), is further amended by adding at the end the following:

''(e) ADDITIONAL REQUIREMENTS.—In developing and carrying out any experiment or demonstration project under this section, the Commissioner may not require any individual to participate in such experiment or demonstration project and shall ensure—

''(1) that the voluntary participation of individuals in such experiment or demonstration project is obtained through informed written consent which satisfies the requirements for informed consent established by the Commissioner for use in such experiment or demonstration project in which human subjects are at risk;

''(2) that any individual's voluntary agreement to participate in any such experiment or demonstration project may be revoked by such individual at any time; and

''(3) that such experiment or demonstration project is expected to yield statistically significant results.''.

(d) ANNUAL REPORTING DEADLINE.—Section 234(d)(1) of such Act is amended by striking ''June 9'' and inserting ''September 30''.

**SEC. 823. PROMOTING OPPORTUNITY DEMONSTRATION PROJECT.**

Section 234 of the Social Security Act (42 U.S.C. 434), as amended by section 822 of this Act, is further amended by adding at the end the following:

''(f) PROMOTING OPPORTUNITY DEMONSTRATION PROJECT.—

''(1) IN GENERAL.—The Commissioner shall carry out a demonstration project under this subsection as described in paragraph (2) during a 5-year period beginning not later than January 1, 2017.

''(2) BENEFIT OFFSET.—Under the demonstration project described in this paragraph, with respect to any individual participating in the project who is otherwise entitled to a benefit under section 223(a)(1) for a month—

''(A) any such benefit otherwise payable to the individual for such month (other than a benefit payable for any month prior to the 1st month beginning after the date on which the individual's entitlement to such benefit is determined) shall be reduced by $1 for each $2 by which the individual's earnings derived from services paid during such month exceeds an amount equal to the individual's impairment-related work expenses for such month (as determined under paragraph (3)), except that such benefit may not be reduced below $0;

''(B) no benefit shall be payable under section 202 on the basis of the wages and self-employment income of the individual for any month for which the benefit of such individual under section 223(a)(1) is reduced to $0 pursuant to subparagraph (A);

''(C) entitlement to any benefit described in subparagraph (A) or (B) shall not terminate due to earnings derived from services except following the first month for which such benefit has been reduced to $0 pursuant to subparagraph (A) (and the trial work period (as defined in section 222(c)) and extended period of eligibility shall not apply to any such individual for any such month); and

''(D) in any case in which such an individual is entitled to hospital insurance benefits under part A of title XVIII by reason of section 226(b) and such individual's entitlement to a benefit described in subparagraph (A) or (B) or status as a qualified railroad retirement beneficiary is terminated pursuant to subparagraph (C), such individual shall be deemed to be entitled to such benefits or to occupy such status (notwithstanding the termination of such entitlement or status) for the period of consecutive months throughout all of which the physical or mental impairment, on which such entitlement or status was based, continues, and throughout all of which such individual would have been entitled to monthly insurance benefits under title II or as a qualified railroad retirement beneficiary had such termination of entitlement or status not occurred, but not in excess of 93 such months.

''(3) IMPAIRMENT-RELATED WORK EXPENSES.—

''(A) IN GENERAL.—For purposes of paragraph (2)(A) and except as provided in subparagraph (C), the amount of an individual's impairment-related work expenses for a month is deemed to be the minimum threshold amount.

''(B) MINIMUM THRESHOLD AMOUNT.—In this paragraph, the term 'minimum threshold amount' means an amount, to be determined by the Commissioner, which shall not exceed the amount sufficient to demonstrate that an individual has rendered services in a month, as determined by the Commissioner under section 222(c)(4)(A). The Commissioner may test multiple minimum threshold amounts.

''(C) EXCEPTION FOR ITEMIZED IMPAIRMENT-RELATED WORK EXPENSES.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), in any case in which the amount of such an individual's itemized impairment-related work expenses (as defined in clause (ii)) for a month is greater than the minimum threshold amount, the amount of the individual's impairment-related work expenses for the month shall be equal to the amount of the individual's itemized impairment-related work expenses (as so defined) for the month.

''(ii) DEFINITION.—In this subparagraph, the term 'itemized impairment-related work expenses' means the amount excluded under section 223(d)(4)(A) from an individual's earnings for a month in determining whether an individual is able to engage in substantial gainful activity by reason of such earnings in such month, except that such amount does not include the cost to the individual of any item or service for which the individual does not provide to the Commissioner a satisfactory itemized accounting.

''(D) LIMITATION.—Notwithstanding the other provisions of this paragraph, for purposes of paragraph (2)(A), the amount of an individual's impairment-related work expenses for a month shall not exceed the amount of earnings derived from services, prescribed by the Commissioner under regulations issued pursuant to section 223(d)(4)(A), sufficient to demonstrate an individual's ability to engage in substantial gainful activity.''.

**SEC. 824. USE OF ELECTRONIC PAYROLL DATA TO IMPROVE PROGRAM ADMINISTRATION.**

(a) IN GENERAL.—Title XI of the Social Security Act (42 U.S.C. 1301, et seq.) is amended by inserting after section 1183 the following: ''

''INFORMATION EXCHANGE WITH PAYROLL DATA PROVIDERS

''SEC. 1184. (a) IN GENERAL.—The Commissioner of Social Security may enter into an information exchange with a payroll data provider for purposes of—

''(1) efficiently administering—

''(A) monthly insurance benefits under subsections (d)(1)(B)(ii), (d)(6)(A)(ii), (d)(6)(B), (e)(1)(B)(ii), and (f)(1)(B)(ii) of section 202 and subsection (a)(1) of section 223; and

''(B) supplemental security income benefits under title XVI; and

''(2) preventing improper payments of such benefits without the need for verification by independent or collateral sources.

''(b) NOTIFICATION REQUIREMENTS.—Before entering into an information exchange pursuant to subsection (a), the Commissioner shall publish in the Federal Register a notice describing the information exchange and the extent to which the information received through such exchange is—

''(1) relevant and necessary to—

''(A) accurately determine entitlement to, and the amount of, benefits described under subparagraph (A) of subsection (a)(1);

''(B) accurately determine eligibility for, and the amount of, benefits described in subparagraph (B) of such subsection; and

''(C) prevent improper payment of such benefits; and

''(2) sufficiently accurate, up-to-date, and complete.

''(c) DEFINITIONS.—For purposes of this section:

''(1) PAYROLL DATA PROVIDER.—The term 'payroll data provider' means payroll providers, wage verification companies, and other commercial or non-commercial entities that collect and maintain data regarding employment and wages, without regard to whether the entity provides such data for a fee or without cost.

''(2) INFORMATION EXCHANGE.—The term 'information exchange' means the automated comparison of a system of records maintained by the commissioner of Social Security with records maintained by a payroll data provider.''.

(b) AUTHORIZATION TO ACCESS INFORMATION HELD BY PAYROLL DATA PROVIDERS.—

(1) AMENDMENT TO TITLE II.—Section 225 of the Social Security Act (42 U.S.C. 425) is amended by adding at the end the following:

''(c) ACCESS TO INFORMATION HELD BY PAYROLL DATA PROVIDERS.—(1) The Commissioner of Social Security may require each individual who applies for or is entitled to monthly insurance benefits under subsections (d)(1)(B)(ii), (d)(6)(A)(ii), (d)(6)(B), (e)(1)(B)(ii), and (f)(1)(B)(ii) of section 202 and subsection (a)(1) of section 223 to provide authorization by the individual for the Commissioner to obtain from any payroll data provider (as defined in section 1184(c)(1)) any record held by the payroll data provider with respect to the individual whenever the Commissioner determines the record is needed in connection with a determination of initial or ongoing entitlement to such benefits.

''(2) An authorization provided by an individual under this subsection shall remain effective until the earliest of—

''(A) the rendering of a final adverse decision on the individual's application or entitlement to benefits under this title;

''(B) the termination of the individual's entitlement to benefits under this title; or

''(C) the express revocation by the individual of the authorization, in a written notification to the Commissioner.

''(3) The Commissioner of Social Security is not required to furnish any authorization obtained pursuant to this subsection to the payroll data provider.

''(4) The Commissioner shall inform any person who provides authorization pursuant to this clause of the duration and scope of the authorization.

''(5) If an individual who applies for or is entitled to benefits under this title refuses to provide, or revokes, any authorization under this subsection, subsection (d) shall not apply to such individual beginning with the first day of the first month in which he or she refuses or revokes such authorization.''.

(2) TITLE XVI.—Section 1631(e)(1)(B) of the Social Security Act (42 U.S.C. 1383(e)(1)(B)) is amended by adding at the end the following:

''(iii)(I) The Commissioner of Social Security may require each applicant for, or recipient of, benefits under this title to provide authorization by the applicant, recipient or legal guardian (or by any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient for such benefits) for the Commissioner to obtain from any payroll data provider (as defined in section 1184(c)(1)) any record held by the payroll data provider with respect to the applicant or recipient (or any such other person) whenever the Commissioner determines the record is needed in connection with a determination of initial or ongoing eligibility or the amount of such benefits.

''(II) An authorization provided by an applicant, recipient or legal guardian (or any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient) under this clause shall remain effective until the earliest of—

''(aa) the rendering of a final adverse decision on the applicant's application for eligibility for benefits under this title;

''(bb) the cessation of the recipient's eligibility for benefits under this title;

''(cc) the express revocation by the applicant, or recipient (or such other person referred to in subclause (I)) of the authorization, in a written notification to the Commissioner; or

''(dd) the termination of the basis upon which the Commissioner considers another person's income and resources available to the applicant or recipient.

''(III) The Commissioner of Social Security is not required to furnish any authorization obtained pursuant to this clause to the payroll data provider.

''(IV) The Commissioner shall inform any person who provides authorization pursuant to this clause of the duration and scope of the authorization.

''(V) If an applicant for, or recipient of, benefits under this title (or any such other person referred to in subclause (I)) refuses to provide, or revokes, any authorization required by subclause (I), paragraph (2)(B) and paragraph (10) shall not apply to such applicant or recipient beginning with the first day of the first month in which he or she refuses or revokes such authorization.''.

(c) REPORTING RESPONSIBILITIES FOR BENEFICIARIES SUBJECT TO INFORMATION EXCHANGE WITH PAYROLL DATA PROVIDER.—

(1) AMENDMENT TO TITLE II.—Section 225 of the Social Security (42 U.S.C. 425), as amended by subsection (b)(1), is further amended by adding at the end the following:

''(d) An individual who has authorized the Commissioner of Social Security to obtain records from a payroll data provider under subsection (c) shall not be subject to a penalty under section 1129A for any omission or error with respect to such individual's wages as reported by the payroll data provider.''.

(2) AMENDMENT TO TITLE XVI.—Section 1631(e) of the Social Security Act (42 U.S.C. 1383(e)) is amended—

(A) in paragraph (2)—

(i) by striking ''In the case of the failure'' and inserting ''(A) In the case of the failure'';

(ii) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively; and

(iii) by adding at the end the following:

''(B) For purposes of subparagraph (A), the Commissioner of Social Security shall find that good cause exists for the failure of, or delay by, an individual in submitting a report of an event or change in circumstances relevant to eligibility for or amount of benefits under this title in any case where—

''(i) the individual (or another person referred to in paragraph (1)(B)(iii)(I)) has provided authorization to the Commissioner to access payroll data records related to the individual; and

''(ii) the event or change in circumstance is a change in the individual's employer.''; and

(B) by adding at the end the following:

''(10) An individual who has authorized the Commissioner of Social Security to obtain records from a payroll data provider under paragraph (1)(B)(iii) (or on whose behalf another person described in subclause (I) of such paragraph has provided such authorization) shall not be subject to a penalty under section 1129A for any omission or error with respect to such individual's wages as reported by the payroll data provider.''.

(d) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall prescribe by regulation procedures for implementing the Commissioner's access to and use of information held by payroll providers, including—

(1) guidelines for establishing and maintaining information exchanges with payroll providers, pursuant to section 1184 of the Social Security Act;

(2) beneficiary authorizations;

(3) reduced wage reporting responsibilities for individuals who authorize the Commissioner to access information held by payroll data providers through an information exchange; and

(4) procedures for notifying individuals in writing when they become subject to such reduced wage reporting requirements and when such reduced wage reporting requirements no longer apply to them.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act.

**SEC. 825. TREATMENT OF EARNINGS DERIVED FROM SERVICES.**

(a) IN GENERAL.—Section 223(d)(4) of the Social Security Act (42 U.S.C. 423(d)(4)) is amended by adding at the end the following:

''(C)(i) Subject to clause (ii), in determining when earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity, such earnings shall be presumed to have been earned—

''(I) in making a determination of initial entitlement on the basis of disability, in the month in which the services were performed from which such earnings were derived; and

''(II) in any other case, in the month in which such earnings were paid.

''(ii) A presumption made under clause (i) shall not apply to a determination described in such clause if—

''(I) the Commissioner can reasonably establish, based on evidence readily available at the time of such determination, that the earnings were earned in a different month than when paid; or

''(II) in any case in which there is a determination that no benefit is payable due to earnings, after the individual is notified of the presumption made and provided with an opportunity to submit additional information along with an explanation of what additional information is needed, the individual shows to the satisfaction of the Commissioner that such earnings were earned in another month.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect upon the date of the enactment of this Act, or as soon as practicable thereafter.

**SEC. 826. ELECTRONIC REPORTING OF EARNINGS.**

(a) IN GENERAL.—Not later than September 30, 2017, the Commissioner of Social Security shall establish and implement a system that—

(1) allows an individual entitled to a monthly insurance benefit based on disability under title II of the Social Security Act (or a representative of the individual) to report to the Commissioner the individual's earnings derived from services through elec-

tronic means, including by telephone and Internet; and

(2) automatically issues a receipt to the individual (or representative) after receiving each such report.

(b) SUPPLEMENTAL SECURITY INCOME REPORTING SYSTEM AS MODEL.—The Commissioner shall model the system established under subsection (a) on the electronic wage reporting systems for recipients of supplemental security income under title XVI of such Act.

**Subtitle C—Protecting Social Security Benefits**

**SEC. 831. CLOSURE OF UNINTENDED LOOPHOLES.**

(a) PRESUMED FILING OF APPLICATION BY INDIVIDUALS ELIGIBLE FOR OLD-AGE INSURANCE BENEFITS AND FOR WIFE'S OR HUSBAND'S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(r) of the Social Security Act (42 U.S.C. 402(r)) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) If an individual is eligible for a wife's or husband's insurance benefit (except in the case of eligibility pursuant to clause (ii) of subsection (b)(1)(B) or subsection (c)(1)(B), as appropriate), in any month for which the individual is entitled to an old-age insurance benefit, such individual shall be deemed to have filed an application for wife's or husband's insurance benefits for such month.

''(2) If an individual is eligible (but for section 202(k)(4)) for an old-age insurance benefit in any month for which the individual is entitled to a wife's or husband's insurance benefit (except in the case of entitlement pursuant to clause (ii) of subsection (b)(1)(B) or subsection (c)(1)(B), as appropriate), such individual shall be deemed to have filed an application for old-age insurance benefits—

''(A) for such month, or

''(B) if such individual is also entitled to a disability insurance benefit for such month, in the first subsequent month for which such individual is not entitled to a disability insurance benefit.''.

(2) CONFORMING AMENDMENT.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended—

(A) in subsection (b)(1), by striking subparagraph (B) and inserting the following:

''(B)(i) has attained age 62, or

''(ii) in the case of a wife, has in her care (individually or jointly with such individual) at the time of filing such application a child entitled to a child's insurance benefit on the basis of the wages and self-employment income of such individual,''; and

(B) in subsection (c)(1), by striking subparagraph (B) and inserting the following:

''(B)(i) has attained age 62, or

''(ii) in the case of a husband, has in his care (individually or jointly with such individual) at the time of filing such application a child entitled to a child's insurance benefit on the basis of the wages and self-employment income of such individual,''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to individuals who attain age 62 in any calendar year after 2015.

(b) VOLUNTARY SUSPENSION OF BENEFITS.—

(1) IN GENERAL.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended by adding at the end the following:

''(z) VOLUNTARY SUSPENSION.—(1)(A) Except as otherwise provided in this subsection, any individual who has attained retirement age (as defined in section 216(l)) and is entitled to old-age insurance benefits may request that payment of such benefits be suspended—

''(i) beginning with the month following the month in which such request is received by the Commissioner, and

''(ii) ending with the earlier of the month following the month in which a request by the individual for a resumption of such benefits is so received or the month following the month in which the individual attains the age of 70.

''(2) An individual may not suspend such benefits under this subsection, and any suspension of such benefits under this subsection shall end, effective with respect to any month in which the individual becomes subject to—

''(A) mandatory suspension of such benefits under section 202(x);

''(B) termination of such benefits under section 202(n);

''(C) a penalty under section 1129A imposing nonpayment of such benefits; or

''(D) any other withholding, in whole or in part, of such benefits under any other provision of law that authorizes recovery of a debt by withholding such benefits.

''(3) In the case of an individual who requests that such benefits be suspended under this subsection, for any month during the period in which the suspension is in effect—

''(A) no retroactive benefits (as defined in subsection (j)(4)(B)(iii)) shall be payable to such individual;

''(B) no monthly benefit shall be payable to any other individual on the basis of such individual's wages and self-employment income; and

''(C) no monthly benefit shall be payable to such individual on the basis of another individual's wages and self-employment income.''.

(2) CONFORMING AMENDMENT.—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended by inserting ''under section 202(z)'' after ''request''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to requests for benefit suspension submitted beginning at least 180 days after the date of the enactment of this Act.

**SEC. 832. REQUIREMENT FOR MEDICAL REVIEW.**

(a) IN GENERAL.—Section 221(h) of the Social Security Act (42 U.S.C. 421(h)) is amended to read as follows:

''(h) An initial determination under subsection (a), (c), (g), or (i) shall not be made until the Commissioner of Social Security has made every reasonable effort to ensure—

''(1) in any case where there is evidence which indicates the existence of a mental impairment, that a qualified psychiatrist or psychologist has completed the medical portion of the case review and any applicable residual functional capacity assessment; and

''(2) in any case where there is evidence which indicates the existence of a physical impairment, that a qualified physician has completed the medical portion of the case review and any applicable residual functional capacity assessment.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to determinations of disability made on or after the date that is 1 year after the date of the enactment of this Act.

**SEC. 833. REALLOCATION OF PAYROLL TAX REVENUE.**

(1) WAGES.—Section 201(b)(1) of the Social Security Act (42 U.S.C. 401(b)(1)) is amended by striking ''and (R) 1.80 per centum of the wages (as so defined) paid after December 31, 1999, and so reported'' and inserting ''(R) 1.80 per centum of the wages (as so defined) paid after December 31, 1999, and before January 1, 2016, and so reported, (S) 2.37 per centum of the wages (as so defined) paid after December 31, 2015, and before January 1, 2019, and so reported, and (T) 1.80 per centum of the wages (as so defined) paid after December 31, 2018, and so reported,''.

(2) SELF-EMPLOYMENT INCOME.—Section 201(b)(2) of such Act (42 U.S.C. 401(b)(2)) is amended by striking ''and (R) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1999'' and inserting ''(R) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1999, and before January 1, 2016, (S) 2.37 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2015, and before January 1, 2019, and (T) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2018''.

(3) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to wages paid after December 31, 2015, and self-employment income for taxable years beginning after such date.

**SEC. 834. ACCESS TO FINANCIAL INFORMATION FOR WAIVERS AND ADJUSTMENTS OF RECOVERY.**

(a) ACCESS TO FINANCIAL INFORMATION FOR OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE WAIVERS.—Section 204(b) of the Social Security Act (42 U.S.C. 404(b)) is amended to read as follows:

''(b)(1) In any case in which more than the correct amount of payment has been made, there shall be no adjustment of payments to, or recovery by the United States from, any person who is without fault if such adjustment or recovery would defeat the purpose of this title or would be against equity and good conscience.

''(2) In making for purposes of this subsection any determination of whether any individual is without fault, the Commissioner of Social Security shall specifically take into account any physical, mental, educational, or linguistic limitation such individual may have (including any lack of facility with the English language).

''(3)(A) In making for purposes of this subsection any determination of whether such adjustment or recovery would defeat the purpose of this title, the Commissioner of Social Security shall require an individual to provide authorization for the Commissioner to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to such individual whenever the Commissioner determines the record is needed in connection with a determination with respect to such adjustment or recovery.

''(B) Notwithstanding section 1104(a)(1) of the Right to Financial Privacy Act, an authorization provided by an individual pursuant this paragraph shall remain effective until the earlier of—

''(i) the rendering of a final decision on whether adjustment or recovery would defeat the purpose of this title; or

''(ii) the express revocation by the individual of the authorization, in a written notification to the Commissioner.

''(C)(i) An authorization obtained by the Commissioner of Social Security pursuant this paragraph shall be considered to meet the requirements of the Right to Financial Privacy Act for purposes of section 1103(a) of such Act, and need not be furnished to the financial institution, notwithstanding section 1104(a) of such Act.

''(ii) The certification requirements of section 1103(b) of the Right to Financial Privacy Act shall not apply to requests by the Commissioner of Social Security pursuant to an authorization provided under this paragraph.

''(iii) A request by the Commissioner pursuant to an authorization provided under this paragraph is deemed to meet the requirements of section 1104(a)(3) of the Right to Financial Privacy Act and the flush language of section 1102 of such Act.

''(D) The Commissioner shall inform any person who provides authorization pursuant to this paragraph of the duration and scope of the authorization.

''(E) If an individual refuses to provide, or revokes, any authorization for the Commissioner of Social Security to obtain from any financial institution any financial record, the Commissioner may, on that basis, determine that adjustment or recovery would not defeat the purpose of this title.''.

(b) ACCESS TO FINANCIAL INFORMATION FOR SUPPLEMENTAL SECURITY INCOME WAIVERS.—

(1) IN GENERAL.—Section 1631(b)(1)(B) of the Social Security Act (42 U.S.C. 1383(b)(1)(B)) is amended by adding at the end the following: ''In making for purposes of this subparagraph a determination of whether an adjustment or recovery would defeat the purpose of this title, the Commissioner of Social Security shall require an individual to provide authorization for the Commissioner to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to such individual whenever the Commissioner determines that the record is needed in connection with a determination with respect to such adjustment or recovery, under the terms and conditions established under subsection (e)(1)(B).''.

(2) CONFORMING AMENDMENT.—Section 1631(e)(1)(B)(ii)(V) of such Act (42 U.S.C. 1383(e)(1)(B)(ii)(V)) is amended by inserting '', determine that adjustment or recovery on account of an overpayment with respect to the applicant or recipient would not defeat the purpose of this title, or both'' before the period at the end.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to determinations made on or after the date that is 3 months after the date of the enactment of this section.

## Subtitle D—Relieving Administrative Burdens and Miscellaneous Provisions

### SEC. 841. INTERAGENCY COORDINATION TO IMPROVE PROGRAM ADMINISTRATION.

(a) IN GENERAL.—Title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by inserting after section 1127 the following:

''INTERAGENCY COORDINATION TO IMPROVE PROGRAM ADMINISTRATION

''SEC. 1127A. (a) COORDINATION AGREEMENT.—Notwithstanding any other provision of law, including section 207 of this Act, the Commissioner of Social Security (referred to in this section as 'the Commissioner') and the Director of the Office of Personnel Management (referred to in this section as 'the Director') shall enter into an agreement under which a system is established to carry out the following procedure:

''(1) The Director shall notify the Commissioner when any individual is determined to be entitled to a monthly disability annuity payment pursuant to subchapter V of chapter 84 of subpart G of part III of title 5, United States Code, and shall certify that such individual has provided the authorization described in subsection (f).

''(2) If the Commissioner determines that an individual described in paragraph (1) is also entitled to past-due benefits under section 223, the Commissioner shall notify the Director of such fact.

''(3) Not later than 30 days after receiving a notification described in paragraph (2) with respect to an individual, the Director shall provide the Commissioner with the total amount of any disability annuity overpayments made to such individual, as well as any other information (in such form and manner as the Commissioner shall require) that the Commissioner determines is necessary to carry out this section.

''(4) If the Director provides the Commissioner with the information described in paragraph (3) in a timely manner, the Commissioner may withhold past-due benefits under section 223 to which such individual is entitled and may pay the amount described in paragraph (3) to the Office of Personnel Management for any disability annuity overpayments made to such individual.

''(5) The Director shall credit any amount received under paragraph (4) with respect to an individual toward any disability annuity overpayment owed by such individual.

''(b) LIMITATIONS.—

''(1) PRIORITY OF OTHER REDUCTIONS.—Benefits shall only be withheld under this section after any other reduction applicable under this Act, including sections 206(a)(4), 224, and 1127(a).

''(2) TIMELY NOTIFICATION REQUIRED.—The Commissioner may not withhold benefits under this section if the Director does not provide the notice described in subsection (a)(3) within the time period described in such subsection.

''(c) DELAYED PAYMENT OF PAST-DUE BENEFITS.—If the Commissioner is required to make a notification described in subsection (a)(2) with respect to an individual, the Commissioner shall not make any payment of past-due benefits under section 223 to such individual until after the period described in subsection (a)(3).

''(d) REVIEW.—Notwithstanding section 205 or any other provision of law, any determination regarding the withholding of past-due benefits under this section shall only be subject to adjudication and review by the Director under section 8461 of title 5, United States Code.

''(e) DISABILITY ANNUITY OVERPAYMENT DEFINED.—For purposes of this section, the term 'disability annuity overpayment' means the amount of the reduction under section 8452(a)(2) of title 5, United States Code, applicable to a monthly annuity payment made to an individual pursuant to subchapter V of chapter 84 of subpart G of part III of such title due to the individual's concurrent entitlement to a disability insurance benefit under section 223 during such month.

''(f) AUTHORIZATION TO WITHHOLD BENEFITS.—The authorization described in this subsection, with respect to an individual, is written authorization provided by the individual to the Director which authorizes the Commissioner to withhold past-due benefits under section 223 to which such individual is entitled in order to pay the amount withheld to the Office of Personnel Management for any disability overpayments made to such individual.

''(g) EXPENSES.—The Director shall pay to the Social Security Administration an amount equal to the amount estimated by the Commissioner as the total cost incurred by the Social Security Administration in carrying out this section for each calendar quarter.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to past-due disability insurance benefits payable on or after the date that is 1 year after the date of the enactment of this section.

### SEC. 842. ELIMINATION OF QUINQUENNIAL DETERMINATIONS RELATING TO WAGE CREDITS FOR MILITARY SERVICE PRIOR TO 1957.

Section 217(g)(2) of the Social Security Act (42 U.S.C. 417(g)(2)) is amended—

(1) by inserting ''through 2010'' after ''each fifth year thereafter''; and

(2) by inserting after the first sentence the following: ''The Secretary of Health and Human Services shall revise the amount determined under paragraph (1) with respect to the Federal Hospital Insurance Trust Fund under title XVIII in 2015 and each fifth year thereafter through such date, and using such data, as the Secretary determines appropriate on the basis of the amount of benefits and administrative expenses actually paid from such Trust Fund under title XVIII and the relevant actuarial assumptions set forth in the report of the Board of Trustees of such Trust Fund for such year under section 1817(b).''.

### SEC. 843. CERTIFICATION OF BENEFITS PAYABLE TO A DIVORCED SPOUSE OF A RAILROAD WORKER TO THE RAILROAD RETIREMENT BOARD.

Section 205(i) of the Social Security Act (42 U.S.C. 405(i)) is amended by inserting ''or divorced wife or divorced husband'' after ''the wife or husband''.

### SEC. 844. TECHNICAL AMENDMENTS TO ELIMINATE OBSOLETE PROVISIONS.

(a) ELIMINATION OF REFERENCE IN SECTION 226 TO A REPEALED PROVISION.—Section 226 of the Social Security Act (42 U.S.C. 426) is amended—

(1) by striking subsection (i); and

(2) by redesignating subsection (j) as subsection (i).

(b) ELIMINATION OF REFERENCE IN SECTION 226A TO A REPEALED PROVISION.—Section 226A of such Act (42 U.S.C. 426-1) is amended by striking the second subsection (c).

### SEC. 845. REPORTING REQUIREMENTS TO CONGRESS.

(a) REPORT ON FRAUD AND IMPROPER PAYMENT PREVENTION ACTIVITIES.—Section 704(b) of the Social Security Act (42 U.S.C. 904(b)) is amended by adding at the end the following:

''(3) For each fiscal year beginning with 2016 and ending with 2021, the Commissioner shall include in the annual budget prepared pursuant to subparagraph (A) a report describing the purposes for which amounts made available for purposes described in section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the fiscal year were expended by the Social Security Administration and the purposes for which the Commissioner plans for the Administration to expend such funds in the succeeding fiscal year, including—

''(A) the total such amount expended;

''(B) the amount expended on co-operative disability investigation units;

''(C) the number of cases of fraud prevented by co-operative disability investigation units and the amount expended on such cases (as reported to the Commissioner by the Inspector General of the Social Security Administration);

''(D) the number of felony cases prosecuted under section 208 (as reported to the Commissioner by the Inspector General) and the amount expended by the Social Security Administration in supporting the prosecution of such cases;

''(E) the amount of such felony cases successfully prosecuted (as reported to the Commissioner by the Inspector General) and the amount expended by the Social Security Administration in supporting the prosecution of such cases;

''(F) the amount expended on and the number of completed—

''(i) continuing disability reviews conducted by mail;

''(ii) redeterminations conducted by mail;

''(iii) medical continuing disability reviews conducted pursuant to section 221(i);

''(iv) medical continuing disability reviews conducted pursuant to 1614(a)(3)(H);

''(v) redeterminations conducted pursuant to section 1611(c); and

''(vi) work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity;

''(G) the number of cases of fraud identified for which benefits were terminated as a result of medical continuing disability reviews (as reported to the Commissioner by the Inspector General), work-related continuing disability reviews, and redeterminations, and the amount of resulting savings for each such type of review or redetermination; and

''(H) the number of work-related continuing disability reviews in which a beneficiary improperly reported earnings derived from services for more than 3 consecutive months, and the amount of resulting savings.''.

(b) REPORT ON WORK-RELATED CONTINUING DISABILITY REVIEWS.—The Commissioner of Social Security shall annually submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the number of work-related continuing disability reviews conducted each year to determine whether earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity. Such report shall include—

(1) the number of individuals receiving benefits based on disability under title II of such Act for whom reports of earnings were received from any source by the Commissioner in the previous calendar year, reported as a total number and separately by the source of the report;

(2) the number of individuals for whom such reports resulted in a determination to conduct a work-related continuing disability review, and the basis on which such determinations were made;

(3) in the case of a beneficiary selected for a work-related continuing disability review on the basis of a report of earnings from any source—

(A) the average number of days—

(i) between the receipt of the report and the initiation of the review,

(ii) between the initiation and the completion of the review, and

(iii) the average amount of overpayment, if any;

(B) the number of such reviews completed during such calendar year, and the number of such reviews that resulted in a suspension or termination of benefits;

(C) the number of such reviews initiated in the current year that had not been completed as of the end of such calendar year;

(D) the number of such reviews initiated in a prior year that had not been completed as of the end of such calendar year;

(4) the total savings to the Trust Funds and the Treasury generated from benefits suspended or terminated as a result of such reviews; and

(5) with respect to individuals for whom a work-related continuing disability review was completed during such calendar year—

(A) the number who participated in the Ticket to Work program under section 1148 during such calendar year;

(B) the number who used any program work incentives during such calendar year; and

(C) the number who received vocational rehabilitation services during such calendar year with respect to which the Commissioner of Social Security reimbursed a State agency under section 222(d).

(c) REPORT ON OVERPAYMENT WAIVERS.—Not later than January 1 of each calendar year, the Commissioner of Social Security shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on—

(1) the number and total value of overpayments recovered or scheduled to be recovered by the Social Security Administration during the previous fiscal year of benefits under title II and title XVI, respectively, including the terms and conditions of repayment of such overpayments; and

(2) the number and total value of overpayments waived by the Social Security Administration during the previous fiscal year of benefits under title II and title XVI, respectively.

**SEC. 846. EXPEDITED EXAMINATION OF ADMINISTRATIVE LAW JUDGES.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the Office of Personnel Management shall, upon request of the Commissioner of Social Security, expeditiously administer a sufficient number of competitive examinations, as determined by the Commissioner, for the purpose of identifying an adequate number of candidates to be appointed as Administrative Law Judges under section 3105 of title 5, United States Code. The first such examination shall take place not later than April 1, 2016 and other examinations shall take place at such time or times requested by the Commissioner, but not later than December 31, 2022. Such examinations shall proceed even if one or more individuals who took a prior examination have appealed an adverse determination and one or more of such appeals have not concluded, provided that—

(1) the Commissioner of Social Security has made a determination that delaying the examination poses a significant risk that an adequate number of Administrative Law Judges will not be available to meet the need of the Social Security Administration to reduce or prevent a backlog of cases awaiting a hearing;

(2) an individual whose appeal is pending is provided an option to continue their appeal or elects to take the new examination, in which case the appeal is considered vacated; and

(3) an individual who decides to continue his or her appeal and who ultimately prevails in the appeal shall receive expeditious consideration for hire by the Office Personnel Management and the Commissioner of Social Security.

(b) PAYMENT OF COSTS.—Notwithstanding any other provision of law, the Commissioner of Social Security shall pay the full cost associated with each examination conducted pursuant to subsection (a).

## TITLE IX—TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT

**SEC. 901. TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT.**

(a) IN GENERAL.—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of the enactment of this Act and ending on March 15, 2017.

(b) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING EXTENSION PERIOD.—Effective March 16, 2017, the limitation in effect under section 3101(b) of title 31, United States Code, shall be increased to the extent that—

(1) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on March 16, 2017, exceeds

(2) the face amount of such obligations outstanding on the date of the enactment of this Act.

**SEC. 902. RESTORING CONGRESSIONAL AUTHORITY OVER THE NATIONAL DEBT.**

(a) EXTENSION LIMITED TO NECESSARY OBLIGATIONS.—An obligation shall not be taken into account under section 901(b)(1) unless the issuance of such obligation was necessary to fund a commitment incurred pursuant to law by the Federal Government that required payment before March 16, 2017.

(b) PROHIBITION ON CREATION OF CASH RESERVE DURING EXTENSION PERIOD.—The Secretary of the Treasury shall not issue obligations during the period specified in section 901(a) for the purpose of increasing the cash balance above normal operating balances in anticipation of the expiration of such period.

## TITLE X—SPECTRUM PIPELINE

**SEC. 1001. SHORT TITLE.**

This title may be cited as the ''Spectrum Pipeline Act of 2015''.

**SEC. 1002. DEFINITIONS.**

In this title:

(1) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information.

(2) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(3) FEDERAL ENTITY.—The term ''Federal entity'' has the meaning given such term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

**SEC. 1003. RULE OF CONSTRUCTION.**

Each range of frequencies described in this title shall be construed to be inclusive of the upper and lower frequencies in the range.

**SEC. 1004. IDENTIFICATION, REALLOCATION, AND AUCTION OF FEDERAL SPECTRUM.**

(a) IDENTIFICATION OF SPECTRUM.—Not later than January 1, 2022, the Secretary shall submit to the President and to the Commission a report identifying 30 megahertz of electromagnetic spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below the frequency of 3 gigahertz (except for the spectrum between the frequencies of 1675 megahertz and 1695 megahertz) for reallocation from Federal use to non-Federal use or shared Federal and non-Federal use, or a combination thereof.

(b) CLEARING OF SPECTRUM.—The President shall—

(1) not later than January 1, 2022, begin the process of withdrawing or modifying the assignment to a Federal Government station of the electromagnetic spectrum identified under subsection (a); and

(2) not later than 30 days after completing the withdrawal or modification, notify the Commission that the withdrawal or modification is complete.

(c) REALLOCATION AND AUCTION.—

(1) IN GENERAL.—The Commission shall—

(A) reallocate the electromagnetic spectrum identified under subsection (a) for non-Federal use or shared Federal and non-Federal use, or a combination thereof; and

(B) notwithstanding paragraph (15)(A) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), not later than July 1, 2024, begin a system of competitive bidding under such section to grant new initial licenses for the use of such spectrum, subject to flexible-use service rules.

(2) PROCEEDS TO COVER 110 PERCENT OF FEDERAL RELOCATION OR SHARING COSTS.—Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of section 309(j)(16)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(16)(B)).

**SEC. 1005. ADDITIONAL USES OF SPECTRUM RELOCATION FUND.**

(a) IN GENERAL.—Section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928) is amended—

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

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

''(g) ADDITIONAL PAYMENTS FOR RESEARCH AND DEVELOPMENT AND PLANNING ACTIVITIES.—

''(1) AMOUNTS AVAILABLE.—Notwithstanding subsections (c) through (e)—

''(A) there are appropriated from the Fund on the date of the enactment of the Spectrum Pipeline Act of 2015, and available to the Director of OMB for use in accordance with paragraph (2), not more than $500,000,000 from amounts in the Fund on such date of enactment; and

''(B) there are appropriated from the Fund after such date of enactment, and available to the Director of OMB for use in accordance with such paragraph, not more than 10 percent of the amounts deposited in the Fund after such date of enactment.

''(2) USE OF AMOUNTS.—

''(A) IN GENERAL.—The Director of OMB may use amounts made available under paragraph (1) to make payments requested by Federal entities for research and development, engineering studies, economic analyses, activities with respect to systems, or other planning activities intended to improve the efficiency and effectiveness of the spectrum use of Federal entities in order to make available frequencies described in subparagraph (C) for reallocation for non-Federal use or shared Federal and non-Federal use, or a combination thereof, and for auction in accordance with such reallocation.

''(B) SYSTEMS THAT IMPROVE EFFICIENCY AND EFFECTIVENESS OF FEDERAL SPECTRUM USE.—For purposes of a payment under subparagraph (A) for activities with respect to systems that improve the efficiency and effectiveness of the spectrum use of Federal entities, such systems include the following:

''(i) Systems that have increased functionality or that increase the ability of a Federal entity to accommodate spectrum sharing with non-Federal entities.

''(ii) Systems that consolidate functions or services that have been provided using separate systems.

''(iii) Non-spectrum technology or systems.

''(C) FREQUENCIES DESCRIBED.—The frequencies described in this subparagraph are, with respect to a payment under subparagraph (A), frequencies that—

''(i) are assigned to a Federal entity; and

''(ii) at the time of the activities conducted with such payment, are not identified for auction.

''(D) CONDITIONS.—The Director of OMB may not make a payment to a Federal entity under subparagraph (A)—

''(i) unless—

''(I) the Federal entity has submitted to the Technical Panel established under section 113(h)(3) a plan describing the activities that the Federal entity will conduct with such payment;

''(II) the Technical Panel has approved such plan under subparagraph (E); and

''(III) the Director of OMB has submitted the plan approved under subparagraph (E) to the congressional committees described in subsection (d)(2)(C); and

''(ii) until 60 days have elapsed after submission of the plan under clause (i)(III).

''(E) REVIEW BY TECHNICAL PANEL.—

''(i) IN GENERAL.—Not later than 120 days after a Federal entity submits a plan under subparagraph (D)(i)(I) to the Technical Panel established under section 113(h)(3), the Technical Panel shall approve or disapprove such plan.

''(ii) CRITERIA FOR REVIEW.—In considering whether to approve or disapprove a plan under this subparagraph, the Technical Panel shall consider whether—

''(I) the activities that the Federal entity will conduct with the payment will—

''(aa) increase the probability of relocation from or sharing of Federal spectrum;

''(bb) facilitate an auction intended to occur not later than 8 years after the payment; and

''(cc) increase the net expected auction proceeds in an amount not less than the time value of the amount of the payment; and

''(II) the transfer will leave sufficient amounts in the Fund for the other purposes of the Fund.

''(h) PRIORITIZATION OF PAYMENTS.—In determining whether to make payments under subsections (f) and (g), the Director of OMB shall, to the extent practicable, prioritize payments under subsection (g).''.

(b) ADMINISTRATIVE SUPPORT FOR TECHNICAL PANEL.—Section 113(h)(3)(C) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)(3)(C)) is amended by striking ''this subsection and subsection (i)'' and inserting ''this subsection, subsection (i), and section 118(g)(2)(E)''.

(c) ELIGIBLE FEDERAL ENTITIES.—Section 113 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923) is amended—

(1) in subsection (g)—

(A) in paragraph (1)—

(i) by striking ''authorized to use a band of eligible frequencies described in paragraph (2) and'';

(ii) by inserting ''eligible'' after ''auction of'';

(iii) by inserting ''eligible'' after ''reallocation of''; and

(B) in paragraph (3)(A), by striking ''previously assigned to such entity or the sharing of spectrum frequencies assigned to such entity'' and inserting ''or the sharing of spectrum frequencies''; and

(2) in subsection (h)(1), by striking ''authorized to use any such frequency''.

**SEC. 1006. PLANS FOR AUCTION OF CERTAIN SPECTRUM.**

(a) REPORTS TO CONGRESS.—In accordance with each paragraph of subsection (c), the Commission, in coordination with the Assistant Secretary, shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing a proposed plan for the assignment of new licenses for non-Federal use of the spectrum identified under such paragraph, including—

(1) an assessment of the operations of Federal entities that operate Federal Government stations authorized to use such spectrum;

(2) an estimated timeline for the competitive bidding process; and

(3) a proposed plan for balance between unlicensed and licensed use.

(b) INFORMATION FOR ASSESSMENT OF FEDERAL ENTITY OPERATIONS.—The Assistant Secretary, in coordination with the affected Federal entities, shall provide to the Commission the necessary information to carry out subsection (a)(1).

(c) REPORT DEADLINES; IDENTIFICATION OF SPECTRUM.—The Commission shall submit reports under subsection (a) as follows:

(1) Not later than January 1, 2022, for at least 50 megahertz of spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below 6 gigahertz, to be identified by the Commission, in coordination with the Assistant Secretary, from spectrum other than the spectrum identified under section 1004(a).

(2) Not later than January 1, 2024, for at least 50 megahertz of spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below 6 gigahertz, to be identified by the Commission, in coordination with the Assistant Secretary, from spectrum other than the spectrum identified under paragraph (1) or section 1004(a).

**SEC. 1007. FCC AUCTION AUTHORITY.**

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by inserting before the period at the end the following: '', except that, with respect to the electromagnetic spectrum identified under section 1004(a) of the Spectrum Pipeline Act of 2015, such authority shall expire on September 30, 2025''.

**SEC. 1008. REPORTS TO CONGRESS.**

Not later than 3 years after the date of the enactment of this Act, the Commission shall submit to Congress—

(1) a report containing an analysis of the results of the rules changes relating to the frequencies between 3550 megahertz and 3650 megahertz; and

(2) a report containing an analysis of proposals to promote and identify additional spectrum bands that can be shared between incumbent uses and new licensed, and unlicensed services under such rules and identification of at least 1 gigahertz between 6 gigahertz and 57 GHz for such use.

## TITLE XI—REVENUE PROVISIONS RELATED TO TAX COMPLIANCE

**SEC. 1101. PARTNERSHIP AUDITS AND ADJUSTMENTS.**

(a) REPEAL OF TEFRA PARTNERSHIP AUDIT RULES.—Chapter 63 of the Internal Revenue Code of 1986 is amended by striking subchapter C (and by striking the item relating to such subchapter in the table of subchapters for such chapter).

(b) REPEAL OF ELECTING LARGE PARTNERSHIP RULES.—

(1) IN GENERAL.—Subchapter K of chapter 1 of such Code is amended by striking part IV (and by striking the item relating to such part in the table of parts for such subchapter).

(2) ASSESSMENT RULES RELATING TO ELECTING LARGE PARTNERSHIPS.—Chapter 63 of such Code is amended by striking subchapter D (and by striking the item relating to such subchapter in the table of subchapters for such chapter).

(c) PARTNERSHIP AUDIT REFORM.—

(1) IN GENERAL.—Chapter 63 of such Code, as amended by the preceding provisions of this section, is amended by inserting after subchapter B the following new subchapter:

**''Subchapter C—Treatment of Partnerships**



**''PART I—IN GENERAL**



**''SEC. 6221. DETERMINATION AT PARTNERSHIP LEVEL.**

''(a) IN GENERAL.—Any adjustment to items of income, gain, loss, deduction, or credit of a partnership for a partnership taxable year (and any partner's distributive share thereof) shall be determined, any tax attributable thereto shall be assessed and collected, and the applicability of any penalty, addition to tax, or additional amount which relates to an adjustment to any such item or share shall be determined, at the partnership level pursuant to this subchapter.

''(b) ELECTION OUT FOR CERTAIN PARTNERSHIPS WITH 100 OR FEWER PARTNERS, ETC.—

''(1) IN GENERAL.—This subchapter shall not apply with respect to any partnership for any taxable year if—

''(A) the partnership elects the application of this subsection for such taxable year,

''(B) for such taxable year the partnership is required to furnish 100 or fewer statements under section 6031(b) with respect to its partners,

''(C) each of the partners of such partnership is an individual, a C corporation, any foreign entity that would be treated as a C

corporation were it domestic, an S corporation, or an estate of a deceased partner,

''(D) the election—

''(i) is made with a timely filed return for such taxable year, and

''(ii) includes (in the manner prescribed by the Secretary) a disclosure of the name and taxpayer identification number of each partner of such partnership, and

''(E) the partnership notifies each such partner of such election in the manner prescribed by the Secretary.

''(2) SPECIAL RULES RELATING TO CERTAIN PARTNERS.—

''(A) S CORPORATION PARTNERS.—In the case of a partner that is an S corporation—

''(i) the partnership shall only be treated as meeting the requirements of paragraph (1)(C) with respect to such partner if such partnership includes (in the manner prescribed by the Secretary) a disclosure of the name and taxpayer identification number of each person with respect to whom such S corporation is required to furnish a statement under section 6037(b) for the taxable year of the S corporation ending with or within the partnership taxable year for which the application of this subsection is elected, and

''(ii) the statements such S corporation is required to so furnish shall be treated as statements furnished by the partnership for purposes of paragraph (1)(B).

''(B) FOREIGN PARTNERS.—For purposes of paragraph (1)(D)(ii), the Secretary may provide for alternative identification of any foreign partners.

''(C) OTHER PARTNERS.—The Secretary may by regulation or other guidance prescribe rules similar to the rules of subparagraph (A) with respect to any partners not described in such subparagraph or paragraph (1)(C).

**''SEC. 6222. PARTNER'S RETURN MUST BE CONSISTENT WITH PARTNERSHIP RETURN.**

''(a) IN GENERAL.—A partner shall, on the partner's return, treat each item of income, gain, loss, deduction, or credit attributable to a partnership in a manner which is consistent with the treatment of such income, gain, loss, deduction, or credit on the partnership return.

''(b) UNDERPAYMENT DUE TO INCONSISTENT TREATMENT ASSESSED AS MATH ERROR.—Any underpayment of tax by a partner by reason of failing to comply with the requirements of subsection (a) shall be assessed and collected in the same manner as if such underpayment were on account of a mathematical or clerical error appearing on the partner's return. Paragraph (2) of section 6213(b) shall not apply to any assessment of an underpayment referred to in the preceding sentence.

''(c) EXCEPTION FOR NOTIFICATION OF INCONSISTENT TREATMENT.—

''(1) IN GENERAL.—In the case of any item referred to in subsection (a), if—

''(A)(i) the partnership has filed a return but the partner's treatment on the partner's return is (or may be) inconsistent with the treatment of the item on the partnership return, or

''(ii) the partnership has not filed a return, and

''(B) the partner files with the Secretary a statement identifying the inconsistency,

subsections (a) and (b) shall not apply to such item.

''(2) PARTNER RECEIVING INCORRECT INFORMATION.—A partner shall be treated as having complied with subparagraph (B) of paragraph (1) with respect to an item if the partner—

''(A) demonstrates to the satisfaction of the Secretary that the treatment of the item on the partner's return is consistent with the treatment of the item on the statement furnished to the partner by the partnership, and

''(B) elects to have this paragraph apply with respect to that item.

''(d) FINAL DECISION ON CERTAIN POSITIONS NOT BINDING ON PARTNERSHIP.—Any final decision with respect to an inconsistent position identified under subsection (c) in a proceeding to which the partnership is not a party shall not be binding on the partnership.

''(e) ADDITION TO TAX FOR FAILURE TO COMPLY WITH SECTION.—For addition to tax in the case of a partner's disregard of the requirements of this section, see part II of subchapter A of chapter 68.

**''SEC. 6223. PARTNERS BOUND BY ACTIONS OF PARTNERSHIP.**

''(a) DESIGNATION OF PARTNERSHIP REPRESENTATIVE.—Each partnership shall designate (in the manner prescribed by the Secretary) a partner (or other person) with a substantial presence in the United States as the partnership representative who shall have the sole authority to act on behalf of the partnership under this subchapter. In any case in which such a designation is not in effect, the Secretary may select any person as the partnership representative.

''(b) BINDING EFFECT.—A partnership and all partners of such partnership shall be bound—

''(1) by actions taken under this subchapter by the partnership, and

''(2) by any final decision in a proceeding brought under this subchapter with respect to the partnership.

**''PART II—PARTNERSHIP ADJUSTMENTS**



**''SEC. 6225. PARTNERSHIP ADJUSTMENT BY SECRETARY.**

''(a) IN GENERAL.—In the case of any adjustment by the Secretary in the amount of any item of income, gain, loss, deduction, or credit of a partnership, or any partner's distributive share thereof—

''(1) the partnership shall pay any imputed underpayment with respect to such adjustment in the adjustment year as provided in section 6232, and

''(2) any adjustment that does not result in an imputed underpayment shall be taken into account by the partnership in the adjustment year—

''(A) except as provided in subparagraph (B), as a reduction in non-separately stated income or an increase in non-separately stated loss (whichever is appropriate) under section 702(a)(8), or

''(B) in the case of an item of credit, as a separately stated item.

''(b) DETERMINATION OF IMPUTED UNDERPAYMENTS.—For purposes of this subchapter—

''(1) IN GENERAL.—Except as provided in subsection (c), any imputed underpayment with respect to any partnership adjustment for any reviewed year shall be determined—

''(A) by netting all adjustments of items of income, gain, loss, or deduction and multiplying such net amount by the highest rate of tax in effect for the reviewed year under section 1 or 11,

''(B) by treating any net increase or decrease in loss under subparagraph (A) as a decrease or increase, respectively, in income, and

''(C) by taking into account any adjustments to items of credit as an increase or decrease, as the case may be, in the amount determined under subparagraph (A).

''(2) ADJUSTMENTS TO DISTRIBUTIVE SHARES OF PARTNERS NOT NETTED.—In the case of any adjustment which reallocates the distributive share of any item from one partner to another, such adjustment shall be taken into account under paragraph (1) by disregarding—

''(A) any decrease in any item of income or gain, and

''(B) any increase in any item of deduction, loss, or credit.

''(c) MODIFICATION OF IMPUTED UNDERPAYMENTS.—

''(1) IN GENERAL.—The Secretary shall establish procedures under which the imputed underpayment amount may be modified consistent with the requirements of this subsection.

''(2) AMENDED RETURNS OF PARTNERS.—

''(A) IN GENERAL.—Such procedures shall provide that if—

''(i) one or more partners file returns (notwithstanding section 6511) for the taxable year of the partners which includes the end of the reviewed year of the partnership,

''(ii) such returns take into account all adjustments under subsection (a) properly allocable to such partners (and for any other taxable year with respect to which any tax attribute is affected by reason of such adjustments), and

''(iii) payment of any tax due is included with such return,

then the imputed underpayment amount shall be determined without regard to the portion of the adjustments so taken into account.

''(B) REALLOCATION OF DISTRIBUTIVE SHARE.—In the case of any adjustment which reallocates the distributive share of any item from one partner to another, paragraph (2) shall apply only if returns are filed by all partners affected by such adjustment.

''(3) TAX-EXEMPT PARTNERS.—Such procedures shall provide for determining the imputed underpayment without regard to the portion thereof that the partnership demonstrates is allocable to a partner that would not owe tax by reason of its status as a tax-exempt entity (as defined in section 168(h)(2)).

''(4) MODIFICATION OF APPLICABLE HIGHEST TAX RATES.—

''(A) IN GENERAL.—Such procedures shall provide for taking into account a rate of tax lower than the rate of tax described in subsection (b)(1)(A) with respect to any portion of the imputed underpayment that the partnership demonstrates is allocable to a partner which—

''(i) in the case of ordinary income, is a C corporation, or

''(ii) in the case of a capital gain or qualified dividend, is an individual.

In no event shall the lower rate determined under the preceding sentence be less than the highest rate in effect with respect to the income and taxpayer described in clause (i) or clause (ii), as the case may be. For purposes of clause (ii), an S corporation shall be treated as an individual.

''(B) PORTION OF IMPUTED UNDERPAYMENT TO WHICH LOWER RATE APPLIES.—

''(i) IN GENERAL.—Except as provided in clause (ii), the portion of the imputed underpayment to which the lower rate applies with respect to a partner under subparagraph (A) shall be determined by reference to the partners' distributive share of items to which the imputed underpayment relates.

''(ii) RULE IN CASE OF VARIED TREATMENT OF ITEMS AMONG PARTNERS.—If the imputed underpayment is attributable to the adjustment of more than 1 item, and any partner's distributive share of such items is not the same with respect to all such items, then the portion of the imputed underpayment to which the lower rate applies with respect to a partner under subparagraph (A) shall be determined by reference to the amount which would have been the partner's distributive share of net gain or loss if the partnership

had sold all of its assets at their fair market value as of the close of the reviewed year of the partnership.

''(5) OTHER PROCEDURES FOR MODIFICATION OF IMPUTED UNDERPAYMENT.—The Secretary may by regulations or guidance provide for additional procedures to modify imputed underpayment amounts on the basis of such other factors as the Secretary determines are necessary or appropriate to carry out the purposes of this subsection.

''(6) YEAR AND DAY FOR SUBMISSION TO SECRETARY.—Anything required to be submitted pursuant to paragraph (1) shall be submitted to the Secretary not later than the close of the 270-day period beginning on the date on which the notice of a proposed partnership adjustment is mailed under section 6231 unless such period is extended with the consent of the Secretary.

''(7) DECISION OF SECRETARY.—Any modification of the imputed underpayment amount under this subsection shall be made only upon approval of such modification by the Secretary.

''(d) DEFINITIONS.—For purposes of this subchapter—

''(1) REVIEWED YEAR.—The term 'reviewed year' means the partnership taxable year to which the item being adjusted relates.

''(2) ADJUSTMENT YEAR.—The term 'adjustment year' means the partnership taxable year in which—

''(A) in the case of an adjustment pursuant to the decision of a court in a proceeding brought under section 6234, such decision becomes final,

''(B) in the case of an administrative adjustment request under section 6227, such administrative adjustment request is made, or

''(C) in any other case, notice of the final partnership adjustment is mailed under section 6231.

**"SEC. 6226. ALTERNATIVE TO PAYMENT OF IMPUTED UNDERPAYMENT BY PARTNERSHIP.**

''(a) IN GENERAL.—If the partnership—

''(1) not later than 45 days after the date of the notice of final partnership adjustment, elects the application of this section with respect to an imputed underpayment, and

''(2) at such time and in such manner as the Secretary may provide, furnishes to each partner of the partnership for the reviewed year and to the Secretary a statement of the partner's share of any adjustment to income, gain, loss, deduction, or credit (as determined in the notice of final partnership adjustment),

section 6225 shall not apply with respect to such underpayment and each such partner shall take such adjustment into account as provided in subsection (b). The election under paragraph (1) shall be made in such manner as the Secretary may provide and, once made, shall be revocable only with the consent of the Secretary.

''(b) ADJUSTMENTS TAKEN INTO ACCOUNT BY PARTNER.—

''(1) TAX IMPOSED IN YEAR OF STATEMENT.—Each partner's tax imposed by chapter 1 for the taxable year which includes the date the statement was furnished under subsection (a) shall be increased by the aggregate of the adjustment amounts determined under paragraph (2) for the taxable years referred to therein.

''(2) ADJUSTMENT AMOUNTS.—The adjustment amounts determined under this paragraph are—

''(A) in the case of the taxable year of the partner which includes the end of the reviewed year, the amount by which the tax imposed under chapter 1 would increase if the partner's share of the adjustments described in subsection (a) were taken into account for such taxable year, plus

''(B) in the case of any taxable year after the taxable year referred to in subparagraph (A) and before the taxable year referred to in paragraph (1), the amount by which the tax imposed under chapter 1 would increase by reason of the adjustment to tax attributes under paragraph (3).

''(3) ADJUSTMENT OF TAX ATTRIBUTES.—Any tax attribute which would have been affected if the adjustments described in subsection (a) were taken into account for the taxable year referred to in paragraph (2)(A) shall—

''(A) in the case of any taxable year referred to in paragraph (2)(B), be appropriately adjusted for purposes of applying such paragraph, and

''(B) in the case of any subsequent taxable year, be appropriately adjusted.

''(c) PENALTIES AND INTEREST.—

''(1) PENALTIES.—Notwithstanding subsections (a) and (b), any penalties, additions to tax, or additional amount shall be determined as provided under section 6221 and the partners of the partnership for the reviewed year shall be liable for any such penalty, addition to tax, or additional amount.

''(2) INTEREST.—In the case of an imputed underpayment with respect to which the application of this section is elected, interest shall be determined—

''(A) at the partner level,

''(B) from the due date of the return for the taxable year to which the increase is attributable (determined by taking into account any increases attributable to a change in tax attributes for a taxable year under subsection (b)(2)), and

''(C) at the underpayment rate under section 6621(a)(2), determined by substituting '5 percentage points' for '3 percentage points' in subparagraph (B) thereof.

**"SEC. 6227. ADMINISTRATIVE ADJUSTMENT REQUEST BY PARTNERSHIP.**

''(a) IN GENERAL.—A partnership may file a request for an administrative adjustment in the amount of one or more items of income, gain, loss, deduction, or credit of the partnership for any partnership taxable year.

''(b) ADJUSTMENT.—Any such adjustment under subsection (a) shall be determined and taken into account for the partnership taxable year in which the administrative adjustment request is made—

''(1) by the partnership under rules similar to the rules of section 6225 (other than paragraphs (2), (6) and (7) of subsection (c) thereof) for the partnership taxable year in which the administrative adjustment request is made, or

''(2) by the partnership and partners under rules similar to the rules of section 6226 (determined without regard to the substitution described in subsection (c)(2)(C) thereof).

In the case of an adjustment that would not result in an imputed underpayment, paragraph (1) shall not apply and paragraph (2) shall apply with appropriate adjustments.

''(c) PERIOD OF LIMITATIONS.—A partnership may not file such a request more than 3 years after the later of—

''(1) the date on which the partnership return for such year is filed, or

''(2) the last day for filing the partnership return for such year (determined without regard to extensions).

In no event may a partnership file such a request after a notice of an administrative proceeding with respect to the taxable year is mailed under section 6231.

**"PART 1—PROCEDURE**



**"SEC. 6231. NOTICE OF PROCEEDINGS AND ADJUSTMENT.**

''(a) IN GENERAL.—The Secretary shall mail to the partnership and the partnership representative—

''(1) notice of any administrative proceeding initiated at the partnership level with respect to an adjustment of any item of income, gain, loss, deduction, or credit of a partnership for a partnership taxable year, or any partner's distributive share thereof,

''(2) notice of any proposed partnership adjustment resulting from such proceeding, and

''(3) notice of any final partnership adjustment resulting from such proceeding.

Any notice of a final partnership adjustment shall not be mailed earlier than 270 days after the date on which the notice of the proposed partnership adjustment is mailed. Such notices shall be sufficient if mailed to the last known address of the partnership representative or the partnership (even if the partnership has terminated its existence). The first sentence shall apply to any proceeding with respect to an administrative adjustment request filed by a partnership under section 6227.

''(b) FURTHER NOTICES RESTRICTED.—If the Secretary mails a notice of a final partnership adjustment to any partnership for any partnership taxable year and the partnership files a petition under section 6234 with respect to such notice, in the absence of a showing of fraud, malfeasance, or misrepresentation of a material fact, the Secretary shall not mail another such notice to such partnership with respect to such taxable year.

''(c) AUTHORITY TO RESCIND NOTICE WITH PARTNERSHIP CONSENT.—The Secretary may, with the consent of the partnership, rescind any notice of a partnership adjustment mailed to such partnership. Any notice so rescinded shall not be treated as a notice of a partnership adjustment for purposes of this subchapter, and the taxpayer shall have no right to bring a proceeding under section 6234 with respect to such notice.

**"SEC. 6232. ASSESSMENT, COLLECTION, AND PAYMENT.**

''(a) IN GENERAL.—Any imputed underpayment shall be assessed and collected in the same manner as if it were a tax imposed for the adjustment year by subtitle A, except that in the case of an administrative adjustment request to which section 6227(b)(1) applies, the underpayment shall be paid when the request is filed.

''(b) LIMITATION ON ASSESSMENT.—Except as otherwise provided in this chapter, no assessment of a deficiency may be made (and no levy or proceeding in any court for the collection of any amount resulting from such adjustment may be made, begun or prosecuted) before—

''(1) the close of the 90th day after the day on which a notice of a final partnership adjustment was mailed, and

''(2) if a petition is filed under section 6234 with respect to such notice, the decision of the court has become final.

''(c) PREMATURE ACTION MAY BE ENJOINED.—Notwithstanding section 7421(a), any action which violates subsection (b) may be enjoined in the proper court, including the Tax Court. The Tax Court shall have no jurisdiction to enjoin any action under this subsection unless a timely petition has been filed under section 6234 and then only in respect of the adjustments that are the subject of such petition.

''(d) EXCEPTIONS TO RESTRICTIONS ON ADJUSTMENTS.—

''(1) ADJUSTMENTS ARISING OUT OF MATH OR CLERICAL ERRORS.—

''(A) IN GENERAL.— If the partnership is notified that, on account of a mathematical or clerical error appearing on the partnership

return, an adjustment to a item is required, rules similar to the rules of paragraphs (1) and (2) of section 6213(b) shall apply to such adjustment.

''(B) SPECIAL RULE.—If a partnership is a partner in another partnership, any adjustment on account of such partnership's failure to comply with the requirements of section 6222(a) with respect to its interest in such other partnership shall be treated as an adjustment referred to in subparagraph (A), except that paragraph (2) of section 6213(b) shall not apply to such adjustment.

''(2) PARTNERSHIP MAY WAIVE RESTRICTIONS.—The partnership may at any time (whether or not any notice of partnership adjustment has been issued), by a signed notice in writing filed with the Secretary, waive the restrictions provided in subsection (b) on the making of any partnership adjustment.

''(e) LIMIT WHERE NO PROCEEDING BEGUN.—If no proceeding under section 6234 is begun with respect to any notice of a final partnership adjustment during the 90-day period described in subsection (b) thereof, the amount for which the partnership is liable under section 6225 shall not exceed the amount determined in accordance with such notice.

**''SEC. 6233. INTEREST AND PENALTIES.**

''(a) INTEREST AND PENALTIES DETERMINED FROM REVIEWED YEAR.—

''(1) IN GENERAL.—Except to the extent provided in section 6226(c), in the case of a partnership adjustment for a reviewed year—

''(A) interest shall be computed under paragraph (2), and

''(B) the partnership shall be liable for any penalty, addition to tax, or additional amount as provided in paragraph (3).

''(2) DETERMINATION OF AMOUNT OF INTEREST.—The interest computed under this paragraph with respect to any partnership adjustment is the interest which would be determined under chapter 67 for the period beginning on the day after the return due date for the reviewed year and ending on the return due date for the adjustment year (or, if earlier, the date payment of the imputed underpayment is made). Proper adjustments in the amount determined under the preceding sentence shall be made for adjustments required for partnership taxable years after the reviewed year and before the adjustment year by reason of such partnership adjustment.

''(3) PENALTIES.—Any penalty, addition to tax, or additional amount shall be determined at the partnership level as if such partnership had been an individual subject to tax under chapter 1 for the reviewed year and the imputed underpayment were an actual underpayment (or understatement) for such year.

''(b) INTEREST AND PENALTIES WITH RESPECT TO ADJUSTMENT YEAR RETURN.—

''(1) IN GENERAL.—In the case of any failure to pay an imputed underpayment on the date prescribed therefor, the partnership shall be liable—

''(A) for interest as determined under paragraph (2), and

''(B) for any penalty, addition to tax, or additional amount as determined under paragraph (3).

''(2) INTEREST.—Interest determined under this paragraph is the interest that would be determined by treating the imputed underpayment as an underpayment of tax imposed in the adjustment year.

''(3) PENALTIES.—Penalties, additions to tax, or additional amounts determined under this paragraph are the penalties, additions to tax, or additional amounts that would be determined—

''(A) by applying section 6651(a)(2) to such failure to pay, and

''(B) by treating the imputed underpayment as an underpayment of tax for purposes of part II of subchapter A of chapter 68.

**''SEC. 6234. JUDICIAL REVIEW OF PARTNERSHIP ADJUSTMENT.**

''(a) IN GENERAL.—Within 90 days after the date on which a notice of a final partnership adjustment is mailed under section 6231 with respect to any partnership taxable year, the partnership may file a petition for a readjustment for such taxable year with—

''(1) the Tax Court,

''(2) the district court of the United States for the district in which the partnership's principal place of business is located, or

''(3) the Claims Court.

''(b) JURISDICTIONAL REQUIREMENT FOR BRINGING ACTION IN DISTRICT COURT OR CLAIMS COURT.—

''(1) IN GENERAL.—A readjustment petition under this section may be filed in a district court of the United States or the Claims Court only if the partnership filing the petition deposits with the Secretary, on or before the date the petition is filed, the amount of the imputed underpayment (as of the date of the filing of the petition) if the partnership adjustment was made as provided by the notice of final partnership adjustment. The court may by order provide that the jurisdictional requirements of this paragraph are satisfied where there has been a good faith attempt to satisfy such requirement and any shortfall of the amount required to be deposited is timely corrected.

''(2) INTEREST PAYABLE.—Any amount deposited under paragraph (1), while deposited, shall not be treated as a payment of tax for purposes of this title (other than chapter 67).

''(c) SCOPE OF JUDICIAL REVIEW.—A court with which a petition is filed in accordance with this section shall have jurisdiction to determine all items of income, gain, loss, deduction, or credit of the partnership for the partnership taxable year to which the notice of final partnership adjustment relates, the proper allocation of such items among the partners, and the applicability of any penalty, addition to tax, or additional amount for which the partnership may be liable under this subchapter.

''(d) DETERMINATION OF COURT REVIEWABLE.—Any determination by a court under this section shall have the force and effect of a decision of the Tax Court or a final judgment or decree of the district court or the Claims Court, as the case may be, and shall be reviewable as such. The date of any such determination shall be treated as being the date of the court's order entering the decision.

''(e) EFFECT OF DECISION DISMISSING ACTION.—If an action brought under this section is dismissed other than by reason of a rescission under section 6231(c), the decision of the court dismissing the action shall be considered as its decision that the notice of final partnership adjustment is correct, and an appropriate order shall be entered in the records of the court.

**''SEC. 6235. PERIOD OF LIMITATIONS ON MAKING ADJUSTMENTS.**

''(a) IN GENERAL.—Except as otherwise provided in this section, no adjustment under this subpart for any partnership taxable year may be made after the later of—

''(1) the date which is 3 years after the latest of—

''(A) the date on which the partnership return for such taxable year was filed,

''(B) the return due date for the taxable year, or

''(C) the date on which the partnership filed an administrative adjustment request with respect to such year under section 6227, or

''(2) in the case of any modification of an imputed underpayment under section 6225(c), the date that is 270 days (plus the number of days of any extension consented to by the Secretary under paragraph (4) thereof) after the date on which everything required to be submitted to the Secretary pursuant to such section is so submitted, or

''(3) in the case of any notice of a proposed partnership adjustment under section 6231(a)(2), the date that is 270 days after the date of such notice.

''(b) EXTENSION BY AGREEMENT.—The period described in subsection (a) (including an extension period under this subsection) may be extended by an agreement entered into by the Secretary and the partnership before the expiration of such period.

''(c) SPECIAL RULE IN CASE OF FRAUD, ETC.—

''(1) FALSE RETURN.—In the case of a false or fraudulent partnership return with intent to evade tax, the adjustment may be made at any time.

''(2) SUBSTANTIAL OMISSION OF INCOME.—If any partnership omits from gross income an amount properly includible therein and such amount is described in section 6501(e)(1)(A), subsection (a) shall be applied by substituting '6 years' for '3 years'.

''(3) NO RETURN.—In the case of a failure by a partnership to file a return for any taxable year, the adjustment may be made at any time.

''(4) RETURN FILED BY SECRETARY.—For purposes of this section, a return executed by the Secretary under subsection (b) of section 6020 on behalf of the partnership shall not be treated as a return of the partnership.

''(d) SUSPENSION WHEN SECRETARY MAILS NOTICE OF ADJUSTMENT.—If notice of a final partnership adjustment with respect to any taxable year is mailed under section 6231, the running of the period specified in subsection (a) (as modified by the other provisions of this section) shall be suspended—

''(1) for the period during which an action may be brought under section 6234 (and, if a petition is filed under such section with respect to such notice, until the decision of the court becomes final), and

''(2) for 1 year thereafter.

**''PART 2—DEFINITIONS AND SPECIAL RULES**

''Sec. 6241. Definitions and special rules.

**''SEC. 6241. DEFINITIONS AND SPECIAL RULES.**

''For purposes of this subchapter—

''(1) PARTNERSHIP.—The term 'partnership' means any partnership required to file a return under section 6031(a).

''(2) PARTNERSHIP ADJUSTMENT.—The term 'partnership adjustment' means any adjustment in the amount of any item of income, gain, loss, deduction, or credit of a partnership, or any partner's distributive share thereof.

''(3) RETURN DUE DATE.—The term 'return due date' means, with respect to the taxable year, the date prescribed for filing the partnership return for such taxable year (determined without regard to extensions).

''(4) PAYMENTS NONDEDUCTIBLE.—No deduction shall be allowed under subtitle A for any payment required to be made by a partnership under this subchapter.

''(5) PARTNERSHIPS HAVING PRINCIPAL PLACE OF BUSINESS OUTSIDE UNITED STATES.—For purposes of sections 6234, a principal place of business located outside the United States shall be treated as located in the District of Columbia.

''(6) PARTNERSHIPS IN CASES UNDER TITLE 11 OF UNITED STATES CODE.—

''(A) SUSPENSION OF PERIOD OF LIMITATIONS ON MAKING ADJUSTMENT, ASSESSMENT, OR COLLECTION.—The running of any period of limitations provided in this subchapter on making a partnership adjustment (or provided by section 6501 or 6502 on the assessment or collection of any imputed underpayment determined under this subchapter) shall, in a case under title 11 of the United States Code, be suspended during the period during which the Secretary is prohibited by reason of such

case from making the adjustment (or assessment or collection) and—

''(i) for adjustment or assessment, 60 days thereafter, and

''(ii) for collection, 6 months thereafter.

A rule similar to the rule of section 6213(f)(2) shall apply for purposes of section 6232(b).

''(B) SUSPENSION OF PERIOD OF LIMITATION FOR FILING FOR JUDICIAL REVIEW.—The running of the period specified in section 6234 shall, in a case under title 11 of the United States Code, be suspended during the period during which the partnership is prohibited by reason of such case from filing a petition under section 6234 and for 60 days thereafter.

''(7) TREATMENT WHERE PARTNERSHIP CEASES TO EXIST.—If a partnership ceases to exist before a partnership adjustment under this subchapter takes effect, such adjustment shall be taken into account by the former partners of such partnership under regulations prescribed by the Secretary.

''(8) EXTENSION TO ENTITIES FILING PARTNERSHIP RETURN.—If a partnership return is filed by an entity for a taxable year but it is determined that the entity is not a partnership (or that there is no entity) for such year, then, to the extent provided in regulations, the provisions of this subchapter are hereby extended in respect of such year to such entity and its items and to persons holding an interest in such entity.''.

(2) CLERICAL AMENDMENT.—The table of subchapters for chapter 63 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by inserting after the item relating to subchapter B the following new item:

''SUBCHAPTER C. TREATMENT OF PARTNERSHIPS.''.

(d) BINDING NATURE OF PARTNERSHIP ADJUSTMENT PROCEEDINGS.—Section 6330(c)(4) of such Code is amended by striking ''or'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting ''; or'', and by inserting after subparagraph (B) the following new subparagraph:

''(C) a final determination has been made with respect to such issue in a proceeding brought under subchapter C of chapter 63.''.

(e) RESTRICTION ON AUTHORITY TO AMEND PARTNER INFORMATION STATEMENTS.—Section 6031(b) of such Code is amended by adding at the end the following: ''Except as provided in the procedures under section 6225(c), with respect to statements under section 6226, or as otherwise provided by the Secretary, information required to be furnished by the partnership under this subsection may not be amended after the due date of the return under subsection (a) to which such information relates.''.

(f) CONFORMING AMENDMENTS.—

(1) Section 6031(b) of such Code is amended by striking the last sentence.

(2) Section 6422 of such Code is amended by striking paragraph (12).

(3) Section 6501(n) of such Code is amended by striking paragraphs (2) and (3) and by striking ''CROSS REFERENCES'' and all that follows through ''For period of limitations'' and inserting ''CROSS REFERENCE.—For period of limitations''.

(4) Section 6503(a)(1) of such Code is amended by striking ''(or section 6229'' and all that follows through ''of section 6230(a))''.

(5) Section 6504 of such Code is amended by striking paragraph (11).

(6) Section 6511 of such Code is amended by striking subsection (g).

(7) Section 6512(b)(3) of such Code is amended by striking the second sentence.

(8) Section 6515 of such Code is amended by striking paragraph (6).

(9) Section 6601(c) of such Code is amended by striking the last sentence.

(10) Section 7421(a) of such Code is amended by striking ''6225(b), 6246(b)'' and inserting ''6232(c)''.

(11) Section 7422 of such Code is amended by striking subsection (h).

(12) Section 7459(c) of such Code is amended by striking ''section 6226'' and all that follows through ''or 6252'' and inserting ''section 6234''.

(13) Section 7482(b)(1) of such Code is amended—

(A) in subparagraph (E), by striking ''section 6226, 6228, 6247, or 6252'' and inserting ''section 6234'',

(B) by striking subparagraph (F), by striking ''or'' at the end of subparagraph (E) and inserting a period, and by inserting ''or'' at the end of subparagraph (D), and

(C) in the last sentence, by striking ''section 6226, 6228(a), or 6234(c)'' and inserting ''section 6234''.

(14) Section 7485(b) of such Code is amended by striking ''section 6226, 6228(a), 6247, or 6252'' and inserting ''section 6234''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to returns filed for partnership taxable years beginning after December 31, 2017.

(2) ADMINISTRATIVE ADJUSTMENT REQUESTS.—In the case of administrative adjustment request under section 6227 of such Code, the amendments made by this section shall apply to requests with respect to returns filed for partnership taxable years beginning after December 31, 2017.

(3) ADJUSTED PARTNERS STATEMENTS.—In the case of a partnership electing the application of section 6226 of such Code, the amendments made by this section shall apply to elections with respect to returns filed for partnership taxable years beginning after December 31, 2017.

(4) ELECTION.—A partnership may elect (at such time and in such form and manner as the Secretary of the Treasury may prescribe) for the amendments made by this section (other than the election under section 6221(b) of such Code (as added by this Act)) to apply to any return of the partnership filed for partnership taxable years beginning after the date of the enactment of this Act and before January 1, 2018.

**SEC. 1102. PARTNERSHIP INTERESTS CREATED BY GIFT.**

(a) IN GENERAL.—Section 761(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following: ''In the case of a capital interest in a partnership in which capital is a material income-producing factor, whether a person is a partner with respect to such interest shall be determined without regard to whether such interest was derived by gift from any other person.''.

(b) CONFORMING AMENDMENTS.—Section 704(e) of such Code is amended—

(1) by striking paragraph (1) and by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively,

(2) by striking ''this section'' in paragraph (2) (as so redesignated) and inserting ''this subsection'', and

(3) by striking ''FAMILY PARTNERSHIPS'' in the heading and inserting ''PARTNERSHIP INTERESTS CREATED BY GIFT''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to partnership taxable years beginning after December 31, 2015.

**TITLE XII—DESIGNATION OF SMALL HOUSE ROTUNDA**

**SEC. 1201. DESIGNATING SMALL HOUSE ROTUNDA AS "FREEDOM FOYER".**

The first floor of the area of the House of Representatives wing of the United States Capitol known as the small House rotunda is designated the ''Freedom Foyer''.

After debate,

Pursuant to House Resolution 495, the previous question was ordered on the motion.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, announced that the ayes had it.

Mr. ROGERS of Kentucky, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 266 / Nays ..... 167

¶135.16 [Roll No. 579]

YEAS—266

| | | |
|---|---|---|
| Adams | Diaz-Balart | Lieu, Ted |
| Aguilar | Dingell | Lipinski |
| Ashford | Doggett | LoBiondo |
| Barr | Dold | Loebsack |
| Bass | Donovan | Lofgren |
| Beatty | Doyle, Michael F. | Lowenthal |
| Becerra | Duckworth | Lowey |
| Benishek | Edwards | Lucas |
| Bera | Ellison | Luetkemeyer |
| Beyer | Engel | Lujan Grisham (NM) |
| Bishop (GA) | Eshoo | Luján, Ben Ray (NM) |
| Blumenauer | Esty | Lynch |
| Boehner | Farr | MacArthur |
| Bonamici | Fattah | Maloney, Carolyn |
| Bost | Fitzpatrick | Maloney, Sean |
| Boyle, Brendan F. | Fortenberry | Matsui |
| Brady (PA) | Foster | McCarthy |
| Brady (TX) | Frankel (FL) | McCollum |
| Brooks (IN) | Frelinghuysen | McDermott |
| Brown (FL) | Fudge | McGovern |
| Brownley (CA) | Gabbard | McHenry |
| Buchanan | Gallego | McMorris Rodgers |
| Bustos | Garamendi | McNerney |
| Butterfield | Gibson | McSally |
| Calvert | Graham | Meehan |
| Capps | Granger | Meng |
| Capuano | Grayson | Messer |
| Cárdenas | Green, Al | Mica |
| Carney | Green, Gene | Miller (MI) |
| Carson (IN) | Grijalva | Moore |
| Carter (TX) | Guthrie | Moulton |
| Cartwright | Gutiérrez | Murphy (FL) |
| Castor (FL) | Hahn | Nadler |
| Castro (TX) | Hanna | Napolitano |
| Chu, Judy | Harper | Neal |
| Cicilline | Hartzler | Nolan |
| Clark (MA) | Hastings | Norcross |
| Clarke (NY) | Heck (WA) | Nunes |
| Clay | Higgins | O'Rourke |
| Cleaver | Himes | Pallone |
| Clyburn | Hinojosa | Pascrell |
| Cohen | Honda | Payne |
| Cole | Hoyer | Pelosi |
| Collins (NY) | Huffman | Perlmutter |
| Comstock | Israel | Peters |
| Conaway | Jackson Lee | Peterson |
| Connolly | Jeffries | Pingree |
| Conyers | Johnson (GA) | Pittenger |
| Cook | Johnson (OH) | Pocan |
| Cooper | Johnson, E. B. | Poliquin |
| Costa | Jolly | Polis |
| Costello (PA) | Joyce | Price (NC) |
| Courtney | Kaptur | Quigley |
| Cramer | Katko | Rangel |
| Crenshaw | Keating | Reed |
| Crowley | Kelly (IL) | Reichert |
| Cuellar | Kennedy | Rice (NY) |
| Culberson | Kildee | Richmond |
| Cummings | Kilmer | Rigell |
| Curbelo (FL) | Kind | Rogers (AL) |
| Davis (CA) | King (NY) | Rogers (KY) |
| Davis, Danny | Kinzinger (IL) | Ros-Lehtinen |
| Davis, Rodney | Kirkpatrick | Roybal-Allard |
| DeFazio | Kline | Royce |
| DeGette | Kuster | Ruiz |
| Delaney | Langevin | Ruppersberger |
| DeLauro | Larsen (WA) | Rush |
| DelBene | Larson (CT) | Ryan (OH) |
| Denham | Lawrence | Ryan (WI) |
| Dent | Lee | |
| DeSaulnier | Levin | |
| Deutch | Lewis | |

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Wilson (SC)
Womack
Yarmuth

NAYS—167

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brat
Bridenstine
Brooks (AL)
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Crawford
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Hardy
Harris
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lummis
Marchant
Marino
Massie
McCaul
McClintock
McKinley
Meadows
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Tipton
Trott
Wagner
Walberg
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—2

Hudson
Meeks

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said amendment.

¶135.17 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, October 27, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, announced that the ayes had it.

So the Journal was approved.

¶135.18 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, without amendment, a bill of the House of the following title:

H.R. 3819. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

¶135.19 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO SUDAN

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States*:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Sudan is to continue in effect beyond November 3, 2015.

The crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in Executive Order 13067 of November 3, 1997, and the expansion of that emergency in Executive Order 13400 of April 26, 2006, and with respect to which additional steps were taken in Executive Order 13412 of October 13, 2006, has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13067 with respect to Sudan.

BARACK OBAMA.

THE WHITE HOUSE, *October 28, 2015*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 114–71).

¶135.20 HOUR OF MEETING

On motion of Mr. NEUGEBAUER, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, October 29, 2015.

¶135.21 STATE LICENSING EFFICIENCY

Mr. NEUGEBAUER moved to suspend the rules and pass the bill (H.R. 2643) to direct the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes.

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, recognized Mr. NEUGEBAUER and Ms. MOORE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶135.22 AMENDMENT OF THE SENATE TO H.R. 623

Mr. COSTELLO of Pennsylvania, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 623) to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes:

Strike out all after the enacting clause and insert:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''DHS Social Media Improvement Act of 2015''.*

***SEC. 2. SOCIAL MEDIA WORKING GROUP.***

*(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following:*

***''SEC. 318. SOCIAL MEDIA WORKING GROUP.***

*''(a) ESTABLISHMENT.—The Secretary shall establish within the Department a social media working group (in this section referred to as the 'Group').*

*''(b) PURPOSE.—In order to enhance the dissemination of information through social media technologies between the Department and appropriate stakeholders and to improve use of social media technologies in support of preparedness, response, and recovery, the Group shall identify, and provide guidance and best practices to the emergency preparedness and response community on, the use of social media technologies before, during, and after a natural disaster or an act of terrorism or other manmade disaster.*

*''(c) MEMBERSHIP.—*

*''(1) IN GENERAL.—Membership of the Group shall be composed of a cross section of subject matter experts from Federal, State, local, tribal, territorial, and nongovernmental organization practitioners, including representatives from the following entities:*

*''(A) The Office of Public Affairs of the Department.*

*''(B) The Office of the Chief Information Officer of the Department.*

*''(C) The Privacy Office of the Department.*

*''(D) The Federal Emergency Management Agency.*

*''(E) The Office of Disability Integration and Coordination of the Federal Emergency Management Agency.*

*''(F) The American Red Cross.*

*''(G) The Forest Service.*

*''(H) The Centers for Disease Control and Prevention.*

*''(I) The United States Geological Survey.*

*''(J) The National Oceanic and Atmospheric Administration.*

*''(2) CHAIRPERSON; CO-CHAIRPERSON.—*

*''(A) CHAIRPERSON.—The Secretary, or a designee of the Secretary, shall serve as the chairperson of the Group.*

*''(B) CO-CHAIRPERSON.—The chairperson shall designate, on a rotating basis, a representative from a State or local government who is a member of the Group to serve as the co-chairperson of the Group.*

*''(3) ADDITIONAL MEMBERS.—The chairperson shall appoint, on a rotating basis, qualified individuals to the Group. The total number of such additional members shall—*

*''(A) be equal to or greater than the total number of regular members under paragraph (1); and*

*''(B) include—*

*''(i) not fewer than 3 representatives from the private sector; and*

*''(ii) representatives from—*

*''(I) State, local, tribal, and territorial entities, including from—*

*''(aa) law enforcement;*

*''(bb) fire services;*

*''(cc) emergency management; and*

*''(dd) public health entities;*

*''(II) universities and academia; and*

*''(III) nonprofit disaster relief organizations.*

*''(4) TERM LIMITS.—The chairperson shall establish term limits for individuals appointed to the Group under paragraph (3).*

*''(d) CONSULTATION WITH NON-MEMBERS.—To the extent practicable, the Group shall work with entities in the public and private sectors to carry out subsection (b).*

*''(e) MEETINGS.—*

*''(1) INITIAL MEETING.—Not later than 90 days after the date of enactment of this section, the Group shall hold its initial meeting.*

*''(2) SUBSEQUENT MEETINGS.—After the initial meeting under paragraph (1), the Group shall meet—*

*''(A) at the call of the chairperson; and*

*''(B) not less frequently than twice each year.*

*''(3) VIRTUAL MEETINGS.—Each meeting of the Group may be held virtually.*

*''(f) REPORTS.—During each year in which the Group meets, the Group shall submit to the appropriate congressional committees a report that includes the following:*

*''(1) A review and analysis of current and emerging social media technologies being used to support preparedness and response activities related to natural disasters and acts of terrorism and other man-made disasters.*

*''(2) A review of best practices and lessons learned on the use of social media technologies during the response to natural disasters and acts of terrorism and other man-made disasters that occurred during the period covered by the report at issue.*

*''(3) Recommendations to improve the Department's use of social media technologies for emergency management purposes.*

*''(4) Recommendations to improve public awareness of the type of information disseminated through social media technologies, and how to access such information, during a natural disaster or an act of terrorism or other man-made disaster.*

*''(5) A review of available training for Federal, State, local, tribal, and territorial officials on the use of social media technologies in response to a natural disaster or an act of terrorism or other man-made disaster.*

*''(6) A review of coordination efforts with the private sector to discuss and resolve legal, operational, technical, privacy, and security concerns.*

*''(g) DURATION OF GROUP.—*

*''(1) IN GENERAL.—The Group shall terminate on the date that is 5 years after the date of enactment of this section unless the chairperson renews the Group for a successive 5-year period, prior to the date on which the Group would otherwise terminate, by submitting to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a certification that the continued existence of the Group is necessary to fulfill the purpose described in subsection (b).*

*''(2) CONTINUED RENEWAL.—The chairperson may continue to renew the Group for successive 5-year periods by submitting a certification in accordance with paragraph (1) prior to the date on which the Group would otherwise terminate.''.*

*(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 317 the following:*

*''Sec. 318. Social media working group.''.*

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, recognized Mr. COSTELLO of Pennsylvania, and Mr. CARSON of Indiana, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

### ¶135.23 NORTHERN BORDER SECURITY

Mr. KATKO moved to suspend the rules and pass the bill (H.R. 455) to require the Secretary of Homeland Security to conduct a northern border threat analysis, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, recognized Mr. KATKO and Mr. HIGGINS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

### ¶135.24 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3819. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

### ¶135.25 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HUDSON, for today.

And then,

### ¶135.26 ADJOURNMENT

On motion of Mr. Al GREEN of Texas, pursuant to the previous order of the House, at 7 o'clock and 55 minutes p.m., the House adjourned until 9 a.m. on Thursday, October 29, 2015.

### ¶135.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 2643. A bill to direct the Attorney General to provide State officials with access to criminal history information with respect to certain financial service providers required to undergo State criminal background checks, and for other purposes (Rept. 114–316, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on Ways and Means. H.R. 2510. A bill to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation; with an amendment (Rept. 114–317, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

### ¶135.28 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 2510 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 2643 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

### ¶135.29 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CARTER of Georgia (for himself and Mrs. TORRES):

H.R. 3842. A bill to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN:

H.R. 3843. A bill to authorize for a 7-year period the collection of claim location and maintenance fees, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JODY B. HICE of Georgia:

H.R. 3844. A bill to establish the Energy and Minerals Reclamation Foundation to encourage, obtain, and use gifts, devises, and bequests for projects to reclaim abandoned mine lands and orphan oil and gas well sites, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Iowa:

H.R. 3845. A bill to amend the Federal Crop Insurance Act to repeal the changes regarding the Standard Reinsurance Agreement enacted as part of the Bipartisan Budget Act of 2015; to the Committee on Agriculture.

By Mr. KELLY of Pennsylvania (for himself, Mr. BLUMENAUER, Mr. TIBERI, Mr. NEAL, Mr. BOUSTANY, Mr. LARSON of Connecticut, Mr. TURNER, Mr. KIND, Mr. RANGEL, and Mr. REED):

H.R. 3846. A bill to amend the Internal Revenue Code of 1986 to improve the Historic Rehabilitation Tax Credit, and for other purposes; to the Committee on Ways and Means.

By Mr. ISSA (for himself, Mr. PETERSON, and Mr. HUNTER):

H.R. 3847. A bill to provide for reforms of the Export-Import Bank of the United States; to the Committee on Financial Services.

By Mr. BENISHEK (for himself and Mrs. DINGELL):

H.R. 3848. A bill to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes; to the Committee on Natural Resources.

By Ms. JUDY CHU of California:

H.R. 3849. A bill to amend title 10, United States Code, to ensure access to qualified acupuncturist services for military members and military dependents, to amend title 38, United States Code, to ensure access to acupuncturist services through the Department of Veterans Affairs, to amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under the Medicare program; to amend the Public Health Service Act to authorize the appointment of qualified acupuncturists as officers in the commissioned Regular Corps and the Ready Reserve Corps of the Public Health Service, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Veterans' Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. CONNOLLY, Mr. BLUMENAUER, Ms. BROWNLEY of California, Mr. CONYERS, Mr. CUMMINGS, Mr. DELANEY, Ms. EDWARDS, Ms. FRANKEL of Florida, Mr. GARAMENDI, Ms. JACKSON LEE, Ms. KAPTUR, Ms. KELLY of Illinois, Mrs. KIRKPATRICK, Mr. LANGEVIN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Ms. NORTON, Mr. POCAN, Mr. TAKANO, Mr. THOMPSON of Mississippi, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. SCHAKOWSKY, and Mr. JONES):

H.R. 3850. A bill to provide for additional protections and disclosures to consumers when financial products or services are related to the consumers' military or Federal pensions, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Veterans' Affairs, Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 3851. A bill to amend the Public Health Service Act to authorize appointment of Doctors of Chiropractic to regular and reserve corps of the Public Health Service Commissioned Corps, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HIGGINS (for himself and Mr. HANNA):

H.R. 3852. A bill to direct the Secretary of Energy to conduct a study on the benefits of solar net energy metering, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MOORE:

H.R. 3853. A bill to provide the Attorney General with greater discretion in issuing Federal firearms licenses, and to authorize temporarily greater scrutiny of Federal firearms licensees who have transferred a firearm unlawfully or had 10 or more crime guns traced back to them in the preceding 2 years; to the Committee on the Judiciary.

By Mr. O'ROURKE:

H.R. 3854. A bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of $1,000 or more from any contributor during a calendar year, and for other purposes; to the Committee on House Administration.

By Mr. QUIGLEY (for himself, Mr. FORBES, Mr. COOPER, and Mr. RENACCI):

H.R. 3855. A bill to amend the Internal Revenue Code of 1986 to require the Secretary of the Treasury to provide each individual taxpayer a receipt for an income tax payment which itemizes the portion of the payment which is allocable to various Government spending categories; to the Committee on Ways and Means.

By Mr. RENACCI (for himself and Mr. CARNEY):

H.R. 3856. A bill to amend the Internal Revenue Code of 1986 to provide a safe harbor for de minimis errors on information returns and payee statements; to the Committee on Ways and Means.

By Mr. CHABOT:

H. Con. Res. 88. Concurrent resolution reaffirming the Taiwan Relations Act and the Six Assurances as the cornerstone of United States-Taiwan relations; to the Committee on Foreign Affairs.

By Mr. KING of Iowa (for himself, Mr. WEBER of Texas, Mr. RIGELL, Mr. LAMBORN, Mr. WESTMORELAND, Mr. SESSIONS, Mr. BARLETTA, Mr. MCCLINTOCK, Mr. AUSTIN SCOTT of Georgia, Mr. MCKINLEY, Mr. MULVANEY, Mr. DESJARLAIS, Mr. RUSSELL, Mr. FARENTHOLD, Mr. SMITH of Texas, Mr. ALLEN, Mr. KELLY of Pennsylvania, Mr. BISHOP of Michigan, Mr. LOUDERMILK, Mr. PALMER, Mr. MURPHY of Pennsylvania, Mr. HUELSKAMP, Mr. BISHOP of Utah, Mr. GRAVES of Georgia, Mr. FLEISCHMANN, Mr. WILSON of South Carolina, Mr. ZINKE, Mr. WALBERG, Mr. JODY B. HICE of Georgia, Mr. GIBBS, Mr. ROE of Tennessee, Mr. STUTZMAN, Mr. CHAFFETZ, Mr. WALKER, Mr. LAMALFA, Mr. ROUZER, Mr. STIVERS, Mr. YOUNG of Iowa, and Mr. BURGESS):

H. Res. 500. A resolution expressing the sense of the House of Representatives that the State of Israel has the right to defend itself against Iranian hostility and that the House of Representatives pledges to support Israel in its efforts to maintain its sovereignty; to the Committee on Foreign Affairs.

By Mr. AMODEI:

H. Res. 501. A resolution expressing the sense of the of House of Representatives that the United States postal facility network is an asset of significant value and the United States Postal Service should take appropriate measures to maintain, modernize and fully utilize the existing post office network for economic growth; to the Committee on Oversight and Government Reform.

By Mr. ELLISON (for himself, Mr. COHEN, Mr. YARMUTH, and Mr. BLUMENAUER):

H. Res. 502. A resolution honoring the life, legacy, and example of former Israeli Prime Minister Yitzhak Rabin on the 20th anniversary of his death; to the Committee on Foreign Affairs.

## ¶135.30 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 140: Mr. CULBERSON.
H.R. 184: Mrs. ELLMERS of North Carolina.
H.R. 209: Mrs. WATSON COLEMAN and Mr. MCNERNEY.
H.R. 213: Mr. HIMES.
H.R. 271: Ms. DUCKWORTH.
H.R. 282: Mrs. DINGELL.
H.R. 381: Mr. SERRANO.
H.R. 452: Mr. GUTIÉRREZ.
H.R. 546: Mr. SIMPSON, Mr. WHITFIELD, and Mr. CULBERSON.
H.R. 592: Mr. BRADY of Pennsylvania and Mr. HINOJOSA.
H.R. 664: Mrs. NAPOLITANO.
H.R. 703: Mr. GRAVES of Georgia and Mr. LAMALFA.
H.R. 932: Mr. GALLEGO.
H.R. 938: Ms. BORDALLO.
H.R. 953: Ms. WASSERMAN SCHULTZ and Mr. TURNER.
H.R. 985: Mr. CÁRDENAS.
H.R. 987: Mr. NUGENT.
H.R. 1002: Mr. TURNER and Ms. PINGREE.
H.R. 1062: Mr. ZELDIN.
H.R. 1089: Ms. BROWN of Florida.
H.R. 1150: Mr. HANNA.
H.R. 1197: Mr. CARSON of Indiana.
H.R. 1220: Mr. ROSS.
H.R. 1258: Mr. LARSON of Connecticut, Ms. KAPTUR, and Ms. ADAMS.
H.R. 1301: Mrs. MIMI WALTERS of California, Mrs. ELLMERS of North Carolina, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1401: Ms. KELLY of Illinois.
H.R. 1475: Mr. KATKO, Mr. MOONEY of West Virginia, and Mrs. BLACK.
H.R. 1478: Mr. DELANEY.
H.R. 1492: Mr. FATTAH.
H.R. 1516: Mr. PRICE of North Carolina and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1517: Mr. GARAMENDI.
H.R. 1549: Mr. ROKITA.
H.R. 1550: Mr. WILLIAMS.
H.R. 1603: Mr. LIPINSKI.
H.R. 1608: Mr. MURPHY of Pennsylvania.
H.R. 1610: Mr. LAHOOD.
H.R. 1672: Mr. THOMPSON of Mississippi, Mr. NEAL, and Mr. BLUMENAUER.
H.R. 1688: Ms. DUCKWORTH.
H.R. 1709: Ms. LOFGREN.
H.R. 1728: Mr. FATTAH, Mrs. KIRKPATRICK, Mr. GUTIÉRREZ, Mr. KIND, Ms. EDWARDS, and Mr. GRIJALVA.
H.R. 1786: Mr. SMITH of Washington.
H.R. 1814: Ms. MENG, Mr. FLEISCHMANN, Mr. COOPER, and Mr. DANNY K. DAVIS of Illinois.

H.R. 1886: Mr. CRAMER.
H.R. 1942: Mr. MOULTON.
H.R. 1961: Mrs. NAPOLITANO.
H.R. 2050: Mrs. DAVIS of California.
H.R. 2156: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2169: Mrs. DINGELL.
H.R. 2185: Mr. DUNCAN of South Carolina.
H.R. 2241: Mr. SMITH of New Jersey.
H.R. 2293: Mr. LARSON of Connecticut and Mr. CASTRO of Texas.
H.R. 2375: Mr. FATTAH
H.R. 2382: Mr. GRAYSON.
H.R. 2418: Mr. JOLLY.
H.R. 2434: Mr. WALBERG.
H.R. 2449: Mr. BERA.
H.R. 2450: Mr. FATTAH.
H.R. 2515: Ms. MATSUI and Mr. EMMER of Minnesota.
H.R. 2546: Mr. VAN HOLLEN.
H.R. 2612: Mr. SCHIFF.
H.R. 2623: Ms. DELAURO.
H.R. 2646: Mr. JOLLY.
H.R. 2656: Mr. SABLAN.
H.R. 2657: Mr. CURBELO of Florida, Mr. CONNOLLY, Mr. BISHOP of Michigan, and Mr. LIPINSKI.
H.R. 2660: Ms. TSONGAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SPEIER, Ms. EDWARDS, Mr. RUSH, Mr. HASTINGS, Mr. NOLAN, Mr. ELLISON, Ms. MENG, Mr. GRIJALVA, and Mr. AGUILAR.
H.R. 2689: Ms. LORETTA SANCHEZ of California.
H.R. 2754: Mr. PAULSEN.
H.R. 2759: Mr. PETERSON.
H.R. 2802: Mr. KNIGHT.
H.R. 2858: Mr. VARGAS and Mr. MEEHAN.
H.R. 2880: Mr. RYAN of Ohio, Mr. CLAY, Mr. FATTAH, Mrs. LAWRENCE, Ms. SEWELL of Alabama, Ms. NORTON, Mr. PAYNE, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Ms. PLASKETT, Ms. BASS, Mr. JEFFRIES, and Mr. BUTTERFIELD.
H.R. 2894: Mr. ZINKE.
H.R. 2896: Mr. JOYCE.
H.R. 2903: Mr. HOLDING and Mr. DANNY K. DAVIS of Illinois.
H.R. 2915: Mr. ASHFORD.
H.R. 2932: Mr. LANGEVIN.
H.R. 2962: Mr. VARGAS, Mr. GRAYSON, and Mrs. KIRKPATRICK.
H.R. 2978: Mr. COOPER.
H.R. 3041: Ms. SLAUGHTER.
H.R. 3046: Ms. MOORE.
H.R. 3055: Mr. EMMER of Minnesota.
H.R. 3067: Mr. GARAMENDI.
H.R. 3071: Mr. KILMER.
H.R. 3084: Mr. HIMES.
H.R. 3119: Mr. WILSON of South Carolina and Mr. SCHIFF.
H.R. 3126: Mr. GROTHMAN.
H.R. 3183: Mr. JENKINS of West Virginia and Mr. CRENSHAW.
H.R. 3216: Mr. OLSON and Mr. KILMER.
H.R. 3222: Mrs. ELLMERS of North Carolina.
H.R. 3225: Mr. HASTINGS.
H.R. 3229: Ms. TITUS, Mr. ROTHFUS, and Mr. TED LIEU of California.
H.R. 3237: Mr. HONDA.
H.R. 3268: Mr. LARSON of Connecticut, Mr. FOSTER, Mr. BRADY of Pennsylvania, Mr. TIPTON, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 3314: Mr. ROE of Tennessee and Mr. AUSTIN SCOTT of Georgia.
H.R. 3323: Mr. LOEBSACK.
H.R. 3326: Mr. BLUM and Mr. CARTWRIGHT.
H.R. 3339: Ms. MOORE, Mr. FARR, Ms. CLARKE of New York, Ms. JACKSON LEE, Mr. COHEN, and Ms. EDWARDS.
H.R. 3399: Mr. JOHNSON of Georgia and Mr. BLUMENAUER.
H.R. 3423: Mr. KATKO, Mr. SCHIFF, and Mr. HURT of Virginia.
H.R. 3471: Ms. MCSALLY, Ms. KUSTER, and Mr. THOMPSON of Pennsylvania.
H.R. 3484: Mr. BECERRA.
H.R. 3488: Mr. MULVANEY, Mr. RIGELL, and Mr. ABRAHAM.
H.R. 3514: Mr. CICILLINE, Mr. MCDERMOTT, Mr. GRAYSON, and Ms. PINGREE.
H.R. 3516: Mr. TOM PRICE of Georgia, Mr. GROTHMAN, and Mr. AUSTIN SCOTT of Georgia.
H.R. 3534: Mr. ZINKE.
H.R. 3535: Mr. CROWLEY.
H.R. 3542: Mr. NOLAN and Mr. HASTINGS.
H.R. 3543: Mr. BLUMENAUER.
H.R. 3549: Mr. YOUNG of Iowa.
H.R. 3556: Mrs. NAPOLITANO, Ms. CASTOR of Florida, Mr. CARTWRIGHT, Mr. PIERLUISI, and Mr. CLAY.
H.R. 3580: Mr. JOHNSON of Ohio.
H.R. 3621: Mr. HUFFMAN.
H.R. 3632: Ms. TSONGAS and Mr. MCGOVERN.
H.R. 3652: Mr. GARAMENDI.
H.R. 3658: Mr. POCAN.
H.R. 3664: Ms. SLAUGHTER.
H.R. 3666: Mr. CARTWRIGHT, Mr. JEFFRIES, and Mr. GIBSON.
H.R. 3696: Mr. AL GREEN of Texas and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 3706: Mr. MARINO.
H.R. 3729: Mr. RODNEY DAVIS of Illinois.
H.R. 3751: Mr. HASTINGS and Mr. CÁRDENAS.
H.R. 3756: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. GARAMENDI.
H.R. 3765: Mr. MULVANEY.
H.R. 3770: Mr. COHEN and Mr. WELCH.
H.R. 3776: Mr. GRIFFITH.
H.R. 3781: Ms. JUDY CHU of California, Ms. DELAURO, Mr. HASTINGS, Ms. SCHAKOWSKY, Mrs. TORRES, Mr. GUTIÉRREZ, Ms. ROYBAL-ALLARD, Mr. TED LIEU of California, Mrs. LAWRENCE, and Mrs. BEATTY.
H.R. 3782: Mr. JEFFRIES.
H.R. 3783: Mr. JEFFRIES.
H.R. 3786: Mr. GARAMENDI.
H.R. 3799: Mr. MASSIE.
H.R. 3800: Mr. GARAMENDI.
H.R. 3802: Mr. DUNCAN of South Carolina, Mr. BOUSTANY, and Mr. WALBERG.
H.R. 3803: Mr. MULVANEY.
H.R. 3804: Mr. BROOKS of Alabama and Mr. MEADOWS.
H.R. 3805: Mr. POMPEO.
H.R. 3815: Mr. JONES.
H.R. 3841: Ms. LEE, Mr. HONDA, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. MOORE, Ms. HAHN, and Mr. TED LIEU of California.
H.J. Res. 48: Mr. CAPUANO.
H.J. Res. 50: Mr. MULVANEY.
H.J. Res. 70: Mr. DUNCAN of South Carolina, Mr. WILSON of South Carolina, Mr. BYRNE, Mr. AUSTIN SCOTT of Georgia, Mr. LAMALFA, and Mr. SAM JOHNSON of Texas.
H.J. Res. 71: Mr. LATTA, Mr. MCKINLEY, Mr. BARTON, Mr. POMPEO, Mr. FLORES, Mr. GRIFFITH, Mr. MULLIN, Mr. OLSON, Mr. HUDSON, Mrs. ELLMERS of North Carolina, Mr. HARPER, Mr. LONG, Mr. GUTHRIE, Mr. CRAMER, and Mr. BARR.
H.J. Res. 72: Mr. LATTA, Mr. MCKINLEY, Mr. BARTON, Mr. POMPEO, Mr. FLORES, Mr. GRIFFITH, Mr. MULLIN, Mr. OLSON, Mr. HUDSON, Mrs. ELLMERS of North Carolina, Mr. HARPER, Mr. LONG, Mr. GUTHRIE, Mr. CRAMER, and Mr. BARR.
H. Con. Res. 59: Mr. BLUMENAUER.
H. Res. 32: Mr. HINOJOSA, Mr. PAYNE, and Mr. FOSTER.
H. Res. 110: Ms. SPEIER.
H. Res. 265: Ms. MENG.
H. Res. 346: Mr. DUNCAN of South Carolina, Mr. MCCAUL, Mr. SIRES, and Ms. FRANKEL of Florida.
H. Res. 386: Mr. TAKANO.
H. Res. 393: Mr. NADLER and Ms. KELLY of Illinois.
H. Res. 416: Ms. EDWARDS.
H. Res. 428: Mr. HUFFMAN, Mr. FARR, and Ms. NORTON.
H. Res. 467: Mr. DOGGETT, Ms. DUCKWORTH, and Ms. MOORE.

## THURSDAY, OCTOBER 29, 2015 (136)

The House was called to order by the SPEAKER.

¶136.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 28, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶136.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3328. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerances [EPA-HQ-OPP-2014-0591; FRL-9934-14] received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3329. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Air Plan; Arizona; Stationary Sources; New Source Review [EPA-R09-OAR-2015-0187; FRL-9930-43-Region 9] received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3330. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Teflubenzuron; Pesticide Tolerances [EPA-HQ-OPP-2014-0600; FRL-9933-25] received October 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3331. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Southwest Fisheries Science Center Fisheries Research [Docket No.: 120416011-5836-02] (RIN: 0648-BB87) received October 26, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

¶136.3 CALL OF THE HOUSE

The SPEAKER recognized Mr. TIBERI to move a call of the House.

On motion of Mr. TIBERI, by unanimous consent, a call of the House was ordered.

The call was taken by electronic device, and the following-named Members responded—

¶136.4 [Roll No. 580]

ANSWERED ''PRESENT''—421

| | | |
|---|---|---|
| Abraham | Bishop (UT) | Buck |
| Adams | Black | Bucshon |
| Aderholt | Blackburn | Burgess |
| Aguilar | Blum | Bustos |
| Allen | Blumenauer | Butterfield |
| Amash | Boehner | Byrne |
| Ashford | Bonamici | Calvert |
| Babin | Bost | Capps |
| Barletta | Boustany | Capuano |
| Barr | Boyle, Brendan F. | Cárdenas |
| Barton | | Carney |
| Bass | Brady (PA) | Carson (IN) |
| Beatty | Brady (TX) | Carter (GA) |
| Becerra | Brat | Carter (TX) |
| Benishek | Bridenstine | Cartwright |
| Bera | Brooks (AL) | Castor (FL) |
| Beyer | Brooks (IN) | Castro (TX) |
| Bilirakis | Brown (FL) | Chabot |
| Bishop (GA) | Brownley (CA) | Chaffetz |
| Bishop (MI) | Buchanan | Chu, Judy |

Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—14

Amodei
Clarke (NY)
Cummings
Edwards
Fattah
Hinojosa
Maloney, Carolyn
Maloney, Sean
Meeks
Payne
Rooney (FL)
Sarbanes
Wilson (FL)
Young (AK)

Thereupon, the SPEAKER pro tempore, Mr. THORNBERRY, announced that 421 Members had been recorded, a quorum.

Further proceedings under the call were dispensed with.

¶136.5 ORDER OF BUSINESS—RESIGNATION OF THE SPEAKER; ELECTION OF THE SPEAKER

The SPEAKER, pursuant to the announcement of October 29, 2015, announced that the floor was open to receive nominations for the office of Speaker of the U.S. House of Representatives.

¶136.6 ELECTION OF THE SPEAKER

Mrs. MCMORRIS RODGERS, by direction of the Republican Conference, nominated Mr. PAUL D. RYAN, a Representative from the 1st District of the State of Wisconsin.

Mr. BECERRA, by direction of the Democratic Caucus, nominated Ms. NANCY PELOSI, a Representative from the 12th District of the State of California.

The SPEAKER then appointed Mrs. MILLER of Michigan, Mr. BRADY of Pennsylvania, Ms. KAPTUR, and Ms. ROS-LEHTINEN, tellers to canvas the vote on the election of the Speaker.

Whereupon, the House proceeded to vote for a Speaker.

¶136.7 [Roll No. 581]

RYAN (WI)—236

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

PELOSI—184

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean

| | | |
|---|---|---|
| Matsui | Price (NC) | Speier |
| McCollum | Quigley | Swalwell (CA) |
| McDermott | Rangel | Takai |
| McGovern | Rice (NY) | Takano |
| McNerney | Richmond | Thompson (CA) |
| Meng | Roybal-Allard | Thompson (MS) |
| Moore | Ruiz | Titus |
| Moulton | Ruppersberger | Tonko |
| Murphy (FL) | Rush | Torres |
| Nadler | Ryan (OH) | Tsongas |
| Napolitano | Sánchez, Linda T. | Van Hollen |
| Neal | Sanchez, Loretta | Vargas |
| Nolan | Sarbanes | Veasey |
| Norcross | Schakowsky | Vela |
| O'Rourke | Schiff | Velázquez |
| Pallone | Schrader | Visclosky |
| Pascrell | Scott (VA) | Walz |
| Payne | Scott, David | Wasserman Schultz |
| Pelosi | Serrano | Waters, Maxine |
| Perlmutter | Sewell (AL) | Watson Coleman |
| Peters | Sherman | Welch |
| Peterson | Sires | Wilson (FL) |
| Pingree | Slaughter | Yarmuth |
| Pocan | Smith (WA) | |
| Polis | | |

WEBSTER (FL)—9

| | | |
|---|---|---|
| Brat | Gosar | Posey |
| Clawson (FL) | Jones | Weber (TX) |
| Gohmert | Massie | Yoho |

COLIN POWELL—1

Cooper

COOPER—1

Graham

LEWIS—1

Sinema

NOT VOTING—3

| | | |
|---|---|---|
| Meeks | Ryan (WI) | Webster (FL) |

¶136.8

The roll having been completed, the SPEAKER announced that the tellers had reached an agreement that the total number of votes cast were 432 of which number Mr. PAUL D. RYAN received 236; Ms. NANCY PELOSI received 184; Mr. DANIEL WEBSTER of Florida received 9; Mr. JIM COOPER of Tennessee received 1; Mr. JOHN LEWIS of Georgia received 1; and Mr. Colin Powell received 1. Mr. PAUL D. RYAN of Wisconsin, having received 236 votes, being the largest number of votes cast, and a majority of the whole number of votes cast, was declared by the SPEAKER to have been duly elected Speaker of the House of Representatives for the 114th Congress in place of Mr. BOEHNER of Ohio, resigned.

The SPEAKER announced the appointment of Mr. MCCARTHY, Ms. PELOSI, Mr. SCALISE, Mr. HOYER, Mrs. MCMORRIS RODGERS, Mr. CLYBURN, Mr. WALDEN, Mr. BECERRA, Mr. MESSER, Mr. CROWLEY, Ms. JENKINS of Kansas, Mr. ISRAEL, Ms. FOXX, Mr. Ben Ray LUJAN of New Mexico, Mrs. WAGNER, Ms. DELAURO, Mrs. Mimi WALTERS of California, Ms. EDWARDS, Mr. SESSIONS, Mr. VAN HOLLEN, Mr. MCHENRY, and the Wisconsin delegation, Mr. SENSENBRENNER, Mr. KIND, Ms. MOORE, Mr. DUFFY, Mr. RIBBLE, Mr. POCAN, and Mr. GROTHMAN to escort the Speaker-elect to the Chair.

The SPEAKER-elect was escorted to the Chair by said committee and, following an introduction by Ms. PELOSI, addressed the House as follows:

''Before I begin, I would like to thank all of my family and friends who flew in from Wisconsin and from all over for being here today.

''In the gallery I have my mom, Betty; my sister, Janet; my brothers, Stan and Tobin; and more cousins than I can count on a few hands.

''Most importantly, I want to recognize my wife, Janna; and our children: Liza, Charlie, and Sam.

''I also want to thank Speaker BOEHNER. For almost 5 years, he led this House. For nearly 25 years, he served it. Not many people can match his accomplishments, the offices he held, the laws he passed.

''But what really sets JOHN apart is he is a man of character, a true class act. He is, without question, the gentleman from Ohio. So please join me in saying one last time, 'Thank you, Speaker BOEHNER.'

''Now I know how he felt. It is not until you hold this gavel, stand in this spot, look out and see all 435 Members of this House, as if all America is sitting right in front of you—it is not until then that you feel it, the weight of responsibility and the gravity of the moment.

''As I stand here, I can't help but think of something Harry Truman once said. The day after Franklin Roosevelt died, Truman became President. He told a group of reporters, 'If you ever pray, pray for me now.'

''When they told me yesterday what had happened, I felt like the Moon, the stars, and all the planets had fallen on me. We should all feel that way. A lot is on our shoulders. So if you ever pray, let's pray for each other, Republicans for Democrats and Democrats for Republicans.

''And I don't mean pray for a conversion, all right? Pray for a deeper understanding. Because when you are up here, you see it so clearly. Wherever you come from, whatever you believe, we are all in the same boat.

''I never thought I would be Speaker, but early in my life, I wanted to serve this House. I thought this place was exhilarating because here you can make a difference. If you had a good idea, if you worked hard, you could make it happen. You could improve people's lives. To me, the House of Representatives represents what is the best of America: the boundless opportunity to do good.

''But let's be frank. The House is broken. We are not solving problems. We are adding to them. I am not interested in laying blame. We are not settling scores. We are wiping the slate clean.

''Neither the Members nor the people are satisfied with how things are going. We need to make some changes, starting with how the House does business. We need to let every Member contribute, not once they have earned their stripes, but now.

''I come at this job as a two-time committee chair. The committees should retake the lead in drafting all major legislation. If you know the issue, you should write the bill.

''Let's open up the process. Let people participate, and they might change their mind. A neglected minority will gum up the works. A respected minority will work in good faith. Instead of trying to stop the majority, they might try to become the majority. In other words, we need to return to regular order.

''Now, I know this sounds like process. It is actually a matter of principle. We are the body closest to the people. Every 2 years, we face the voters and sometimes face the music. But we do not echo the people; we represent the people. We are supposed to study up and do the homework that they cannot do. So when we do not follow regular order, when we rush to pass bills that a lot of us don't understand, we are not doing our job. Only a fully functioning House can truly represent the people; and if there were ever a time for us to step up, this would be that time.

''America does not feel strong anymore because the working people of America do not feel strong anymore. I am talking about the people who mind the store and grow the food and walk the beat and pay the taxes and raise the family. They do not sit in this House. They do not have fancy titles, but they are the people who make this country work, and this House should work for them.

''Here is the problem. They are working hard. They are paying a lot. They are trying to do right by their families, and they are going nowhere fast. They never get a raise. They never get a break. The bills keep piling up and the taxes and the debt. They are working harder than ever before to get ahead, and yet they are falling further behind. They feel robbed. They feel cheated of their birthright. They are not asking for any favors. They just want a fair chance, and they are losing faith that they will ever get it.

''Then they look at Washington, and all they see is chaos. What a relief to them it would be if we finally got our acts together. What a weight off of their shoulders. How reassuring it would be if we actually fixed the Tax Code, put patients in charge of their health care, grew our economy, strengthened our military, lifted people out of poverty, and paid down our debt. At this point, nothing could be more inspiring than a job well done. Nothing could stir the heart more than real, concrete results.

''The cynics will scoff. They will say it is not possible. You better believe, we are going to try. We will not duck the tough issues; we will take them head-on. We are going to do all we can do so that working people get their strength back and people not working get their lives back. No more favors for the few. 'Opportunity for all,' that is our motto.

''I often talk about a need for a vision. I am not sure I ever really said what I meant. We solve problems here, yes. We create a lot of them, too. But at bottom, we vindicate a way of life. We show by our work that free people can govern themselves. They can solve their own problems. They can make their own decisions. They can delib-

erate, collaborate, and get the job done.

''We show that self-government is not only more efficient and more effective, it is more fulfilling. In fact, we show it is that struggle, that hard work, that very achievement itself that makes us free. That is what we do here.

''We will not always agree, not all of us, not all of the time, but we should not hide our disagreements. We should embrace them. We have nothing to fear from honest differences honestly stated. If you have ideas, let's hear them. I believe that a greater clarity between us can lead to greater charity among us, and there is every reason to have hope.

''When the first Speaker took the gavel, he looked out at a room of 30 people, representing a nation of 3 million. Today, as I look out at each and every one of you, we represent a nation of 300 million.

''So when I hear people say that America doesn't have it, we are done, we are spent, I don't believe it. I believe with every fiber of my being that we can renew the American idea. Now our task is to make us all believe.

''My friends, you have done me a great honor. The people of this country, they have done all of us a great honor. Now let's prove ourselves worthy of it. Let's seize the moment. Let's rise to the occasion. And when we are done, let us say that we left the people—all the people—more united, happy, and free.

''Thank you.''.

¶136.9 OATH OF OFFICE—SPEAKER

At the request of the Speaker-elect, the oath of office was then administered to him by Mr. CONYERS, dean of the House.

¶136.10 NOTIFICATION TO THE PRESIDENT OF ELECTION OF THE SPEAKER

Mr. MCCARTHY submitted the following privileged resolution, which was considered and agreed to (H. Res. 503):

*Resolved,* That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected Paul D. Ryan, a Representative from the State of Wisconsin, Speaker of the House of Representatives.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶136.11 NOTIFICATION TO THE SENATE OF ELECTION OF THE SPEAKER

Mr. MCCARTHY submitted the following privileged resolution, which was considered and agreed to (H. Res. 504):

*Resolved,* That a message be sent to the Senate to inform that body that Paul D. Ryan, a Representative from the State of Wisconsin, has been elected Speaker of the House of Representatives.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶136.12 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
*Washington, DC, October 29, 2015.*

Hon. KAREN HAAS,
*Clerk of the House of Representatives, U.S. Capitol, Washington, DC.*

DEAR MS. HAAS: As a result of my election today as Speaker, this letter is to inform you that I resign as Chairman of the Committee on Ways and Means and from further service on that Committee. I also resign as Chairman and a member of the Joint Committee on Taxation.

Sincerely,

PAUL D. RYAN,
*Chairman.*

By unanimous consent, the resignation was accepted.

¶136.13 SPEAKER SUCCESSOR DESIGNATION

The SPEAKER pro tempore, Mr. THORNBERRY, announced that the Speaker delivered to the Clerk a letter dated October 29, 2015, listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule I.

¶136.14 SPEAKER RECALL DESIGNEES

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 29, 2015.*

Hon. KAREN L. HAAS,
*Clerk of the House of Representatives, The Capitol, Washington, DC.*

DEAR MADAM CLERK: I hereby designate Representative Kevin McCarthy of California to exercise any authority regarding assembly, reassembly, convening, or reconvening of the House pursuant to House Concurrent Resolution 1, clause 12 of rule I, and any concurrent resolutions of the current Congress as may contemplate my designation of Members to exercise similar authority.

In the event of the death or inability of that designee, the alternate Members of the House listed in the letter bearing this date that I have placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,

PAUL D. RYAN,
*Speaker.*

¶136.15 APPOINTMENT OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER, pro tempore, Mr. THORNBERRY, laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*October 29, 2015.*

I hereby appoint the Honorable Jeff Denham, the Honorable Mac Thornberry, the Honorable Fred Upton, the Honorable Andy Harris, the Honorable Barbara Comstock, and the Honorable Luke Messer to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the One Hundred Fourteenth Congress.

PAUL D. RYAN,
*Speaker.*

By unanimous consent, the appointments were approved.

¶136.16 ADJOURNMENT OVER

On motion of Mr. MCCARTHY, by unanimous consent,

*Ordered,* That when the House adjourns today, it adjourn to meet at noon on Monday, November 2, 2015, for morning-hour debate and 2 p.m. for legislative business.

¶136.17 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 28, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 313. An Act to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

And then,

¶136.18 ADJOURNMENT

On motion of Mr. MCCARTHY, pursuant to the previous order of the House, at 11 o'clock and 31 minutes a.m., the House adjourned until noon on Monday, November 2, 2015.

¶136.19 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3763. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; with an amendment (Rept. 114–318). Referred to the Committee of the Whole House on the state of the Union.

¶136.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MESSER:

H.R. 3857. A bill to require the Board of Governors of the Federal Reserve System and the Financial Stability Oversight Council to carry out certain requirements under the Financial Stability Act of 2010 before making any new determination under section 113 of such Act, and for other purposes; to the Committee on Financial Services.

By Mr. CHABOT (for himself, Mr. GOODLATTE, and Mr. SMITH of Texas):

H.R. 3858. A bill to reauthorize the September 11th Victim Compensation Fund and to create a fund to compensate U.S. victims of state sponsored terrorism who hold final judgments from Article III courts and for other purposes; to the Committee on the Judiciary.

By Mr. PERRY (for himself and Mr. MCCAUL):

H.R. 3859. A bill to make technical corrections to the Homeland Security Act of 2002; to the Committee on Homeland Security.

By Mr. WALBERG (for himself, Mr. ROKITA, Mr. SMITH of Nebraska, Mr.

ROE of Tennessee, Mr. BROOKS of Alabama, Ms. JENKINS of Kansas, and Mr. BUCSHON):

H.R. 3860. A bill to preserve the companionship services exemption for minimum wage and overtime pay, and the live-in domestic services exemption for overtime pay, under the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Mr. RODNEY DAVIS of Illinois (for himself, Ms. GRAHAM, Mr. COFFMAN, Mr. ROUZER, Mr. NOLAN, Ms. MCSALLY, Mr. GARAMENDI, Mr. MURPHY of Florida, and Mr. BLUM):

H.R. 3861. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payments of qualified education loans; to the Committee on Ways and Means.

By Ms. DUCKWORTH (for herself, Mr. LANGEVIN, Mr. CONYERS, Mr. CARTWRIGHT, Ms. TSONGAS, Mr. HONDA, Mr. RUSH, Ms. NORTON, Ms. DELBENE, Mr. TED LIEU of California, Mrs. LAWRENCE, Mr. FOSTER, Mrs. WATSON COLEMAN, Mr. MCDERMOTT, Mr. QUIGLEY, Mr. CARSON of Indiana, Ms. EDWARDS, Mr. ASHFORD, Mr. SARBANES, Mr. BRADY of Pennsylvania, Mr. LIPINSKI, Mr. GARAMENDI, Mr. WALZ, Mr. TAKAI, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Mr. LARSEN of Washington, Mr. CICILLINE, Mrs. CAPPS, Mr. GUTIÉRREZ, Mrs. BUSTOS, Mr. HINOJOSA, Mrs. NAPOLITANO, Ms. LEE, Mr. POCAN, Mr. SABLAN, Mr. RANGEL, and Mr. RYAN of Ohio):

H.R. 3862. A bill to amend the Workforce Innovation and Opportunity Act to support community college and industry partnerships, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ISRAEL (for himself, Mr. DESAULNIER, Mr. PALLONE, Mr. FATTAH, Mr. KING of New York, Mr. CONNOLLY, Mr. NADLER, Mr. RANGEL, Mr. SIRES, Mrs. CAROLYN B. MALONEY of New York, Mr. PASCRELL, Ms. MENG, Mr. CAPUANO, and Mr. ENGEL):

H.R. 3863. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. JEFFRIES (for himself and Mr. COLLINS of Georgia):

H.R. 3864. A bill to prevent certain monitoring and interception by Federal authorities of Federal prisoner communications that are subject to attorney-client privilege; to the Committee on the Judiciary.

By Mr. JENKINS of West Virginia (for himself, Ms. CLARK of Massachusetts, Mr. STIVERS, Mrs. WAGNER, Ms. KUSTER, Mrs. BLACKBURN, Mr. MCKINLEY, Mr. BOUSTANY, Mr. MOONEY of West Virginia, Mr. POLIQUIN, Mr. DOLD, Mr. MACARTHUR, Mr. LANCE, Mr. SALMON, Mr. GROTHMAN, Mr. TIBERI, Mr. JOLLY, Mr. WOMACK, Mr. RODNEY DAVIS of Illinois, Mr. TURNER, Mr. GUINTA, Mr. BYRNE, Ms. KAPTUR, and Mr. HIMES):

H.R. 3865. A bill to provide for alternative and updated certification requirements for participation under Medicaid State plans under title XIX of the Social Security Act in the case of certain facilities treating infants under one year of age with neonatal abstinence syndrome, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NORCROSS (for himself, Mr. PALLONE, Mrs. WATSON COLEMAN, Mr. GARRETT, Mr. SIRES, Mr. MACARTHUR, Mr. PAYNE, Mr. FRELINGHUYSEN, Mr. LOBIONDO, Mr. PASCRELL, Mr. SMITH of New Jersey, and Mr. LANCE):

H.R. 3866. A bill to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the ''First Lieutenant Salvatore S. Corma II Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. ZINKE:

H.R. 3867. A bill to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the State of Montana, and for other purposes; to the Committee on Natural Resources.

By Mr. SCALISE:

H. Con. Res. 89. Concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; to the Committee on Ways and Means.

By Mr. MCCARTHY:

H. Res. 503. A resolution authorizing the Clerk to inform the President of the election of the Speaker; considered and agreed to.

By Mr. MCCARTHY:

H. Res. 504. A resolution to inform the Senate the election of the Speaker; considered and agreed to.

By Mr. HINOJOSA (for himself, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. GENE GREEN of Texas, Ms. JACKSON LEE, Mr. VELA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VEASEY, Mr. JEFFRIES, Mr. TAKANO, Mr. SABLAN, Mr. CÁRDENAS, Mrs. DAVIS of California, Mr. POLIS, Ms. FUDGE, Ms. JUDY CHU of California, Mr. DANNY K. DAVIS of Illinois, Mr. POCAN, Ms. CLARK of Massachusetts, Ms. LEE, Mrs. NAPOLITANO, Mr. DOGGETT, Mr. GALLEGO, Ms. BONAMICI, Mr. FATTAH, Ms. CLARKE of New York, Mr. CASTRO of Texas, Mr. O'ROURKE, Ms. ADAMS, Ms. ROYBAL-ALLARD, Mr. COURTNEY, Mr. CUELLAR, Mr. DESAULNIER, Mr. AL GREEN of Texas, and Ms. WILSON of Florida):

H. Res. 505. A resolution honoring the 50th anniversary of the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. SCOTT of Virginia (for himself, Ms. DELAURO, Ms. EDWARDS, Ms. LINDA T. SÁNCHEZ of California, Ms. JUDY CHU of California, Mr. ELLISON, Mr. GRIJALVA, Ms. FRANKEL of Florida, Ms. MATSUI, Ms. WILSON of Florida, Mr. NADLER, Mr. CICILLINE, Mr. POCAN, Mr. POLIS, Ms. CLARK of Massachusetts, Ms. BONAMICI, Mr. COURTNEY, Mrs. DAVIS of California, Mr. DESAULNIER, Ms. FUDGE, Mr. HINOJOSA, Mr. JEFFRIES, Mr. SABLAN, Mr. TAKANO, Mr. BEYER, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Ms. LEE, Mrs. KIRKPATRICK, Mr. GRAYSON, Ms. KAPTUR, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Ms. NORTON, Ms. JACKSON LEE, Mr. MEEKS, Mr. DELANEY, Mr. TONKO, Mrs. BUSTOS, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. DANNY K. DAVIS of Illinois, Ms. SLAUGHTER, Mr. PAYNE, Ms. CLARKE of New York, Mr. HONDA, Mr. FATTAH, Mrs. LAWRENCE, Mr. LANGEVIN, Mrs. CAROLYN B. MALONEY of New York, Ms. TSONGAS, Mr. MOULTON, Mr. DEUTCH, Ms. BROWN of Florida, Ms. LORETTA SANCHEZ of California, Ms. HAHN, Ms. SEWELL of Alabama, Mr. BRADY of Pennsylvania, Mr. TAKAI, Mr. QUIGLEY, Mr. MCGOVERN, Ms. ADAMS, Ms. MCCOLLUM, Mr. GENE GREEN of Texas, Mr. LEWIS, Mr. GARAMENDI, Mr. CÁRDENAS, Mr. HUFFMAN, Mr. SERRANO, Mrs. NAPOLITANO, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. PASCRELL, Mr. VAN HOLLEN, Mr. HASTINGS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CUMMINGS, Mr. PALLONE, Mr. RYAN of Ohio, Ms. MENG, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CONYERS, Mr. SIRES, Mr. CLEAVER, Mr. SMITH of Washington, Mr. VEASEY, Ms. PINGREE, Mr. BISHOP of Georgia, Mr. RICHMOND, Mr. BLUMENAUER, Mr. AL GREEN of Texas, Mr. KILMER, Mrs. DINGELL, Mr. CASTRO of Texas, Ms. KELLY of Illinois, Mr. ENGEL, Mr. TED LIEU of California, Mr. KILDEE, Mr. RANGEL, Ms. DUCKWORTH, Miss RICE of New York, Mr. PRICE of North Carolina, Mr. CLAY, Mr. LARSEN of Washington, Mr. FARR, Ms. WASSERMAN SCHULTZ, Mrs. CAPPS, Mr. HIGGINS, Mrs. BEATTY, and Mr. NORCROSS):

H. Res. 506. A resolution expressing the sense of the House of Representatives in support of considering legislation that would reinforce the goals of the working families agenda; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## ¶136.21 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 499: Mr. ROTHFUS.
H.R. 816: Mr. LONG.
H.R. 1197: Mr. TIPTON and Mr. FORBES.
H.R. 1258: Mr. DIAZ-BALART and Ms. GRAHAM.
H.R. 1282: Mr. BLUMENAUER.
H.R. 1304: Mr. MASSIE and Mr. AMASH.
H.R. 1342: Mr. TAKANO, Mr. QUIGLEY, Mrs. NAPOLITANO, Mr. JEFFRIES, and Mr. KEATING.
H.R. 1427: Mr. LANCE.
H.R. 1439: Mr. FOSTER.
H.R. 1464: Mr. TAKAI.
H.R. 1567: Mr. HECK of Washington and Mr. BLUMENAUER.
H.R. 1608: Mr. FOSTER.
H.R. 1625: Mrs. LOWEY.
H.R. 1733: Mr. RANGEL.
H.R. 1853: Mr. WILLIAMS, Mr. WALBERG, Mrs. WATSON COLEMAN, Mr. KILDEE, Ms. MCSALLY, Ms. WASSERMAN SCHULTZ, Mr. DUNCAN of Tennessee, Mr. WESTERMAN, and Mr. KINZINGER of Illinois.
H.R. 2017: Mr. BILIRAKIS and Mr. PEARCE.
H.R. 2216: Ms. BONAMICI.
H.R. 2342: Mr. WITTMAN, Ms. MATSUI, Mr. HINOJOSA, and Mr. YOUNG of Alaska.
H.R. 2366: Mr. COHEN.
H.R. 2461: Mr. HANNA.
H.R. 2515: Mr. NOLAN, Mr. MEEHAN, and Mr. MOONEY of West Virginia.
H.R. 2553: Ms. BONAMICI and Ms. EDWARDS.
H.R. 2563: Mr. GUTIÉRREZ.
H.R. 2568: Mr. WILSON of South Carolina.
H.R. 2660: Mr. KENNEDY.
H.R. 2692: Mr. GARAMENDI and Mr. VARGAS.
H.R. 2894: Ms. KUSTER.
H.R. 3068: Mr. MEEKS, Mr. AL GREEN of Texas, Mr. THOMPSON of California, Ms. WASSERMAN SCHULTZ, and Mr. HANNA.
H.R. 3198: Mr. DAVID SCOTT of Georgia.
H.R. 3229: Mr. THOMPSON of Pennsylvania.
H.R. 3286: Mr. CÁRDENAS.
H.R. 3411: Mr. PERLMUTTER and Mr. FATTAH.
H.R. 3487: Ms. MCCOLLUM.
H.R. 3524: Mr. MURPHY of Florida.
H.R. 3629: Mr. BLUMENAUER.

H.R. 3643: Mr. HUFFMAN and Mr. POLIQUIN.
H.R. 3760: Mr. GRAYSON and Mr. NADLER.
H.R. 3761: Mr. GARAMENDI, Mr. CUMMINGS, and Mr. DANNY K. DAVIS of Illinois.
H.R. 3785: Mr. RUPPERSBERGER, Ms. CASTOR of Florida, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, Mr. KILDEE, Ms. EDWARDS, Ms. LEE, Mr. RICHMOND, Mr. MEEKS, Mr. PAYNE, Mr. HASTINGS, and Ms. CLARKE of New York.
H.R. 3805: Ms. JACKSON LEE and Ms. BROWN of Florida.
H.R. 3829: Mr. WEBER of Texas.
H. Res. 220: Mr. GUINTA, Mr. LAMALFA, Mr. CASTRO of Texas, Mr. LIPINSKI, and Mr. RUSH.
H. Res. 293: Mr. JOHNSON of Ohio, Mr. LEVIN, Mr. PERRY, Mr. CARTWRIGHT, Mr. HECK of Nevada, Ms. LINDA T. SÁNCHEZ of California, Mr. TAKANO, and Mr. KEATING.
H. Res. 343: Mr. PETERS, Mr. GIBSON, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H. Res. 467: Mr. BEYER, Mr. DEFAZIO, Mrs. LOWEY, and Mr. MCNERNEY.
H. Res. 494: Mr. UPTON, Mr. BISHOP of Michigan, Mr. DUNCAN of South Carolina, and Mr. POE of Texas.
H. Res. 500: Mr. MILLER of Florida.

## MONDAY, NOVEMBER 2, 2015 (137)

¶137.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. ALLEN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*November 2, 2015.*

I hereby appoint the Honorable RICK W. ALLEN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

¶137.2 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. ALLEN, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 29, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 29, 2015 at 3:22 p.m.:

That the Senate passed S. 1731.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶137.3 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. ALLEN, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 30, 2015.*

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 30, 2015 at 11:57 a.m.:

That the Senate concur in the House amendment to the Senate amendment H.R. 1314.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶137.4 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. ALLEN, pursuant to the order of the House of January 6, 2015, recognized Members for morning-hour debate.

¶137.5 RECESS—12:02 P.M.

The SPEAKER pro tempore, Mr. ALLEN, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 2 minutes p.m., until 2 p.m.

¶137.6 AFTER RECESS—2 P.M.

The SPEAKER called the House to order.

¶137.7 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, October 29, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶137.8 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3332. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rimsulfuron; Pesticide Tolerances [EPA-HQ-OPP-2013-0035; FRL-9912-31] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3333. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Nicosulfuron; Pesticide Tolerances [EPA-HQ-OPP-2013-0034; FRL-9912-40] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3334. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's adoption of revised guides — Guides for the Use of Environmental Marketing Claims received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3335. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Requirements Relating to Supply Chain Risk (DFARS Case 2012-D050) [Docket No.: DARS 2013-0052] (RIN: 0750-AH96) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

3336. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Designated Countries — Montenegro and New Zealand (DFARS Case 2015-D033) [Docket DARS-2015-0049] (RIN: 0750-AI71) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

3337. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Philadelphia County, PA, et al. [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8405] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3338. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; Methods for Assuring Access to Covered Medicaid Services [CMS-2328-FC] (RIN: 0938-AQ54) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3339. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Metaflumizone; Pesticide Tolerance [EPA-HQ-OPP-2014-0607; FRL-9934-88] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3340. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Oklahoma [EPA-R06-OAR-2011-0034; FRL-9936-37-Region 6] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3341. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality State Implementation Plans (SIP); State of Iowa; Infrastructure SIP Requirements for the 2008 Lead National Ambient Air Quality Standard (NAAQS) [EPA-R07-OAR-2015-0394; FRL-9936-33-Region 7] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3342. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; WY; Update to Materials Incorporated by Reference [EPA-R08-OAR-2015-0428; FRL-9932-61-Region 8] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3343. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Volatile Organic Compound Emissions from Large Aboveground Storage Tanks [EPA-R01-OAR-2015-0546; A-1-FRL-9933-89-Region 1] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3344. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Conflict of Interest Infrastructure Requirements [EPA-R04-OAR-2015-0440; FRL-9936-35-Region 4] received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3345. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Diethofencarb; Pesticide Tolerance [EPA-HQ-OPP-2014-0695; FRL-9934-05] received October 29, 2015, pursuant to 5

U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3346. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Refinements to Policies and Procedures for Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities [Docket No.: RM14-14-000; Order No.: 816] received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3347. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations to Include Continuation of Emergency Declared in Executive Order 13224 [Docket No.: 150928889-5889-01] (RIN: 0694-AG75) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

3348. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Thailand, Transmittal No. 15-61, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3349. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to Sec. 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Pub. L. 105-261), as amended by Sec. 146 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for Fiscal Year 1999 (Pub. L. 105-277), and the President's September 29, 2009 delegation of authority [74 Fed. Reg. 50, 913 (Oct. 2, 2009)]; to the Committee on Foreign Affairs.

3350. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Interview Waiver Authority (RIN: 1400-AD80) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

3351. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a notification, effective September 6, 2015, that the danger pay allowance was determined for specific areas in Haiti and Turkey, pursuant to Sec. 131 of the Department of State Authorization Act, Fiscal Years 1984 and 1985; to the Committee on Foreign Affairs.

3352. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a notification, effective September 6, 2015, that the posts listed no longer qualify for the danger pay allowance, pursuant to Sec. 131 of the Department of State Authorization Act, Fiscal Years 1984 and 1985; to the Committee on Foreign Affairs.

3353. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements, other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, 1 U.S.C. 112b; to the Committee on Foreign Affairs.

3354. A letter from the Executive Analyst (Political), Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

3355. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees Health Benefits Program: Enrollment Options Following the Termination of a Plan or Plan Option (RIN: 3206-AN07) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3356. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations (RIN: 3206-AM68) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3357. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Final Rule To List the Dusky Sea Snake and Three Foreign Corals Under the Endangered Species Act [Docket No.: 140707555-5880-02] (RIN: 0648-XD370) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3358. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2015 Recreational Accountability Measure and Closure for Red Grouper [Docket No.: 100217095-2081-04] (RIN: 0648-XE217) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3359. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — Disposition of Unclaimed Human Remains, Funerary Objects, Sacred Objects, or Objects of Cultural Patrimony [NPS-WASO-NAGPRA-19087; PPWOCRADN0-PCU00RP14.R50000] (RIN: 1024-AE00) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3360. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Removal of Cuba from the List of State Sponsors of Terrorism (DFARS 2015-D032) (RIN: 0750-AI67) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

3361. A letter from the General Counsel, National Transportation Safety Board, transmitting the Board's final rule — Organization and Functions of the Board and Delegations of Authority [Docket No.: NTSB-GC-2012-0002] (RIN: 3147-AA03) received October 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3362. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of the Expiration Date for State Disability Examiner Authority To Make Fully Favorable Quick Disability Determinations and Compassionate Allowance Determinations [Docket No.: SSA-2015-0011] (RIN: 0960-AH77) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3363. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Final Waivers in Connection With the Shared Savings Program [CMS-1439-F] (RIN: 0938-AR30) received October 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

## ¶137.9 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, October 29, 2015.*

Hon. PAUL D. RYAN,
*Speaker of the House,*
*Washington, DC.*

SPEAKER RYAN: I write to inform you that I have notified Ohio Governor John Kasich of my resignation from the U.S. House of Representatives, effective 11:59 p.m. October 31, 2015.

At this hour, my heart is full with gratitude. I wish to thank the people of Ohio's Eighth District for giving me the opportunity to serve, my staff for being the linchpins of that service, and my colleagues for honoring me with their trust by electing me their Speaker. Together, we banned earmarks, cut spending by more than $2 trillion, made the first entitlement reforms in nearly two decades, and made it possible for kids in Washington, D.C.'s toughest neighborhoods to go to great schools. Put another way, we did the right things for the right reasons, and good things happened.

It has been an honor to serve.

Sincerely,

JOHN A. BOEHNER,
*Member of Congress.*

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*October 29, 2015.*

Hon. JOHN R. KASICH,
*Governor of Ohio, Columbus, Ohio.*

DEAR GOVERNOR KASICH: I am writing to inform you that I will resign my congressional seat in the U.S. House of Representatives, effective 11:59 p.m. October 31, 2015.

Some 25 years ago, I asked the people of Ohio's Eighth District to send me to Washington on a mission to help build a smaller, less costly, and more accountable government. First and foremost, that has meant helping constituents and local officials cut through gridlock and navigate the bureaucratic maze to get things done. In Hamilton, we brought together the Army Corps of Engineers and local officials to get the Meldahl Lock and Dam power plant off the ground. In Butler County, we worked with officials at all levels to keep the veterans highway and Union Centre Blvd. projects on track. We made sure that Wright Patterson Air Force Base and the Springfield Air National Guard Base had the resources they need to support our men and women in uniform. And not to mention the tens of thousands of constituents we helped through casework, letters, phone calls, my open door program, and of course, Farm Forum. None of this would have been possible without the hard work of my staff, which has been first-rate from start to finish. Together, we did the right things for the right reasons and good things happened.

It has been an honor to serve.

Sincerely,

JOHN A. BOEHNER,
*Member of Congress.*

¶137.10 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER announced, under clause 5(d) of rule XX, that, in light of the resignation of the gentleman from Ohio [Mr. BOEHNER], the whole number of the House is adjusted to 434.

¶137.11 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. DENHAM, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, October 30, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on October 30, 2015, at 3:12 p.m., and said to contain a message from the President whereby he notifies the Congress of his intention to terminate the designation of Burundi as a beneficiary sub-Saharan African country under the African Growth and Opportunity Act.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶137.12 TERMINATION OF THE REPUBLIC OF BURUNDI AS A BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY UNDER AGOA

The Clerk then read the message from the President, as follows:

*To the Congress of the United States:*

In accordance with section 506A(a)(3)(B) of the African Growth and Opportunity Act, as amended (AGOA) (19 U.S.C. 2466a(a)(3)(B)), I am providing notification of my intent to terminate the designation of the Republic of Burundi (Burundi) as a beneficiary sub-Saharan African country under AGOA.

I am taking this step because I have determined that the Government of Burundi has not established or is not making continual progress toward establishing the rule of law and political pluralism, as required by the AGOA eligibility requirements outlined in section 104 of the AGOA (19 U.S.C. 3703). In particular, the continuing crackdown on opposition members, which has included assassinations, extra-judicial killings, arbitrary arrests, and torture, have worsened significantly during the election campaign that returned President Nkurunziza to power earlier this year. In addition, the Government of Burundi has blocked opposing parties from holding organizational meetings and campaigning throughout the electoral process. Police and armed youth militias with links to the ruling party have intimidated the opposition, contributing to nearly 200,000 refugees fleeing the country since April 2015. Accordingly, I intend to terminate the designation of Burundi as a beneficiary sub-Saharan African country under AGOA as of January 1, 2016.

BARACK OBAMA.

THE WHITE HOUSE, *October 30, 2015.*

By unanimous consent, the message was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 114–72).

¶137.13 ENROLLED BILLS SIGNED

The SPEAKER pro tempore, Mr. DENHAM, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. MESSER, signed the following enrolled bills on Monday, November 2, 2015:

H.R. 623. An Act to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

H.R. 1314. An Act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

¶137.14 RECESS—2:11 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 11 minutes p.m., until approximately 4 p.m.

¶137.15 AFTER RECESS—4:07 P.M.

The SPEAKER pro tempore, Mr. HOLDING, called the House to order.

¶137.16 DEPARTMENT OF HOMELAND SECURITY INSIDER THREAT AND MITIGATION

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 3361) to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HOLDING, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HOLDING, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶137.17 DEPARTMENT OF HOMELAND SECURITY CLEARANCE MANAGEMENT AND ADMINISTRATION

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 3505) to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes.

The SPEAKER pro tempore, Mr. HOLDING, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HOLDING, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶137.18 FUSION CENTER ENHANCEMENT

Mr. BARLETTA moved to suspend the rules and pass the bill (H.R. 3598) to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HOLDING, recognized Mr. BARLETTA and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HOLDING, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶137.19 DEPARTMENT OF HOMELAND SECURITY SUPPORT TO FUSION CENTERS

Ms. MCSALLY moved to suspend the rules and pass the bill (H.R. 3503) to require an assessment of fusion center personnel needs, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HOLDING, recognized Ms. MCSALLY and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HOLDING, announced that two-thirds

of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶137.20 ANTI-ISRAEL AND ANTI-SEMITIC INCITEMENT WITHIN THE PALESTINIAN AUTHORITY

Ms. ROS-LEHTINEN moved to suspend the rules and agree to the following resolution (H. Res. 293); as amended:

Whereas the 1995 Interim Agreement on the West Bank and the Gaza Strip, commonly referred to as Oslo II, specifically details that Israel and the Palestinian Authority shall ''abstain from incitement, including hostile propaganda, against each other and, without derogating from the principle of freedom of expression, shall take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction'';

Whereas the Oslo II agreement further states that Israel and the Palestinian Authority ''will ensure that their respective educational systems contribute to the peace between the Israeli and Palestinian peoples and to peace in the entire region'';

Whereas Palestinian Authority incitement against Israelis has continued unabated for many years despite periods of negotiations between Israel and the Palestinian Authority;

Whereas this incitement takes on many forms, and has included the glorification of terrorists who have murdered Israeli civilians; advocating struggle against Israel despite entering into negotiations with Israel; the demonization of Jews and Israelis, including by the use of anti-Semitic motifs; the denial of Israel's existence and its delegitimization as evidenced by the absence of Israel on official maps used in Palestinian Authority institutions; and false claims that Israel or the Jews are endangering Muslim holy sites, such as the Al-Aqsa mosque/Temple Mount in Jerusalem;

Whereas in June 2013, Abbas referenced Israeli acts which ''indicate an evil and dangerous plot to destroy Al-Aqsa and build the alleged temple'';

Whereas on September 16, 2015, Abbas stated on Palestinian television that ''we welcome every drop of blood spilled in Jerusalem. This is pure blood, clean blood, blood on its way to Allah. With the help of Allah, every martyr will be in heaven, and every wounded will get his reward'';

Whereas since mid-September 2015 there has been a wave of Palestinian violence in Israel and the West Bank, including stabbings, shootings, and other terrorist acts;

Whereas this situation has been inflamed by statements made by Palestinian President Abbas, other Palestinian officials, clerics, and official Palestinian Authority media, and frequently amplified on social media platforms;

Whereas these statements have included repeated false claims that Israel seeks to change the ''status quo'' on the Temple Mount/al-Aqsa Mosque compound;

Whereas despite the incitement-induced wave of terrorism, the Palestinian Authority security forces and the Israel Defense Forces have continued security cooperation;

Whereas section 7038 of the Consolidated and Further Continuing Appropriations Act, 2015 states that ''none of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation'';

Whereas section 7040(e) of the Consolidated and Further Continuing Appropriations Act, 2015 requires the Secretary of State, if the President waives section 7040(a) of that Act, to ''certify and report to the Committees on Appropriations prior to the obligation of funds that . . . the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel''; and

Whereas the Palestinian Authority has not fully lived up to its prior agreements with Israel to end incitement and should do more to prepare the Palestinian people for peace with Israel: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) expresses support and admiration for individuals and organizations working to encourage cooperation between Israelis and Palestinians;

(2) strongly condemns the wave of violent attacks in Israel and the West Bank;

(3) reiterates the strong condemnation of anti-Israel and anti-Semitic incitement to violence in the Palestinian Authority as antithetical to the cause of peace;

(4) calls on the Palestinian Authority to—

(A) immediately discontinue incitement to violence in all Palestinian Authority-controlled media outlets, and officially and publicly repudiate attacks against Israelis and engage in a sustained effort to publicly and officially rebuke anti-Israel incitement to violence;

(B) continue important security cooperation with Israel; and

(C) agree to unconditionally renew direct talks with the Israelis, including the reconstitution of the Trilateral Commission on Incitement;

(5) encourages responsible nations to condemn in the strongest possible terms incitement to violence by the Palestinian Authority;

(6) expresses support for the Government of Israel in its fight against terror;

(7) directs the Department of State to regularly monitor and publish information on all official incitement by the Palestinian Authority against Jews and the State of Israel; and

(8) calls on the Administration to continue publicly repudiating and raising the issue of Palestinian anti-Israel incitement to violence in all appropriate bilateral and international forums.

The SPEAKER pro tempore, Mr. HOLDING, recognized Ms. ROS-LEHTINEN and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶137.21 OBSERVER STATUS FOR TAIWAN IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION

Ms. ROS-LEHTINEN moved to suspend the rules and pass the bill (H.R. 1853) to direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

The SPEAKER pro tempore, Mr. HARRIS, recognized Ms. ROS-LEHTINEN and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶137.22 GLOBAL ANTI-POACHING

Mr. ROYCE moved to suspend the rules and pass the bill (H.R. 2494) to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. ROYCE and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶137.23 RECESS—6:08 P.M.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 12(a) of rule I, declared the House in recess at 6 o'clock and 8 minutes p.m., until approximately 6:30 p.m.

¶137.24 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. WOMACK, called the House to order.

¶137.25 H.R. 1853—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1853) to direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 392 Nays ..... 0

¶137.26 [Roll No. 582]

YEAS—392

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Salmon
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—41

Bass
Buchanan
Clay
Comstock
Crawford
Cummings
Davis, Danny
Ellmers (NC)
Fincher
Gabbard
Gohmert
Grijalva
Gutiérrez
Hurt (VA)
Israel
Jackson Lee
Kelly (MS)
Kirkpatrick
Labrador
Lipinski
Luján, Ben Ray (NM)
Maloney, Carolyn
Meeks
Nadler
Payne
Pelosi
Pingree
Rice (NY)
Richmond
Rohrabacher
Rush
Ryan (OH)
Sanchez, Loretta
Sanford
Speier
Stutzman
Takai
Westmoreland
Whitfield
Yarmuth
Yoder

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶137.27 SAFETY AND SECURITY OF JEWISH COMMUNITIES IN EUROPE

Mr. ROYCE moved to suspend the rules and agree to the following resolution (H. Res. 354); as amended:

Whereas anti-Semitic rhetoric and acts, including violent attacks on people and places of faith, have increased in frequency, variety, and severity in many countries in Europe;

Whereas the French Service de Protection de la Communaute Juive (Jewish Community Security Service) reported an increase in anti-Semitic acts in France between 2013 to 2014 (from 423 acts to 851), including an increase in violent ones (from 105 acts to 241);

Whereas the Community Security Trust reported an increase in anti-Semitic acts in the United Kingdom between 2013 to 2014 (from 535 acts to 1,168), including an increase in violent ones (from 69 to 81); and the Kantor Center for the Study of Contemporary European Jewry reported an increase in anti-Semitic acts between 2013 and 2014 in Germany (from 788 acts to 1076, including 36 violent acts to 76), Belgium (from 64 acts to 109, including 11 violent acts to 30), Austria (from 137 acts to 255, including 4 violent acts to 9), and Italy (from 45 to 90, including 12 violent acts to 23);

Whereas the Federal Bureau of Investigation reported, in its latest available statistics, 870 incidents in 2012 with anti-Jewish bias motivation, including 13 violent incidents, and 625 incidents in 2013 with anti-Jewish bias motivation, including four violent incidents;

Whereas anti-Semitic attacks have been increasingly directed at places of ordinary daily life and places of worship, including—

(1) the violent extremist who pledged his loyalty to the Islamic State of Iraq and al-Sham (ISIS) and attacked a kosher supermarket in Paris, France, January 9, 2015, murdering four Jewish patrons; and

(2) the violent extremist who pledged his loyalty to ISIS and attacked the Great Synagogue in Copenhagen, Denmark, during a bat mitzvah celebration, February 15, 2015, murdering a member of the Jewish community on security duty, and wounding two members of the Danish Police Service;

Whereas anti-Semitic attacks are threats to the fundamental freedoms, rights, security, and diversity of all citizens, societies, and countries in which they occur;

Whereas governments have primary responsibility for the security and safety of all of their citizens and therefore primary responsibility for monitoring, preventing, and responding to anti-Semitic violence;

Whereas Jewish community groups that focus on strengthening safety awareness, crisis management, and preparedness are essential to keeping members of the Jewish community safe, and complement efforts of government and inter-governmental entities;

Whereas keeping members of Jewish communities safe requires government agencies, intergovernmental institutions and agencies, and law enforcement associations, formally recognizing and partnering with Jewish community groups that focus on safety awareness and crisis management and preparedness;

Whereas in the United States, United Kingdom, and France, there are examples of formal recognition, partnership, training, and information-sharing between government entities and Jewish community security groups that have strengthened these countries and contributed to the safety and security of Jewish communities;

Whereas Jewish community groups, consortia, and initiatives, have formed and are forming to focus on safety awareness, crisis management, and preparedness, and partner with law enforcement entities and thought leaders;

Whereas information-sharing and action-focused campaigns, including the national ''If You See Something, Say Something'' campaign of the Department of Homeland Security, which rely on members of the public reporting suspicious activity to law enforcement personnel, are critical to pre-

venting violent attacks on individuals and communities;

Whereas relevant information, research, and analysis is vital to strengthening the preparedness, prevention, mitigation, and response of Jewish communities and law enforcement agencies;

Whereas broader efforts to counter violent extremism, and efforts to counter anti-Semitism, should be integrated with each other as appropriate and share best practices;

Whereas in the Berlin Declaration of April 29, 2004, participating States of the Organization for Security and Cooperation in Europe (OSCE) condemned anti-Semitism and committed themselves to specific actions to combat it, and to collect and maintain reliable information and statistics about anti-Semitic crimes;

Whereas, on December 6, 2013, the Ministerial Council of the OSCE, which is composed of the Foreign Ministers of participating States, adopted Decision number 3/13 entitled ''Freedom of Thought, Conscience, Religion, or Belief'', emphasizing ''the link between security and full respect for the freedom of thought'', and committing member governments to adopt ''policies to promote respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines against vandalism and destruction'', among other specific actions;

Whereas, on December 5, 2014, the Ministerial Council of the OSCE adopted Declaration number 8, the Basel Declaration, on ''Enhancing Efforts to Combat Anti-Semitism'', in which members of the Council stated, ''We express our concern at the disconcerting number of anti-Semitic incidents that continue to take place in the OSCE area and remain a challenge to stability and security'' and ''We stress the importance of States collaborating with civil society through effective partnerships and strengthened dialogue and co-operation on combating anti-Semitism''; and

Whereas in 2004, Congress passed the Global Anti-Semitism Review Act, which established an Office to Monitor and Combat Anti-Semitism, headed by a Special Envoy to Monitor and Combat Anti-Semitism: Now, therefore, be it

*Resolved,* That the House of Representatives—

(1) urges the United States Government to work closely with European governments and their law enforcement agencies, the Organization for Security and Cooperation in Europe (OSCE), the European Union, Europol, and Interpol, encouraging them to—

(A) formally recognize, partner, train, and share information with Jewish community security groups to strengthen preparedness, prevention, mitigation, and response related to anti-Semitic attacks and to support related research initiatives;

(B) consider the formal partnerships in the United States, the United Kingdom, and France, between government entities and Jewish community security groups, as examples of partnership, training, and information-sharing;

(C) support assessments of the—

(i) general environment in which anti-Semitic attacks occur;

(ii) data on types of crimes committed and the response from law enforcement;

(iii) relationships of Jewish community groups with local law enforcement agencies, including joint training opportunities and information sharing;

(iv) preparedness, including emergency response plans, of Jewish community groups; and

(v) response of local law enforcement systems to anti-Semitic attacks, including incident reporting, initial response, and the prioritization and prosecution of those crimes;

(D) utilize these assessments to help make adjustments to their strategies and efforts to combat anti-Semitism as needed;

(E) help Jewish communities develop common, baseline safety standards;

(F) consider developing a standardized pan-European information-sharing and alerting system that can include governmental and non-governmental agencies, as well as Jewish communities;

(G) develop safety-awareness and suspicious activity reporting campaigns;

(H) integrate, as appropriate, efforts to combat violent extremism and efforts to combat anti-Semitism;

(I) ensure law enforcement personnel are effectively trained to monitor, prevent, and respond to anti-Semitic violence, and to partner with Jewish communities;

(J) reaffirm and work for the implementation of the OSCE declarations, decisions, and other commitments focusing on anti-Semitism; and

(K) ensure senior officials, with commensurate authority and resources, have been appointed or designated to combat anti-Semitism and collaborate with governmental and inter-governmental agencies, law enforcement agencies, Jewish community groups, and other civil society groups;

(2) reaffirms its support for the mandate of the United States Special Envoy to Monitor and Combat Anti-Semitism as part of the broader policy priority of fostering international religious freedom; and

(3) urges the Secretary of State to continue robust United States reporting on anti-Semitism by the Department of State and the Special Envoy to Combat and Monitor Anti-Semitism.

The SPEAKER pro tempore, Mr. LOUDERMILK, recognized Mr. ROYCE and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. LOUDERMILK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LOUDERMILK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, November 3, 2015.

### ¶137.28 PROVIDING FOR CONSIDERATION OF THE AMENDMENTS OF THE SENATE TO H.R. 22 AND MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 114–325) the resolution (H. Res. 507) providing for consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; providing for proceedings during the period from November 6, 2015, through November 13, 2015; and providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

### ¶137.29 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1731. An Act to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes; to the Committee on Veterans' Affairs.

### ¶137.30 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 29, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 3819. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

### ¶137.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. JACKSON LEE, for today and November 3; and

To Mr. PAYNE, for today.

And then,

### ¶137.32 ADJOURNMENT

On motion of Ms. KELLY of Illinois, at 8 o'clock and 29 minutes p.m., the House adjourned.

### ¶137.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1575. A bill to amend title 38, United States Code, to make permanent the pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces (Rept. 114–319). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3144. A bill to require consultation with the Aviation Security Advisory Committee regarding modifications to the prohibited item list, require a report on the Transportation Security Oversight Board, and for other purposes; with an amendment (Rept. 114–320). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3361. A bill to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes; with an amendment (Rept. 114–321). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3503. A bill to require an assessment of fusion center personnel needs, and for other purposes; with an amendment (Rept. 114–322). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3505. A bill to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes (Rept. 114–323). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3598. A bill to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes; with an amendment (Rept. 114–324). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 507. Resolution providing for consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; providing for proceedings during the period from November 6, 2015 through November 13, 2015; and providing for consideration of motions to suspend the rules (Rept. 114–325). Referred to the House Calendar.

## ¶137.34 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MULVANEY:

H.R. 3868. A bill to amend the Investment Company Act of 1940 to remove certain restrictions on the ability of business development companies to own securities of investment advisers and certain financial companies, to change certain requirements relating to the capital structure of business development companies, to direct the Securities and Exchange Commission to revise certain rules relating to business development companies, and for other purposes; to the Committee on Financial Services.

By Mr. HURD of Texas (for himself and Mr. RATCLIFFE):

H.R. 3869. A bill to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes; to the Committee on Homeland Security.

By Mr. TAKAI:

H.R. 3870. A bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CHAFFETZ (for himself, Mr. CONYERS, and Mr. WELCH):

H.R. 3871. A bill to amend title 18, United States Code, to regulate the use of cell-site simulators, and for other purposes; to the Committee on the Judiciary.

By Ms. KELLY of Illinois:

H.R. 3872. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize public safety and community policing grants to be used to make grants to institutions of higher education, with priority given to Predominantly Black Institutions and other similar institutions, to support majors related to criminal justice, for the purpose of increasing the racial diversity of law enforcement agencies, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL:

H.R. 3873. A bill to require the Secretary of State to produce a comprehensive strategy relating to United States international policy with regard to cyberspace, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCCAUL:

H.R. 3874. A bill to amend the State Department Basic Authorities Act of 1956 to require reports on the Rewards for Justice program, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCCAUL (for himself, Ms. MCSALLY, Mr. RATCLIFFE, and Ms. JACKSON LEE):

H.R. 3875. A bill to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes; to the Committee on Homeland Security.

By Ms. MENG:

H.R. 3876. A bill to protect consumer privacy during the development and use of autonomous vehicle technologies; to the Committee on Transportation and Infrastructure.

By Mr. SABLAN (for himself and Mrs. RADEWAGEN):

H.R. 3877. A bill to amend title 23, United States Code, with respect to the territorial highway program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. TORRES:

H.R. 3878. A bill to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES (for himself, Mr. RUSH, Mr. CONYERS, Mr. QUIGLEY, Mr. MOULTON, Ms. KAPTUR, Mr. PASCRELL, Mr. CARSON of Indiana, Mr. KILMER, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. ESTY, Mr. MCDERMOTT, Mr. ELLISON, Miss RICE of New York, Mr. CARNEY, Mr. TED LIEU of California, Mr. HONDA, Mr. FOSTER, Ms. JACKSON LEE, Mr. MCGOVERN, and Mr. POCAN):

H. Res. 508. A resolution expressing the sense of the House of Representatives that the President of the United States should use the full authority of his office to convene international negotiations intended to stop the civil war in Syria; to the Committee on Foreign Affairs.

By Mr. KINZINGER of Illinois:

H. Res. 509. A resolution expressing support for the efforts of the Republic of Turkey, the Hashemite Kingdom of Jordan, and the Lebanese Republic to provide housing, educational opportunities, health care, and other forms of humanitarian assistance to individuals and families displaced by the conflict in Syria; to the Committee on Foreign Affairs.

## ¶137.35 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. HARRIS and Mr. SESSIONS.
H.R. 29: Mrs. ELLMERS of North Carolina.
H.R. 31: Mrs. ELLMERS of North Carolina.
H.R. 32: Mrs. ELLMERS of North Carolina.
H.R. 67: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 69: Mr. SCHIFF.
H.R. 73: Mr. RYAN of Ohio and Mr. JOHNSON of Georgia.
H.R. 188: Mr. JEFFRIES and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 191: Mr. HUDSON.
H.R. 223: Mr. UPTON.
H.R. 224: Ms. MCCOLLUM, Mr. MCNERNEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. KILDEE, Mr. TAKAI, Mr. SCHIFF, Miss RICE of New York, Ms. BASS, Mrs. LOWEY, Mr. CLEAVER, Ms. KUSTER, Ms. BROWN of Florida, Mr. CLAY, Mr. CROWLEY, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ESHOO, Ms. KAPTUR, Ms. LOFGREN, Mr. NOLAN, Mr. PERLMUTTER, Mr. POLIS, Mr. TAKANO, Mrs. TORRES, Ms. WILSON of Florida, Mr. LIPINSKI, and Mr. HUFFMAN.
H.R. 226: Ms. MCCOLLUM.
H.R. 227: Mrs. ELLMERS of North Carolina.
H.R. 228: Mr. CURBELO of Florida and Mr. JOYCE.
H.R. 250: Ms. GABBARD.
H.R. 344: Mr. MURPHY of Florida.
H.R. 347: Mr. CAPUANO.
H.R. 402: Ms. HERRERA BEUTLER.
H.R. 429: Mrs. WATSON COLEMAN and Mr. HASTINGS.
H.R. 452: Mrs. KIRKPATRICK.
H.R. 478: Mr. DESAULNIER.
H.R. 494: Mr. TOM PRICE of Georgia.
H.R. 539: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SEWELL of Alabama, and Mr. PAYNE.
H.R. 563: Mr. FATTAH.
H.R. 583: Mr. CULBERSON.
H.R. 592: Mr. TAKAI, Mr. SMITH of Washington, Mr. BOUSTANY, Ms. KAPTUR, and Ms. GRAHAM.
H.R. 604: Mr. ROE of Tennessee.
H.R. 613: Mr. LARSEN of Washington.
H.R. 625: Mr. GARAMENDI.
H.R. 711: Mr. BARR, Mr. RATCLIFFE, and Mr. RYAN of Ohio.
H.R. 775: Mr. LAMALFA, Mr. HINOJOSA, and Mr. NUNES.
H.R. 793: Ms. CLARKE of New York, Mr. BISHOP of Georgia, and Mr. WILLIAMS.
H.R. 814: Mr. KING of New York and Mr. COLE.
H.R. 816: Mr. GUTHRIE.
H.R. 837: Ms. DEGETTE.
H.R. 842: Ms. LORETTA SANCHEZ of California.
H.R. 845: Mrs. LOVE.
H.R. 868: Mr. CLAWSON of Florida and Ms. DUCKWORTH.
H.R. 870: Mr. MURPHY of Florida.
H.R. 887: Mr. SMITH of Missouri and Mr. SALMON.
H.R. 921: Mr. WILLIAMS and Mr. CURBELO of Florida.
H.R. 969: Mr. HURT of Virginia and Mr. BILIRAKIS.
H.R. 970: Mr. WOMACK and Mr. TOM PRICE of Georgia.
H.R. 973: Mr. PASCRELL and Mr. THOMPSON of Pennsylvania.
H.R. 1062: Mr. CULBERSON.
H.R. 1086: Mr. CULBERSON.
H.R. 1102: Mr. HASTINGS, Mr. CONYERS, and Mrs. WATSON COLEMAN.
H.R. 1218: Mr. KELLY of Pennsylvania, Mr. HUIZENGA of Michigan, and Mr. DENHAM.
H.R. 1221: Mr. GIBSON.
H.R. 1224: Mr. MURPHY of Florida.
H.R. 1232: Mrs. WATSON COLEMAN.

H.R. 1258: Mr. LEVIN, Mr. FOSTER, and Mr. COSTA.
H.R. 1309: Mr. CRENSHAW, Mr. ROSKAM, Mr. HANNA, Mr. WITTMAN, Mr. COFFMAN, and Mr. KINZINGER of Illinois.
H.R. 1336: Mr. FITZPATRICK and Mr. PASCRELL.
H.R. 1387: Mr. HUDSON.
H.R. 1427: Mr. WEBER of Texas.
H.R. 1431: Mr. WESTMORELAND.
H.R. 1432: Mr. WESTMORELAND.
H.R. 1441: Mr. LEVIN.
H.R. 1453: Mr. NUGENT.
H.R. 1457: Mr. RANGEL.
H.R. 1460: Mrs. WATSON COLEMAN.
H.R. 1475: Mr. COURTNEY, Mr. GRAVES of Louisiana, Ms. FRANKEL of Florida, Mr. PAULSEN, Mr. CHABOT, and Mr. POLIS.
H.R. 1479: Mr. BENISHEK and Mrs. HARTZLER.
H.R. 1526: Mr. MASSIE.
H.R. 1545: Mr. RYAN of Ohio and Mr. COLE.
H.R. 1548: Mr. MCGOVERN.
H.R. 1550: Mr. ROYCE, Mr. TIPTON, and Mr. EMMER of Minnesota.
H.R. 1581: Ms. ESTY.
H.R. 1603: Ms. JACKSON LEE.
H.R. 1608: Mr. WELCH and Mr. HARDY.
H.R. 1671: Mr. ROUZER.
H.R. 1728: Ms. NORTON, Mr. SERRANO, Mr. POCAN, Ms. TSONGAS, Mr. THOMPSON of Pennsylvania, Mr. FOSTER, and Mr. PAYNE.
H.R. 1751: Ms. NORTON, Mr. POCAN, and Mr. SABLAN.
H.R. 1769: Ms. STEFANIK, Mr. THOMPSON of California, Mr. MEEHAN, and Mr. BRADY of Pennsylvania.
H.R. 1786: Ms. PELOSI, Mr. SHUSTER, Mr. BISHOP of Michigan, Mr. ROSS, and Mr. VALADAO.
H.R. 1799: Mr. GRAYSON.
H.R. 1810: Mr. JOHNSON of Georgia.
H.R. 1814: Ms. SEWELL of Alabama, Mr. O'ROURKE, Mr. CARSON of Indiana, and Mr. JEFFRIES.
H.R. 1853: Mr. LUETKEMEYER, Ms. WILSON of Florida, Mr. WILSON of South Carolina, Mr. KING of Iowa, Mr. HARDY, Mr. COFFMAN, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1854: Ms. FRANKEL of Florida and Mr. ROSS.
H.R. 1877: Ms. ROYBAL-ALLARD.
H.R. 1945: Mrs. KIRKPATRICK.
H.R. 1961: Mr. TAKAI.
H.R. 1964: Mr. COLE.
H.R. 2058: Mr. BLUM.
H.R. 2114: Mr. CONYERS.
H.R. 2156: Mr. GARAMENDI.
H.R. 2224: Mr. RYAN of Ohio, Mr. SMITH of Washington, Mr. THOMPSON of California, and Mr. HIGGINS.
H.R. 2293: Ms. LINDA T. SÁNCHEZ of California, Mr. BUCK, Ms. SPEIER, Mr. ROTHFUS, Mr. CONYERS, Mr. MCDERMOTT, and Mr. ROSS.
H.R. 2341: Mrs. LOVE.
H.R. 2382: Mr. THOMPSON of Pennsylvania.
H.R. 2404: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2434: Mr. TED LIEU of California.
H.R. 2449: Ms. LEE.
H.R. 2470: Mr. MEEKS, Mr. VAN HOLLEN, Mr. POCAN, Mr. CÁRDENAS, Mr. TED LIEU of California, and Ms. SCHAKOWSKY.
H.R. 2493: Mr. SWALWELL of California.
H.R. 2494: Mr. REICHERT, Mr. HOLDING, Mr. DUNCAN of Tennessee, Mr. BEN RAY LUJÁN of New Mexico, Mrs. KIRKPATRICK, and Mr. PIERLUISI.
H.R. 2515: Ms. WASSERMAN SCHULTZ and Mr. LOEBSACK.
H.R. 2530: Ms. WILSON of Florida and Mr. PRICE of North Carolina.
H.R. 2546: Mr. ENGEL.
H.R. 2590: Ms. KAPTUR.
H.R. 2612: Ms. ESHOO.
H.R. 2646: Mr. SHIMKUS, Mr. DEUTCH, Mr. LUETKEMEYER, and Mr. COHEN.
H.R. 2671: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 2672: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 2673: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 2674: Mr. PERLMUTTER and Ms. BROWNLEY of California.
H.R. 2710: Mr. GIBSON.
H.R. 2711: Mr. HARRIS and Mr. STIVERS.
H.R. 2712: Mr. SMITH of Texas and Mr. DUNCAN of South Carolina.
H.R. 2713: Mr. SCHIFF.
H.R. 2715: Ms. EDWARDS, Ms. NORTON, Mr. MCDERMOTT, and Mrs. KIRKPATRICK.
H.R. 2726: Mr. MARINO.
H.R. 2799: Mr. LANCE.
H.R. 2847: Mr. BLUMENAUER, Mr. DOGGETT, Ms. KAPTUR, Mr. CONNOLLY, Miss RICE of New York, Mr. COSTELLO of Pennsylvania, Mr. QUIGLEY, and Ms. GABBARD.
H.R. 2849: Mr. SMITH of Washington and Mr. SWALWELL of California.
H.R. 2858: Mr. MCDERMOTT and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2867: Mr. CLEAVER, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. JEFFRIES, Mr. PAYNE, Mr. THOMPSON of Mississippi, Mr. RUSH, Mr. SCOTT of Virginia, and Mr. RANGEL.
H.R. 2878: Mrs. BLACKBURN.
H.R. 2880: Mr. CARSON of Indiana, Miss RICE of New York, Mr. AL GREEN of Texas, and Mr. GALLEGO.
H.R. 2896: Mr. FITZPATRICK and Mr. STIVERS.
H.R. 2903: Mr. BISHOP of Georgia, Mr. HURD of Texas, and Mr. YOUNG of Alaska.
H.R. 2911: Mr. ROSKAM, Mr. COSTA, Ms. STEFANIK, Mrs. KIRKPATRICK, Mrs. WALORSKI, Mr. KIND, and Mr. KATKO.
H.R. 2917: Mrs. LOWEY.
H.R. 2920: Mrs. CAROLYN B. MALONEY of New York.
H.R. 2944: Mr. MASSIE and Ms. DUCKWORTH.
H.R. 2948: Ms. SEWELL of Alabama, Ms. WILSON of Florida, and Mr. KILMER.
H.R. 2957: Ms. BORDALLO.
H.R. 2972: Mr. GRAYSON, Mr. TAKAI, and Mr. TAKANO.
H.R. 2994: Ms. ESHOO and Mrs. LOWEY.
H.R. 3014: Mrs. BLACKBURN.
H.R. 3046: Mr. HONDA and Ms. NORTON.
H.R. 3068: Mr. SWALWELL of California and Mr. MOULTON.
H.R. 3099: Mr. GIBSON.
H.R. 3119: Mr. LANCE and Mr. DEUTCH.
H.R. 3137: Mr. LOWENTHAL.
H.R. 3150: Mr. HUFFMAN.
H.R. 3179: Mr. KEATING.
H.R. 3190: Ms. ADAMS.
H.R. 3229: Ms. DELAURO and Ms. BROWN of Florida.
H.R. 3249: Mr. THOMPSON of Mississippi.
H.R. 3290: Ms. WILSON of Florida and Mr. DAVID SCOTT of Georgia.
H.R. 3314: Mr. GIBBS and Mr. MARCHANT.
H.R. 3316: Mr. GRAYSON, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. TED LIEU of California, Mr. QUIGLEY, and Ms. DELAURO.
H.R. 3326: Mrs. COMSTOCK and Mr. ROUZER.
H.R. 3339: Ms. CLARK of Massachusetts, Mrs. BLACK, and Mr. LANCE.
H.R. 3340: Mr. FINCHER, Mr. MESSER, and Mr. ROSS.
H.R. 3355: Mr. COHEN and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 3356: Ms. MATSUI.
H.R. 3366: Mr. POCAN.
H.R. 3378: Ms. PINGREE.
H.R. 3381: Mr. MEEKS, Mr. RODNEY DAVIS of Illinois, Ms. NORTON, Mr. FATTAH, and Ms. TSONGAS.
H.R. 3397: Ms. ESTY.
H.R. 3411: Mr. HONDA.
H.R. 3422: Mrs. BROOKS of Indiana.
H.R. 3426: Ms. CASTOR of Florida and Mr. TED LIEU of California.
H.R. 3427: Ms. PINGREE, Mrs. WATSON COLEMAN, Mr. GRAYSON, Mr. AL GREEN of Texas, and Mr. CARSON of Indiana.
H.R. 3455: Mrs. LOWEY and Ms. ESHOO.
H.R. 3463: Mr. YOUNG of Iowa.
H.R. 3466: Mr. COHEN and Mr. TAKAI.
H.R. 3471: Mrs. RADEWAGEN, Mrs. BROOKS of Indiana, and Mr. ROSKAM.
H.R. 3473: Mrs. HARTZLER.
H.R. 3488: Mr. FORBES and Mr. ZINKE.
H.R. 3497: Mrs. CAROLYN B. MALONEY of New York.
H.R. 3514: Mr. LEVIN and Mr. CARSON of Indiana.
H.R. 3516: Mr. WALBERG, Mr. BURGESS, and Mr. HILL.
H.R. 3518: Mr. COHEN and Mr. POCAN.
H.R. 3546: Mr. BLUMENAUER, Mr. HIMES, Mr. DEFAZIO, and Mr. QUIGLEY.
H.R. 3556: Mr. CAPUANO, Mr. FARR, Ms. MCCOLLUM, Mr. TAKAI, and Mr. MCGOVERN.
H.R. 3557: Mr. EMMER of Minnesota and Mr. FINCHER.
H.R. 3566: Mr. FORBES.
H.R. 3587: Mr. GRAYSON.
H.R. 3588: Mr. COHEN.
H.R. 3608: Ms. WILSON of Florida and Mr. GRAVES of Missouri.
H.R. 3632: Mrs. CAPPS and Mr. RANGEL.
H.R. 3634: Mr. HONDA and Mr. COHEN.
H.R. 3637: Mrs. DINGELL.
H.R. 3679: Ms. FRANKEL of Florida.
H.R. 3687: Mr. RANGEL.
H.R. 3690: Ms. LEE.
H.R. 3696: Ms. WILSON of Florida, Mrs. LOWEY, Mr. KEATING, Mr. SMITH of Washington, and Ms. JUDY CHU of California.
H.R. 3700: Mr. ROTHFUS and Mr. CAPUANO.
H.R. 3705: Mr. BARR and Mr. EMMER of Minnesota.
H.R. 3706: Ms. DELBENE and Mr. STEWART.
H.R. 3720: Mr. TAKAI.
H.R. 3721: Mr. O'ROURKE and Mr. HASTINGS.
H.R. 3722: Mr. HASTINGS.
H.R. 3733: Mr. TAKAI.
H.R. 3742: Mr. GRAYSON, Mr. GRIFFITH, and Mr. CONNOLLY.
H.R. 3746: Mr. HECK of Washington.
H.R. 3756: Mr. SMITH of Washington and Ms. CASTOR of Florida.
H.R. 3760: Mr. GRIJALVA.
H.R. 3761: Mr. DESAULNIER, Mr. KILDEE, Mr. LARSEN of Washington, and Mr. SARBANES.
H.R. 3765: Mr. NUNES.
H.R. 3776: Mr. SANFORD.
H.R. 3785: Mrs. LOWEY, Ms. FUDGE, Mr. SCOTT of Virginia, Ms. MENG, Ms. MOORE, and Mr. HUFFMAN.
H.R. 3793: Ms. FRANKEL of Florida and Mr. GRIJALVA.
H.R. 3799: Mr. RIBBLE, Mr. MARCHANT, Mr. ZINKE, and Mr. CRAMER.
H.R. 3802: Mr. SAM JOHNSON of Texas, Mr. CRAMER, and Mr. JORDAN.
H.R. 3805: Mr. TONKO and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3806: Mr. LARSEN of Washington and Mr. KILMER.
H.R. 3811: Mr. SHERMAN.
H.R. 3812: Mr. SHERMAN.
H.R. 3832: Mr. MARCHANT, Mr. MCDERMOTT, and Mr. RIBBLE.
H.R. 3834: Ms. JACKSON LEE, Ms. MOORE, and Mr. HASTINGS.
H.R. 3849: Ms. KUSTER, Ms. HAHN, and Ms. PINGREE.
H.R. 3856: Mr. MARCHANT.
H.R. 3862: Mrs. KIRKPATRICK, Ms. BORDALLO, Ms. KAPTUR, Mr. WELCH, Ms. BONAMICI, Ms. WILSON of Florida, Mr. MEEKS, Mr. KEATING, Ms. JACKSON LEE, Ms. JUDY CHU of California, Mr. POLIS, and Mr. CÁRDENAS.
H.J. Res. 70: Mr. PALMER.
H.J. Res. 71: Mr. BILIRAKIS, Mr. ZINKE, Mr. SAM JOHNSON of Texas, Mr. BOUSTANY, Mr. LOUDERMILK, Mr. JOHNSON of Ohio, Mr. PEARCE, Mr. MURPHY of Pennsylvania, Mr.

BRIDENSTINE, Mr. ROTHFUS, Mr. RATCLIFFE, Mr. SIMPSON, Mr. JENKINS of West Virginia, Mr. GOSAR, Mr. JONES, Mr. ROUZER, Mrs. BROOKS of Indiana, and Mr. SMITH of Nebraska.

H.J. Res. 72: Mr. BILIRAKIS, Mr. ZINKE, Mr. SAM JOHNSON of Texas, Mr. BOUSTANY, Mr. LOUDERMILK, Mr. JOHNSON of Ohio, Mr. PEARCE, Mr. MURPHY of Pennsylvania, Mr. BRIDENSTINE, Mr. ROTHFUS, Mr. RATCLIFFE, Mr. SIMPSON, Mr. JENKINS of West Virginia, Mr. GOSAR, Mr. JONES, Mr. ROUZER, Mrs. BROOKS of Indiana, and Mr. SMITH of Nebraska.

H. Con. Res. 17: Mr. DELANEY.

H. Res. 32: Mr. HIGGINS, Ms. LEE, Mr. HASTINGS, Mr. PALLONE, Mr. SEAN PATRICK MALONEY of New York, Ms. JUDY CHU of California, and Mr. KENNEDY.

H. Res. 82: Mrs. BROOKS of Indiana.

H. Res. 145: Ms. MOORE and Mr. HONDA.

H. Res. 210: Mr. ISSA.

H. Res. 230: Ms. WILSON of Florida.

H. Res. 289: Ms. TSONGAS.

H. Res. 290: Mr. CÁRDENAS.

H. Res. 293: Mr. KLINE, Mr. MURPHY of Florida, Mr. CALVERT, Mrs. CAROLYN B. MALONEY of New York, Mr. DOLD, and Mr. NADLER.

H. Res. 394: Mr. RIBBLE.

H. Res. 415: Mr. RANGEL.

H. Res. 416: Ms. ROYBAL-ALLARD.

H. Res. 424: Mr. REED.

H. Res. 432: Mr. ROE of Tennessee.

H. Res. 451: Ms. SCHAKOWSKY and Mr. SALMON.

H. Res. 467: Ms. WILSON of Florida, Ms. ESHOO, and Ms. CLARKE of New York.

H. Res. 469: Mr. MOULTON.

H. Res. 472: Mr. SMITH of Washington.

H. Res. 498: Mr. MACARTHUR and Mr. COHEN.

H. Res. 499: Ms. PLASKETT.

H. Res. 500: Mr. SAM JOHNSON of Texas.

H. Res. 502: Mr. BEYER, Ms. CLARKE of New York, Ms. JACKSON LEE, Ms. MATSUI, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. NORTON, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. HASTINGS, and Mr. MOULTON.

H. Res. 506: Mr. VISCLOSKY, Mr. NOLAN, and Mr. LEVIN.

## TUESDAY, NOVEMBER 3, 2015 (138)

### ¶138.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. KELLY of Mississippi, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*November 3, 2015.*

I hereby appoint the Honorable TRENT KELLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

### ¶138.2 RECESS—10:47 A.M.

The SPEAKER pro tempore, Mr. KELLY of Mississippi, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 47 minutes a.m., until noon.

### ¶138.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

### ¶138.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, November 2, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶138.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3364. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's Major final rule — Home Mortgage Disclosure (Regulation C) [Docket No.: CFPB-2014-0019] (RIN: 3170-AA10) received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3365. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3366. A letter from the Director, Office of Government Relations, VISTA, Corporation for National and Community Service, transmitting the Corporation's final rule — Volunteers in Service to America (RIN: 3045-AA36) received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3367. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting the Administration's FY 2015 report on Inventories of Commercial and Inherently Governmental Activities, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c); to the Committee on Oversight and Government Reform.

3368. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Transaction of Interest Notice for Basket Contracts [Notice 2015-74] (NOT-127221-15) received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3369. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2016 Cost-of-Living Adjustments to the Internal Revenue Code Tax Tables and Other Items (Rev. Proc. 2015-53) received November 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3370. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; End-Stage Renal Disease Prospective Payment System, and Quality Incentive Program [CMS-1628-F] (RIN: 0938-AS48) received October 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

3371. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare and Medicaid Programs; CY 2016 Home Health Prospective Payment System Rate Update; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements [CMS-1625-F] (RIN: 0938-AS46) received October 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

### ¶138.6 PROVIDING FOR CONSIDERATION OF THE AMENDMENTS OF THE SENATE TO H.R. 22 AND MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 507):

*Resolved,* That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the Senate amendment to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act. All points of order against consideration of the Senate amendment are waived. General debate shall be confined to the Senate amendment and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate, the Senate amendment shall be considered for amendment under the five-minute rule. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole.

SEC. 2. (a) No further amendment to the Senate amendment, as amended, shall be in order except for an amendment consisting of the text of Rules Committee Print 114-32, which shall be considered as pending, shall be considered as read, shall not be debatable, shall not be subject to amendment except as specified in subsection (b), and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(b) No amendment to the further amendment referred to in subsection (a) shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(c) All points of order against amendments referred to in subsections (a) and (b) are waived.

SEC. 3. At the conclusion of consideration of the amendments referred to in section 2(b) of this resolution, the Committee of the Whole shall rise without motion. No further consideration of the Senate amendment, as amended, shall be in order except pursuant to a subsequent order of the House.

SEC. 4. On any legislative day during the period from November 6, 2015, through November 13, 2015—

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

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

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

SEC. 6. It shall be in order at any time on the legislative day of November 5, 2015, for

the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV, relating to a measure authorizing appropriations for fiscal year 2016 for the Department of Defense.

When said resolution was considered.

After debate,

Mr. WOODALL submitted the following amendment:

On page 2, line 11, insert after the period: ''The first reading of the Senate amendment shall be dispensed with.''.

At the end of the first section, add the following: ''The Senate amendment, as amended, shall be considered as read.''.

At the end of the resolution, add the following:

''SEC. 7. The amendments specified in Rules Committee Print 114–33 shall be considered as though printed in part B of House Report 114–325.''.

Mr. WOODALL moved the previous question on the amendment and the resolution to their adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that the ayes had it.

Mr. McGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 241 / Nays ..... 178

¶138.7 [Roll No. 583]

YEAS—241

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

NAYS—178

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

NOT VOTING—14

Brady (PA)
Conyers
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Jones
Larson (CT)
Meeks
Richmond
Speier
Takai
Yarmuth
Yoder

So the previous question on the amendment and the resolution was ordered.

The question being put, viva voce,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that the ayes had it.

So the amendment was agreed to.

The question being put, viva voce,

Will the House agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that the ayes had it.

Mr. WOODALL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 248 / Nays ..... 171

¶138.8 [Roll No. 584]

YEAS—248

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Chu, Judy
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Carolyn
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts

Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Waters, Maxine
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—171

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

NOT VOTING—14

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Jones
Larson (CT)
Meeks
Neugebauer
Richmond
Speier
Takai
Yarmuth
Yoder

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶138.9 H. RES. 354—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 354) expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 418 Nays ..... 0

¶138.10 [Roll No. 585]

YEAS—418

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—15

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Huizenga (MI)
Jackson Lee
Larson (CT)
Meeks
Neugebauer
Richmond
Smith (NE)
Speier
Takai
Yarmuth
Yoder

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶138.11 HIRE MORE HEROES

The SPEAKER pro tempore, Mr. HARDY, pursuant to House Resolution 507 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the amend-

ment of the Senate to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The SPEAKER pro tempore, Mr. HARDY, by unanimous consent, designated Mr. SIMPSON as Chairman of the Committee of the Whole; and after some time spent therein,

¶138.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in Part B of House Report 114-325, submitted by Mr. SWALWELL of California:

Page 26, after line 2, insert the following:

''(4) by adding at the end the following:

'' ''(35) SHARED-USE PROGRAMS & TECHNOLOGIES.—The term ''Shared-Use Programs & Technologies'' refers to projects and programs that utilize innovative mobility technologies to provide alternatives to driving alone, including, but not limited to, carshare, Bikeshare, carpool/vanpool, transportation network companies, multimodal fare payment system, app based mobility providers, and other innovative projects. '.''.

Page 53, line 3, strike the period and insert ''; or''.

Page 53, after line 3, insert the following new paragraph:

''(10) shared-Use Programs & Technologies that have a demonstrated ability to reduce vehicle miles traveled or improve air quality as determined by the Secretary.''.

Page 241, strike lines 9 through 10 and insert the following:

(1) in paragraph (1)—

(A) in subparagraph (C) by striking ''landscaping'';

(B) in subparagraph (F) by striking ''or'';

(C) in subparagraph (G) by striking period and inserting ''; or''; and

(D) by adding at the end the following:

''(H) Transit Oriented Shared-Use Programs and Technologies.''.

Page 241, after line 20, add the following:

''(26) TRANSIT ORIENTED SHARED-USE PROGRAMS & TECHNOLOGIES.—The term 'Transit Oriented Shared-Use Programs & Technologies' refers to projects and programs that utilize innovative mobility technologies to better connect users with a transit system including, but not limited to, carshare, Bikeshare, carpool/vanpool, transportation network companies, multimodal fare payment system, app based mobility providers, and other innovative projects that help connect users to transit.''.

It was decided in the negative ..... { Ayes ..... 181 / Noes ..... 237 }

¶138.13 [Roll No. 586]

AYES—181

Adams
Aguilar
Amodei
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brooks (IN)
Brown (FL)
Buck
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costello (PA)
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeGette
Delaney
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Herrera Beutler
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
LaMalfa
Langevin
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McDermott
McGovern
McNerney
McSally
Meehan
Meng
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Ribble
Rice (NY)
Rohrabacher
Rokita
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Tipton
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOES—237

Abraham
Aderholt
Allen
Amash
Babin
Barletta
Barr
Barton
Becerra
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Danny
DeFazio
DeLauro
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Higgins
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
Lamborn
Lance
Larsen (WA)
Latta
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schakowsky
Schrader
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NOT VOTING—15

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Jolly
Larson (CT)
Meeks
Moore
Nadler
Takai
Van Hollen
Yarmuth
Yoder
Young (IN)

So the amendment was not agreed to.

¶138.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in Part B of House Report 114-325, submitted by Mr. GOSAR:

Page 144, line 6, before the semicolon insert the following: ''(to include, at a minimum, the total number of environmental reviews initiated through a notice of intent, the total average cost for environmental reviews to taxpayers and contractors, and the total average time it takes agencies to get from a notice of intent to publication of a final environmental review)''.

It was decided in the negative ..... { Ayes ..... 196 / Noes ..... 225 }

¶138.15 [Roll No. 587]

AYES—196

Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Conaway
Cook
Cramer
Crawford
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Knight
Labrador
LaHood
LaMalfa
Lamborn

Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tipton
Valadao
Walberg
Walden
Walker
Walorski
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—225

Abraham
Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Black
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Byrne
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kline
Kuster
Lance
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Messer
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—12

Brady (PA)
Ellmers (NC)
Fattah
Franks (AZ)
Gohmert
Jackson Lee
Larson (CT)
Meeks
Takai
Webster (FL)
Yarmuth
Yoder

So the amendment was not agreed to.

¶138.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 14, printed in Part B of House Report 114-325, submitted by Mr. RIBBLE:

At the end of subtitle D of title I of Division A, add the following:

**SEC. _____. MODERNIZED WEIGHT LIMITATIONS FOR CERTAIN VEHICLES.**

Section 127 of title 23, United States Code, is further amended by adding at the end the following:

''(n) ADDITIONAL EXCEPTION TO WEIGHT REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding subsection (a), a State may authorize a vehicle with a maximum gross weight, including all enforcement tolerances, that exceeds the maximum gross weight otherwise applicable under subsection (a) to operate on Interstate System routes in the State, if—

''(A) the vehicle is equipped with at least 6 axles;

''(B) the weight of any single axle on the vehicle does not exceed 20,000 pounds, including enforcement tolerances;

''(C) the weight of any tandem axle on the vehicle does not exceed 34,000 pounds, including enforcement tolerances;

''(D) the weight of any group of 3 or more axles on the vehicle does not exceed 45,000 pounds, including enforcement tolerances;

''(E) the gross weight of the vehicle does not exceed 91,000 pounds, including enforcement tolerances; and

''(F) the vehicle complies with the bridge formula in subsection (a)(2) of this section.

''(2) SPECIAL RULES.—

''(A) OTHER EXCEPTIONS NOT AFFECTED.—This subsection shall not restrict—

''(i) a vehicle that may operate under any other provision of this section or another Federal law; or

''(ii) a State's authority with respect to a vehicle that may operate under any other provision of this section or another Federal law.

''(B) MEANS OF IMPLEMENTATION.—A State may implement this subsection by any means, including statute or rule of general applicability, by special permit, or otherwise.

''(3) ADDITIONAL EQUIPMENT.—

''(A) IN GENERAL.—The Secretary may issue such regulations as are necessary to require a vehicle operating pursuant to this subsection to include 1 item of additional equipment not otherwise required by law. The Secretary may issue such regulations only if the equipment item to be required is available at the time a rule is proposed.

''(B) COMMENT.—In issuing regulations pursuant to this paragraph, the Secretary shall invite comment on the effective date of any proposed equipment requirement.

''(C) LIMITED AUTHORITY.—The authority to issue regulations pursuant to this paragraph applies only to a rule that is published as a final rule in the Federal Register not later than the date that is 6 months after the date of enactment of this subsection.

''(4) REPORTING REQUIREMENTS.—

''(A) TRIENNIAL REPORT.—If a State, pursuant to paragraph (1), authorizes vehicles described in such paragraph to operate on Interstate System routes in the State, the State shall submit to the Secretary a triennial report containing—

''(i) an identification of highway routes in the State, including routes not on the Interstate System, on which the State so authorizes such vehicles to operate;

''(ii) a description of any gross vehicle weight limit applicable to such vehicles so authorized and of any operating requirements applicable to such vehicles that are in addition to requirements applicable to all commercial motor vehicles;

''(iii) the number of crashes that occurred in the State involving such vehicles so authorized on the Interstate System, the number of such crashes involving fatalities, and the number of such crashes involving nonfatal injuries;

''(iv) estimated vehicle miles traveled on the Interstate System in the State by such vehicles so authorized; and

''(v) other information, such as the gross vehicle weight of a vehicle operating pursuant to the authority of this subsection at the time of a crash, as the Secretary and the State jointly determine necessary.

''(B) PUBLIC AVAILABILITY.—The Secretary shall make all information required under subparagraph (A) available to the public.

''(5) TERMINATION AS TO ROUTE SEGMENT.—The Secretary may terminate the operation of vehicles authorized by a State under this subsection on a specific Interstate System route segment if, after the effective date of a decision of a State to allow vehicles to operate pursuant to paragraph (1), the Secretary determines that such operation poses an unreasonable safety risk based on an engineering analysis of the route segment or an analysis of safety or other applicable data from the route segment.

''(6) WAIVER OF HIGHWAY FUNDING REDUCTION.—Notwithstanding subsection (a), the total amount of funds apportioned to a State under section 104(b)(1) for any period may not be reduced under subsection (a) if the State authorizes a vehicle described in paragraph (1) to operate on the Interstate System in the State in accordance with this subsection.

''(7) PRESERVING STATE AND LOCAL AUTHORITY REGARDING NON-INTERSTATE SYSTEM HIGHWAYS.—Subsection (b) of this section shall not apply to motor vehicles operating on the Interstate System solely under the authority provided by this subsection.''.

It was decided in the negative { Ayes ..... 187 / Noes ..... 236 }

¶138.17 [Roll No. 588]

AYES—187

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Benishek
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Byrne
Calvert
Carter (GA)
Castro (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Costa
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Emmer (MN)
Fincher
Fleischmann
Flores
Forbes
Fortenberry
Foxx

Franks (AZ)
Fudge
Garrett
Gibbs
Gowdy
Graham
Graves (GA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Jolly
Jordan
Katko
Kind
King (IA)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
Marino
Massie
McCarthy
McCaul
McClintock
McMorris Rodgers
McSally
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nunes
Palmer
Paulsen
Payne
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Ruiz
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sessions
Sewell (AL)
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—236

Adams
Aguilar
Ashford
Barletta
Barr
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Crenshaw
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleming
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Gallego
Garamendi
Gibson
Goodlatte
Gosar
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (NY)
Kinzinger (IL)
Kirkpatrick
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Matsui
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
Meadows
Meehan
Meng
Mica
Miller (MI)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
Nugent
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Rigell
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Royce
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Shimkus
Shuster
Sires
Slaughter
Smith (NJ)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Williams
Wilson (FL)
Zeldin

NOT VOTING—10

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Larson (CT)
Meeks
Takai
Yarmuth
Yoder

So the amendment was not agreed to.

¶138.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 15, printed in Part B of House Report 114-325, submitted by Ms. BROWN of Florida:

At the end of subtitle D of title I of division A, add the following:

**SEC. ___ . NATIONAL ADVISORY COMMITTEE ON TRAVEL AND TOURISM INFRASTRUCTURE.**

(a) FINDINGS.—Congress finds that—

(1) 1 out of every 9 jobs in the United States depends on travel and tourism, and the industry supports 15,000,000 jobs in the United States;

(2) the travel and tourism industry employs individuals in all 50 States, the District of Columbia, and all of the territories of the United States;

(3) international travel to the United States is the single largest export industry in the Nation, generating a trade surplus balance of approximately $74,000,000,000;

(4) travel and tourism provide significant economic benefits to the United States by generating nearly $2,100,000,000,000 in annual economic output; and

(5) the United States intermodal transportation network facilitates the large-scale movement of business and leisure travelers, and is the most important asset of the travel industry.

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to be known as the National Advisory Committee on Travel and Tourism Infrastructure (in this section referred to as the ''Committee'') to provide information, advice, and recommendations to the Secretary on matters relating to the role of intermodal transportation in facilitating mobility related to travel and tourism activities.

(c) MEMBERSHIP.—The Committee shall—

(1) be composed of members appointed by the Secretary for terms of not more than 3 years; and

(2) include a representative cross-section of public and private sector stakeholders involved in the travel and tourism industry, including representatives of—

(A) the travel and tourism industry, product and service providers, and travel and tourism-related associations;

(B) travel, tourism, and destination marketing organizations;

(C) the travel and tourism-related workforce;

(D) State tourism offices;

(E) Sate departments of transportation;

(F) regional and metropolitan planning organizations; and

(G) local governments.

(d) ROLE OF COMMITTEE.—The Committee shall—

(1) advise the Secretary on current and emerging priorities, issues, projects, and funding needs related to the use of the Nation's intermodal transportation network to facilitate travel and tourism;

(2) serve as a forum for discussion for travel and tourism stakeholders on transportation issues affecting interstate and interregional mobility of passengers;

(3) promote the sharing of information between the private and public sectors on transportation issues impacting travel and tourism;

(4) gather information, develop technical advise, and make recommendations to the Secretary on policies that improve the condition and performance of an integrated national transportation system that is safe, economical, and efficient, and that maximizes the benefits to the Nation generated through the United States travel and tourism industry;

(5) identify critical transportation facilities and corridors that facilitate and support the interstate and interregional transportation of passengers for tourism, commercial, and recreational activities;

(6) provide for development of measures of condition, safety, and performance for transportation related to travel and tourism;

(7) provide for development of transportation investment, data, and planning tools to assist Federal, State, and local officials in making investment decisions relating to transportation projects that improve travel and tourism; and

(8) address other issues of transportation policy and programs impacting the movement of travelers for tourism and recreational purposes, including by making legislative recommendations.

(e) NATIONAL TRAVEL AND TOURISM INFRASTRUCTURE STRATEGIC PLAN.—

(1) INITIAL DEVELOPMENT OF NATIONAL TRAVEL AND TOURISM INFRASTRUCTURE STRATEGIC PLAN.—Not later than 3 years after the date of enactment of this act, the Secretary shall, in consultation with the Committee, State departments of transportation, and other appropriate public and private transportation stakeholders, develop and post on the Department's public Internet Web site a national travel and tourism infrastructure strategic plan that includes—

(A) an assessment of the condition and performance of the national transportation network;

(B) an identification of the issues on the national transportation network that create significant congestion problems and barriers to long-haul passenger travel and tourism,

(C) forecasts of long-haul passenger travel and tourism volumes for the 20-year period beginning in the year during which the plan is issued;

(D) an identification of the major transportation facilities and corridors for current and forecasted long-haul travel and tourism volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

(E) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved long-haul passenger travel performance (including opportunities for overcoming the barriers);

(F) best practices for improving the performance of the national transportation network; and

(G) strategies to improve intermodal connectivity for long-haul passenger travel and tourism.

It was decided in the affirmative ..... { Ayes ..... 216 Noes ..... 207

¶138.19 [Roll No. 589]

AYES—216

Adams
Aguilar
Amodei
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Byrne
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Harris
Hastings
Heck (NV)
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Lance
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Rice (SC)
Richmond
Roe (TN)
Rogers (AL)
Rooney (FL)
Ros-Lehtinen
Ross
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wilson (FL)
Wilson (SC)
Womack
Zinke

NOES—207

Abraham
Aderholt
Allen
Amash
Babin
Barletta
Barr
Barton
Benishek
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
DeFazio
Denham
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hanna
Hardy
Harper
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rigell
Roby
Rogers (KY)
Rohrabacher
Rokita
Roskam
Rothfus
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wittman
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin

NOT VOTING—10

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Larson (CT)
Meeks
Takai
Yarmuth
Yoder

So the amendment was agreed to.

¶138.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 29, printed in Part B of House Report 114-325, submitted by Mr. LYNCH:

Page 573, after line 11, insert the following:

**SEC. 7016. SAFETY OF PIPELINE TRANSPORTATION INFRASTRUCTURE PROJECTS.**

The Secretary shall, at the request of a State or tribal government, conduct a review of the safety and safety-related aspects of a pipeline transportation infrastructure project.

It was decided in the negative ..... { Ayes ..... 160 Noes ..... 263

¶138.21 [Roll No. 590]

AYES—160

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Costello (PA)
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Eshoo
Farr
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Grayson
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Hurt (VA)
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Lance
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Walker
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOES—263

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Conyers
Cook
Costa
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
DeLauro
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Engel
Esty
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Lipinski
LoBiondo
Long
Loudermilk

Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Larson (CT)
Meeks
Takai
Yarmuth
Yoder

So the amendment was not agreed to.

¶138.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 31, printed in Part B of House Report 114-325, submitted by Mr. TAKANO:

Page 68, after line 21, insert the following: ''(3) SPECIAL RULE.—The Secretary may treat a program of eligible projects as a single project for purposes of meeting the requirement of paragraph (1)(B)(i).

It was decided in the negative ..... { Ayes ..... 174 Noes ..... 248

¶138.23 [Roll No. 591]

AYES—174

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Higgins
Himes
Hinojosa
Honda
Hoyer
Hunter
Israel
Issa
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kind
Knight
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Mooney (WV)
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Norcross
O'Rourke
Pallone
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Zinke

NOES—248

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

NOT VOTING—11

Amodei
Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Larson (CT)
Meeks
Takai
Yarmuth
Yoder

So the amendment was not agreed to.

¶138.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 32, printed in Part B of House Report 114-325, submitted by Ms. BROWNLEY of California:

Page 70, line 24, strike ''10 percent'' and insert ''20 percent''.

It was decided in the negative ..... { Ayes ..... 160 Noes ..... 263

¶138.25 [Roll No. 592]

AYES—160

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Cartwright
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graves (LA)
Grayson
Green, Al
Grijalva
Hahn
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McGovern
McNerney
Moore
Moulton
Murphy (FL)
Neal
Noem
Nolan
Norcross
O'Rourke
Pallone
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky

Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Zinke

NOES—263

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

NOT VOTING—10

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Larson (CT)
Meeks
Takai
Yarmuth
Yoder

So the amendment was not agreed to.

¶138.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 34, printed in Part B of House Report 114-325, submitted by Mrs. RADEWAGEN:

Page 74, after line 15, insert the following new section:

**SEC. 1112A. TERRITORIAL HIGHWAY PROGRAM.**

Section 165(c) of title 23, United States Code, is amended by adding at the end the following:

''(8) DIVISION OF FUNDS BETWEEN TERRITORIES.—In carrying out this subsection, the Secretary shall allocate the funds made available to the territories each fiscal year among the territories according to quantifiable measures that are indicative of the surface transportation requirements of each of the territories, which may include the use of population, land area, roadway mileage, or another measure determined appropriate by the Secretary.''.

It was decided in the negative { Ayes ..... 113 / Noes ..... 310

¶138.27 [Roll No. 593]

AYES—113

Aderholt
Aguilar
Ashford
Barr
Bass
Benishek
Bilirakis
Bishop (UT)
Black
Bost
Brat
Buck
Bucshon
Burgess
Cárdenas
Carney
Chabot
Chu, Judy
Cohen
Cole
Collins (GA)
Comstock
Conyers
Cook
Costello (PA)
Cuellar
Curbelo (FL)
Davis, Rodney
Delaney
Dent
Dingell
Duncan (TN)
Emmer (MN)
Eshoo
Farr
Foxx
Franks (AZ)
Gabbard
Gibson
Goodlatte
Graves (GA)
Graves (LA)
Grayson
Griffith
Guthrie
Gutiérrez
Hardy
Hartzler
Hensarling
Hice, Jody B.
Hinojosa
Honda
Huffman
Hultgren
Hurt (VA)
Jeffries
Johnson (GA)
Katko
Kind
Kline
Kuster
LaMalfa
Lamborn
Lewis
Lieu, Ted
Lofgren
Loudermilk
Luetkemeyer
Lynch
Maloney, Sean
McCarthy
McHenry
Mica
Miller (FL)
Mooney (WV)
Mullin
Murphy (FL)
Newhouse
Paulsen
Pearce
Peters
Pingree
Pitts
Polis
Posey
Price (NC)
Price, Tom
Quigley
Ros-Lehtinen
Ross
Rouzer
Ruiz
Ruppersberger
Russell
Sanchez, Loretta
Scalise
Serrano
Sessions
Sinema
Smith (MO)
Speier
Stivers
Takano
Vargas
Velázquez
Visclosky
Webster (FL)
Westmoreland
Wilson (SC)
Woodall
Young (AK)
Young (IA)
Zinke

NOES—310

Abraham
Adams
Allen
Amash
Amodei
Babin
Barletta
Barton
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blackburn
Blum
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Collins (NY)
Conaway
Connolly
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Denham
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Engel
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gallego
Garamendi
Garrett
Gibbs
Gosar
Gowdy
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Hahn
Hanna
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Labrador
LaHood
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lee
Levin
Lipinski
LoBiondo
Loebsack
Long
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Carolyn
Marchant
Marino
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Miller (MI)
Moolenaar
Moore
Moulton
Mulvaney
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peterson
Pittenger
Pocan
Poe (TX)
Poliquin
Pompeo
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Rothfus
Roybal-Allard
Royce
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Whitfield
Williams
Wilson (FL)
Wittman
Womack
Yoho
Young (IN)
Zeldin

NOT VOTING—10

Brady (PA)
Ellmers (NC)
Fattah
Gohmert
Jackson Lee
Larson (CT)
Meeks
Takai
Yarmuth
Yoder

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. MCHENRY, assumed the Chair.

When Mr. CHAFFETZ, Acting Chairman, reported that the Committee, having had under consideration said

amendment of the Senate, as amended, had come to no resolution thereon.

¶138.28 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. MCHENRY, laid before the House the following communication from Aaron T. Weston, Counsel, Committee on Science, Space, and Technology:

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
*Washington, DC, November 3, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to notify you, pursuant to rule VIII of the Rules of the House of Representatives, that I have received a subpoena issued by the United States Merit Systems Protection Board.

After consultation with the Office of General Counsel regarding the subpoena, I will make the determinations required under Rule VIII.

Sincerely,

AARON T. WESTON,
*Counsel, Committee on Science, Space, and Technology.*

¶138.29 RECESS—8:20 P.M.

The SPEAKER pro tempore, Mr. MCHENRY, pursuant to clause 12(a) of rule I, declared the House in recess at 8 o'clock and 20 minutes p.m., subject to the call of the Chair.

¶138.30 AFTER RECESS—11:23 P.M.

The SPEAKER pro tempore, Ms. FOXX, called the House to order.

¶138.31 PROVIDING FOR FURTHER CONSIDERATION OF THE AMENDMENTS OF THE SENATE TO H.R. 22

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 114–326) the resolution (H. Res. 512) providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

When said resolution and report were referred to the House Calendar and ordered printed.

¶138.32 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 2, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 1314. An Act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

H.R. 623. An Act to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

¶138.33 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. LARSON of Connecticut, for today; and

To Mr. TAKAI, for November 2 and balance of the week.

And then,

¶138.34 ADJOURNMENT

On motion of Mr. WOODALL, at 11 o'clock and 24 minutes p.m., the House adjourned.

¶138.35 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 512. Resolution providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act (Rept. 114–326). Referred to the House Calendar.

¶138.36 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. O'ROURKE (for himself and Mr. COFFMAN):

H.R. 3879. A bill to amend title 38, United States Code, to provide for covered agreements and contracts between the Secretary of Veterans Affairs and eligible academic affiliates for the mutually beneficial coordination, use, or exchange of health-care resources, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PALMER (for himself, Mr. MOONEY of West Virginia, Mr. BARR, Mr. HARRIS, Mr. AUSTIN SCOTT of Georgia, Mr. LOUDERMILK, Mr. FLORES, Mr. FARENTHOLD, Mr. GIBBS, Mr. WENSTRUP, Mr. BYRNE, Mr. BABIN, Mr. WESTERMAN, Mrs. MILLER of Michigan, Mr. BOUSTANY, Mr. HARDY, Mrs. LUMMIS, Mr. BENISHEK, Mr. NEWHOUSE, Mr. BRAT, Mr. MCKINLEY, Mr. ROUZER, Mr. SCHWEIKERT, Mr. VALADAO, Mr. ROSS, Mr. NUNES, Mrs. BLACK, Mr. COLLINS of Georgia, Mr. LAMALFA, Mr. LAMBORN, Mr. CARTER of Georgia, Mr. JENKINS of West Virginia, Mr. LUCAS, Mr. HILL, Mr. GROTHMAN, Mr. CHAFFETZ, Mr. SMITH of Missouri, Mr. HENSARLING, Mr. DUNCAN of South Carolina, Mr. MILLER of Florida, Mr. BRIDENSTINE, Mr. JORDAN, Mr. SENSENBRENNER, Mr. DUNCAN of Tennessee, Mr. JODY B. HICE of Georgia, Mr. BARTON, Mr. PITTS, Mr. CARTER of Texas, Mr. FLEMING, Mr. RATCLIFFE, Mr. ROTHFUS, Mr. BUCK, Mr. MARCHANT, Mr. BRADY of Texas, Mr. YODER, Mr. SMITH of Texas, Mr. BARLETTA, Mr. GOHMERT, Mr. AMODEI, Mr. WALKER, Mr. MULLIN, Mr. STUTZMAN, Mrs. BLACKBURN, Mrs. ROBY, Mr. SALMON, Mrs. LOVE, Mr. MCCAUL, Mr. MULVANEY, Mr. KELLY of Pennsylvania, Mr. ROGERS of Alabama, Mr. BROOKS of Alabama, Mr. GOSAR, Mr. OLSON, Mr. SESSIONS, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. WEBER of Texas, Mr. ABRAHAM, Mr. LABRADOR, Mr. RIBBLE, Mrs. ELLMERS of North Carolina, Mr. ALLEN, Mr. WOODALL, Mr. ADERHOLT, Mr. WILLIAMS, Mr. SAM JOHNSON of Texas, Mr. DESJARLAIS, Mr. GARRETT, Mr. PERRY, Mr. PEARCE, Mr. KING of Iowa, Mr. KNIGHT, Mr. PALAZZO, Mr. POE of Texas, Mr. YOHO, Mr. MASSIE, Mr. HUELSKAMP, Mr. WALBERG, Mr. ROKITA, Mr. COLE, Mr. MCCLINTOCK, Mr. TOM PRICE of Georgia, Mr. RICE of South Carolina, Mr. FRANKS of Arizona, Mr. KELLY of Mississippi, Mrs. HARTZLER, Mr. JONES, and Mr. HURD of Texas):

H.R. 3880. A bill to prevent the Environmental Protection Agency from exceeding its statutory authority in ways that were not contemplated by the Congress; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. LAMALFA):

H.R. 3881. A bill to amend the Mineral Leasing Act to repeal provisions relating only to the Allegheny National Forest; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 3882. A bill to designate the Greater Grand Canyon Heritage National Monument in the State of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. WITTMAN:

H.R. 3883. A bill to improve the provision of health care by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WITTMAN:

H.R. 3884. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to promote and encourage collaboration between the Department of Veterans Affairs and nonprofit organizations and institutions of higher learning that provide administrative assistance to veterans; to the Committee on Veterans' Affairs.

By Mr. WITTMAN:

H.R. 3885. A bill to amend title 10, United States Code, to include a single comprehensive disability examination as part of the required Department of Defense physical examination for separating members of the Armed Forces, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BONAMICI (for herself and Ms. STEFANIK):

H.R. 3886. A bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CHABOT:

H.R. 3887. A bill to amend title 49, United States Code, to increase certain penalties relating to commercial motor vehicle safety, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RUSH:

H.R. 3888. A bill to provide for the implementation of a system of licensing for purchasers of certain firearms and for a record of sale system for those firearms, and for other purposes; to the Committee on the Judiciary.

By Ms. CLARKE of New York:
H.R. 3889. A bill to require certain practitioners authorized to prescribe controlled substances to complete continuing education; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAWSON of Florida:
H.R. 3890. A bill to exempt safe and sound depository institutions, credit unions, and depository institution holding companies from certain titles of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes; to the Committee on Financial Services.

By Mr. CLAWSON of Florida:
H.R. 3891. A bill to amend the Sarbanes-Oxley Act of 2002 to exempt issuers with a total market capitalization of less than $2,000,000,000 from the auditor attestation requirement for internal control assessments; to the Committee on Financial Services.

By Mr. DIAZ-BALART (for himself, Mr. GOHMERT, Mr. WEBER of Texas, Mrs. BLACK, and Mr. POMPEO):
H.R. 3892. A bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary.

By Ms. GABBARD (for herself, Ms. PINGREE, Mr. GARAMENDI, Mr. MCNERNEY, and Mr. PIERLUISI):
H.R. 3893. A bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 with respect to grants for certain areawide integrated pest management projects, and for other purposes; to the Committee on Agriculture.

By Ms. GABBARD (for herself and Mr. TAKAI):
H.R. 3894. A bill to amend title 10, United States Code, to require the prompt notification of State Child Protective Services by military and civilian personnel of the Department of Defense required by law to report suspected instances of child abuse and neglect; to the Committee on Armed Services.

By Mr. GRAYSON:
H.R. 3895. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for combined heat and power system property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3896. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for qualified fuel cell property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3897. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for qualified microturbine property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3898. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for qualified small wind energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3899. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for residential energy efficient property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3900. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for solar energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3901. A bill to amend the Internal Revenue Code of 1986 to extend for two years the credit for thermal energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3902. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for combined heat and power system property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3903. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for qualified fuel cell property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3904. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for qualified microturbine property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3905. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for qualified small wind energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3906. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for residential energy efficient property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3907. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for solar energy property; to the Committee on Ways and Means.

By Mr. GRAYSON:
H.R. 3908. A bill to amend the Internal Revenue Code of 1986 to extend for one year the credit for thermal energy property; to the Committee on Ways and Means.

By Mr. GUINTA:
H.R. 3909. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to expand the Veterans Choice Program, to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. LARSON of Connecticut, Ms. SLAUGHTER, Mr. CLYBURN, Mr. GARAMENDI, and Mr. HASTINGS):
H.R. 3910. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on House Administration.

By Mrs. KIRKPATRICK:
H.R. 3911. A bill to make technical amendments to the Act of December 22, 1974, relating to lands of the Navajo Tribe, and for other purposes; to the Committee on Natural Resources.

By Ms. KUSTER:
H.R. 3912. A bill to amend the Small Business Jobs Act of 2010 to extend and expand the State Trade and Export Promotion (STEP) Grant Program; to the Committee on Small Business.

By Mr. LANGEVIN (for himself and Mr. HARPER):
H.R. 3913. A bill to amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to lifespan respite care; to the Committee on Energy and Commerce.

By Mr. ROUZER:
H.R. 3914. A bill to require that the United States flag be flown at half-staff in honor of members of the Armed Forces who die in the line of duty in the United States; to the Committee on the Judiciary.

By Mr. SCHRADER:
H.R. 3915. A bill to ensure that United States Government personnel, including members of the Armed Forces and contractors, assigned to United States diplomatic missions are given the opportunity to designate next-of-kin for certain purposes in the event of the death of the personnel; to the Committee on Foreign Affairs.

By Ms. TSONGAS:
H.R. 3916. A bill to prohibit entities from using Federal funds to contribute to political campaigns or participate in lobbying activities; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Indiana (for himself, Ms. LINDA T. SÁNCHEZ of California, Mr. NUNES, Mr. TIBERI, Mr. REICHERT, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mr. PAULSEN, Mr. ROSKAM, Mr. REED, Mr. BOUSTANY, Mrs. NOEM, Mrs. BLACK, Mr. KIND, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. NEAL, Mr. RANGEL, Mr. DANNY K. DAVIS of Illinois, Mr. PASCRELL, and Mr. BLUMENAUER):
H.R. 3917. A bill to amend the Internal Revenue Code of 1986 to modify the substantiation rules for the donation of vehicles valued between $500 and $2,500; to the Committee on Ways and Means.

By Mrs. HARTZLER (for herself, Mr. FLEMING, Mr. HUELSKAMP, and Mr. PITTS):
H. Res. 510. A resolution supporting the designation of the week beginning November 8, 2015, as ''National Pregnancy Center Week'' to recognize the vital role that pregnancy care and resource centers play in saving lives and serving women and men faced with difficult pregnancy decisions; to the Committee on Energy and Commerce.

By Mr. CHABOT (for himself, Mr. PETERS, Mr. HARDY, Mr. KIND, Ms. VELÁZQUEZ, Mr. HANNA, Mr. CURBELO of Florida, Mr. BOST, Mr. JOYCE, Mr. KNIGHT, Mr. LUETKEMEYER, Mr. MARINO, Mr. RENACCI, Mr. KELLY of Mississippi, Mr. SMITH of Texas, Mrs. BROOKS of Indiana, Mrs. BLACKBURN, Mr. CRAMER, Mr. BUCHANAN, Mrs. BLACK, Mr. MCCAUL, Mr. GIBSON, Mr. KING of Iowa, Mr. CONAWAY, Mr. HENSARLING, Mrs. RADEWAGEN, Mr. BRAT, Ms. BROWNLEY of California, Mr. HASTINGS, Mr. CARTWRIGHT, Mr. LARSEN of Washington, Mr. HONDA, Mr. TAKAI, Ms. JUDY CHU of California, Mrs. LAWRENCE, Mr. MOULTON, Ms. DELBENE, Ms. KUSTER, Ms. JACKSON LEE, Mr. RYAN of Ohio, Mr. TONKO, Ms. TSONGAS, Mr. VARGAS, Ms. HAHN, Mrs. DAVIS of California, Ms. MENG, and Ms. ADAMS):
H. Res. 511. A resolution expressing support for designation of the third Tuesday in November as ''National Entrepreneurs' Day''; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself, Ms. ROS-LEHTINEN, and Ms. SCHAKOWSKY):
H. Res. 513. A resolution honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the twentieth anniversary of his death; to the Committee on Foreign Affairs.

## ¶138.37 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

146. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 156, urging the United States Congress and the U.S. Department of the Army to accelerate federal funding to improve military vehicle safety from rollover accidents; to the Committee on Armed Services.

147. Also, a memorial of the Senate of the State of Michigan, relative to Senate Reso-

lution No. 104, urging the Congress of the United States to reject the U.S.-led nuclear agreement with Iran and press for a new agreement that will prevent all pathways to an Iranian nuclear weapon; to the Committee on Foreign Affairs.

¶138.38 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 170: Mr. HUELSKAMP.
H.R. 303: Mr. RATCLIFFE.
H.R. 344: Mr. GUTIÉRREZ.
H.R. 353: Mr. POE of Texas.
H.R. 381: Mr. FATTAH.
H.R. 456: Ms. LORETTA SANCHEZ of California.
H.R. 472: Mr. COLE.
H.R. 543: Mr. FLEMING.
H.R. 546: Mr. MCGOVERN.
H.R. 556: Mr. KILDEE.
H.R. 563: Mr. COLE.
H.R. 592: Mr. SMITH of Texas.
H.R. 600: Mr. REICHERT.
H.R. 674: Ms. KUSTER.
H.R. 699: Mr. PAYNE and Mr. WALBERG.
H.R. 704: Mr. BRIDENSTINE.
H.R. 815: Mr. HARDY.
H.R. 824: Mr. FLEMING.
H.R. 836: Mr. FLEMING and Mr. CLAWSON of Florida.
H.R. 840: Mr. KEATING, Mr. HUFFMAN, Mr. MCNERNEY, and Ms. BROWNLEY of California.
H.R. 842: Mrs. WALORSKI and Mr. PEARCE.
H.R. 863: Mr. BOUSTANY and Mr. HARPER.
H.R. 921: Mr. FLEMING.
H.R. 953: Mr. LEVIN and Mr. WELCH.
H.R. 964: Mr. RANGEL.
H.R. 985: Mr. WOMACK and Ms. EDWARDS.
H.R. 990: Mr. TONKO and Mr. RUPPERSBERGER.
H.R. 1057: Mr. PETERSON.
H.R. 1197: Mr. SIRES.
H.R. 1220: Mr. WENSTRUP and Mr. HUIZENGA of Michigan.
H.R. 1271: Mr. KING of New York.
H.R. 1288: Mr. ROSKAM, Mr. LATTA, and Ms. LORETTA SANCHEZ of California.
H.R. 1301: Mr. KIND.
H.R. 1312: Ms. BONAMICI.
H.R. 1340: Mr. LEVIN.
H.R. 1343: Mr. SHUSTER and Mr. SMITH of Texas.
H.R. 1401: Mr. HILL and Mr. RICE of South Carolina.
H.R. 1423: Mr. BARLETTA.
H.R. 1453: Mr. POMPEO and Mrs. WALORSKI.
H.R. 1454: Ms. TSONGAS.
H.R. 1475: Mr. FRELINGHUYSEN.
H.R. 1516: Mr. TOM PRICE of Georgia.
H.R. 1533: Ms. ESTY.
H.R. 1538: Mr. RICE of South Carolina and Mr. VISCLOSKY.
H.R. 1545: Mr. RIBBLE and Mr. GROTHMAN.
H.R. 1550: Mr. FOSTER and Mrs. LOVE.
H.R. 1559: Mr. JEFFRIES.
H.R. 1567: Mr. ROONEY of Florida, Ms. NORTON, Ms. JENKINS of Kansas, and Mr. COHEN.
H.R. 1571: Mr. SCHIFF, Mr. FARR, Ms. NORTON, Mr. SWALWELL of California, Mr. DELANEY, Mr. BRADY of Pennsylvania, and Ms. MOORE.
H.R. 1625: Ms. TITUS.
H.R. 1627: Mr. POSEY and Mr. DUNCAN of South Carolina.
H.R. 1631: Mr. KELLY of Pennsylvania.
H.R. 1671: Mr. BUCSHON, Mr. HUDSON, Mr. CRENSHAW, and Mr. BRIDENSTINE.
H.R. 1726: Mr. JEFFRIES.
H.R. 1737: Mr. FARR.
H.R. 1763: Mr. KENNEDY, Ms. DELBENE, Ms. SINEMA, Mr. KEATING, Ms. VELÁZQUEZ, Ms. MOORE, and Ms. CLARK of Massachusetts.
H.R. 1786: Ms. ROS-LEHTINEN and Mr. AMODEI.
H.R. 1814: Mr. HANNA.
H.R. 1859: Mr. ZELDIN.
H.R. 1902: Mr. PRICE of North Carolina.
H.R. 1921: Mr. BROOKS of Alabama.
H.R. 1942: Mr. GALLEGO and Ms. LINDA T. SÁNCHEZ of California
H.R. 1969: Mr. CICILLINE, Ms. LORETTA SANCHEZ of California, Mr. DEFAZIO, and Mr. SMITH of New Jersey.
H.R. 1986: Mr. CRAWFORD.
H.R. 2017: Mr. KINZINGER of Illinois and Mr. MCKINLEY.
H.R. 2050: Mr. THOMPSON of Pennsylvania and Mr. VALADAO.
H.R. 2144: Mrs. BROOKS of Indiana.
H.R. 2264: Mr. ROE of Tennessee and Mr. YOUNG of Iowa.
H.R. 2285: Mrs. LOWEY.
H.R. 2307: Ms. TITUS.
H.R. 2403: Mrs. KIRKPATRICK, Mrs. WATSON COLEMAN, and Mr. CARSON of Indiana.
H.R. 2450: Mr. AGUILAR.
H.R. 2515: Mr. ROONEY of Florida and Mr. SWALWELL of California.
H.R. 2536: Mr. HASTINGS.
H.R. 2540: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 2627: Ms. PINGREE.
H.R. 2641: Ms. CLARK of Massachusetts and Ms. PINGREE.
H.R. 2646: Mr. GOODLATTE, Mr. ABRAHAM, and Mr. EMMER of Minnesota.
H.R. 2654: Ms. ROYBAL-ALLARD, Mr. CASTRO of Texas, and Ms. LORETTA SANCHEZ of California.
H.R. 2699: Ms. TSONGAS.
H.R. 2710: Mr. RATCLIFFE and Mr. JORDAN.
H.R. 2715: Mr. AGUILAR.
H.R. 2716: Mr. LAMALFA.
H.R. 2758: Mr. ABRAHAM.
H.R. 2844: Mr. GRAYSON.
H.R. 2867: Ms. KUSTER, Ms. LORETTA SANCHEZ of California, Mrs. DAVIS of California, and Mr. SMITH of Washington.
H.R. 2871: Ms. TSONGAS.
H.R. 2880: Mr. THOMPSON of Mississippi.
H.R. 2894: Mr. KENNEDY.
H.R. 2902: Mr. NOLAN, Mr. GRAYSON, Mr. KENNEDY, Mr. BRADY of Pennsylvania, Mr. CONYERS, Ms. LORETTA SANCHEZ of California, Mrs. WATSON COLEMAN, Mr. BISHOP of Georgia, Ms. DELAURO, Mr. CUMMINGS, Mr. HIGGINS, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CAROLYN B. MALONEY of New York, Mr. BERA, Ms. WASSERMAN SCHULTZ, Mr. KILDEE, Mr. JEFFRIES, Mr. RUSH, and Mr. VEASEY.
H.R. 2903: Mr. MURPHY of Florida and Mr. LATTA.
H.R. 2915: Ms. LORETTA SANCHEZ of California.
H.R. 3036: Mr. COLE.
H.R. 3051: Ms. TSONGAS.
H.R. 3063: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 3095: Mr. GARAMENDI.
H.R. 3229: Mr. DUNCAN of South Carolina, Mr. KING of New York, Mr. TOM PRICE of Georgia, and Ms. PINGREE.
H.R. 3263: Mr. SCHIFF and Ms. CASTOR of Florida.
H.R. 3314: Mr. CARTER of Texas, Mr. RICE of South Carolina, Mr. GRAVES of Louisiana, and Mr. MCKINLEY.
H.R. 3326: Ms. JENKINS of Kansas.
H.R. 3356: Mr. JOHNSON of Georgia.
H.R. 3410: Mr. LOWENTHAL and Mr. TED LIEU of California.
H.R. 3411: Mr. NADLER, Mrs. DAVIS of California, Mr. HUFFMAN, Mr. GALLEGO, Ms. EDWARDS, Mr. CONNOLLY, Ms. BROWNLEY of California, Mrs. LOWEY, Mr. LIPINSKI, and Mr. TAKANO.
H.R. 3423: Mrs. KIRKPATRICK and Mr. VALADAO.
H.R. 3459: Mr. CALVERT, Mr. MULVANEY, Mr. DOLD, Mr. BOUSTANY, Mr. HURD of Texas, Mr. POSEY, Mr. LAMBORN, Mr. NUGENT, Mr. ZINKE, Mrs. ELLMERS of North Carolina, Mr. GIBBS, Mr. STEWART, Mr. MACARTHUR, Mr. STIVERS, Mr. TIPTON, Mr. CULBERSON, and Mr. KELLY of Pennsylvania.
H.R. 3488: Mr. STUTZMAN.
H.R. 3516: Mrs. WALORSKI.
H.R. 3522: Mr. LEVIN.
H.R. 3558: Mr. LEVIN.
H.R. 3630: Mrs. MCMORRIS RODGERS.
H.R. 3651: Mr. SESSIONS, Mr. PALAZZO, Mr. KILDEE, Mr. POLIQUIN, Mr. SMITH of Texas, Mr. AUSTIN SCOTT of Georgia, and Mr. JOHNSON of Ohio.
H.R. 3652: Mr. CÁRDENAS.
H.R. 3666: Mr. WELCH.
H.R. 3684: Mr. BISHOP of Georgia.
H.R. 3686: Mr. BOUSTANY.
H.R. 3687: Mr. WEBER of Texas.
H.R. 3706: Mr. KILMER and Mr. RIBBLE.
H.R. 3733: Mr. QUIGLEY.
H.R. 3741: Mr. CARNEY.
H.R. 3756: Mr. JOLLY.
H.R. 3766: Mr. CRENSHAW, Mr. MEADOWS, Mr. YOHO, Mr. RIBBLE, Mr. WEBER of Texas, Mr. CICILLINE, Mr. DONOVAN, Mr. BLUMENAUER, Mr. PERRY, Mr. CARTWRIGHT, and Mr. CHABOT.
H.R. 3780: Mrs. LOVE.
H.R. 3782: Mr. MCGOVERN.
H.R. 3783: Mr. MCGOVERN and Ms. SLAUGHTER.
H.R. 3799: Mr. WOMACK.
H.R. 3801: Mr. HUFFMAN and Mr. YARMUTH.
H.R. 3802: Mr. TOM PRICE of Georgia, Mr. CRENSHAW, Mr. MOONEY of West Virginia, and Mrs. WALORSKI.
H.R. 3806: Mr. MCDERMOTT.
H.R. 3815: Miss RICE of New York.
H.R. 3841: Ms. NORTON, Mrs. NAPOLITANO, Mr. VAN HOLLEN, Mrs. CAPPS, Mr. HASTINGS, and Ms. JUDY CHU of California.
H.R. 3842: Mr. LOUDERMILK.
H.R. 3845: Ms. JENKINS of Kansas and Mr. BOST.
H.R. 3856: Mr. PETERS and Mr. PASCRELL.
H.R. 3859: Mr. LOUDERMILK.
H.R. 3863: Mr. MEEKS.
H.R. 3865: Mr. VALADAO and Mr. EMMER of Minnesota.
H.J. Res. 50: Mr. PITTENGER.
H.J. Res. 70: Mrs. BROOKS of Indiana and Mr. MOONEY of West Virginia.
H. Con. Res. 28: Mrs. ELLMERS of North Carolina.
H. Con. Res. 50: Ms. BORDALLO.
H. Res. 28: Mr. RENACCI and Mr. COSTELLO of Pennsylvania.
H. Res. 32: Ms. ESHOO, Mr. AL GREEN of Texas, and Mr. MURPHY of Florida.
H. Res. 54: Mr. THOMPSON of Mississippi.
H. Res. 56: Mr. ROSKAM.
H. Res. 112: Mr. MCGOVERN, Mr. POCAN, and Mr. WILLIAMS.
H. Res. 194: Ms. KELLY of Illinois.
H. Res. 502: Mr. LOWENTHAL, Mr. SMITH of Washington, Mr. GUTIÉRREZ, Ms. MOORE, Mrs. WATSON COLEMAN, Mr. RUSH, and Ms. LEE.
H. Res. 508: Ms. LEE.

## WEDNESDAY, NOVEMBER 4, 2015 (139)

¶139.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*November 4, 2015.*

I hereby appoint the Honorable GLENN THOMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶139.2 RECESS—11:18 A.M.

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 18 minutes a.m., until noon.

¶139.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶139.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, November 3, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶139.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3372. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's Major final rule — Crowdfunding [Release Nos.: 33-9974; 34-76324; File No.: S7-09-13] (RIN: 3235-AL37) received November 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3373. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Administration's FY 2014 Performance Report to Congress for the Office of Combination Products, pursuant to the Medical Device User Fee and Modernization Act of 2002, Pub. L. 107-250, 21 U.S.C. 353(g); to the Committee on Energy and Commerce.

3374. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's annual report to Congress for FY 2014 regarding imported foods, pursuant to Sec. 1009 of the Food and Drug Administration Amendments Act of 2007, Pub. L. 110-85; to the Committee on Energy and Commerce.

3375. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to Turkey, Transmittal No. 14-01, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, and certification, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3376. A letter from the Director, International Cooperation, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign a Project Arrangement to the Memorandum of Understanding Between the Department of Defense of the United States of America and the Department of Defense of Australia, Transmittal No. 08-15, pursuant to Executive Order 13637 and, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

3377. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board's Semiannual Report to Congress for the six-month period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

3378. A letter from the Chairman, Board of Trustees and President, John F. Kennedy Center for the Performing Arts, transmitting the Center's report and attachments, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); to the Committee on Oversight and Government Reform.

3379. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE210) received November 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

¶139.6 PROVIDING FOR FURTHER CONSIDERATION OF THE AMENDMENTS OF THE SENATE TO H.R. 22

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 512):

*Resolved,* That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for further consideration of the Senate amendment to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

SEC. 2. (a) No further amendment to the amendment referred to in section 2(a) of House Resolution 507 shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in subsection (c).

(b) Each further amendment printed in part A of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(c) It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of the report of the Committee on Rules not earlier disposed of. Amendments en bloc offered pursuant to this subsection shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

(d) All points of order against the further amendments printed in part A of the report of the Committee on Rules or amendments en bloc described in subsection (c) are waived.

SEC. 3. No further amendment to the Senate amendment, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such further amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived.

SEC. 4. (a) At the conclusion of consideration of the Senate amendment for amendment the Committee of the Whole shall rise and report the Senate amendment, as amended, to the House with such further amendments as may have been adopted.

(b) If the Committee reports the Senate amendment, as amended, back to the House with a further amendment or amendments, the previous question shall be considered as ordered on the question of adoption of such further amendment or amendments without intervening motion. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question.

(c) If the Committee reports the Senate amendment, as amended, back to the House without further amendment or the question of adoption referred to in subsection (b) fails, no further consideration of the Senate amendments shall be in order except pursuant to a subsequent order of the House.

SEC. 5. The Chair may postpone further consideration of the Senate amendments in the House to such time as may be designated by the Speaker.

SEC. 6. Upon adoption of the further amendment or amendments in the House pursuant to section 4(b) of this resolution —

(a) a motion that the House concur in the Senate amendment to the text, as amended, with such further amendment or amendments shall be considered as adopted;

(b) the Clerk shall engross the action of the House under subsection (a) as a single amendment in the nature of a substitute;

(c) a motion that the House concur in the Senate amendment to the title shall be considered as adopted; and

(d) it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to move that the House insist on its amendment to the Senate amendment to H.R. 22 and request a conference with the Senate thereon.

SEC. 7. The chair of the Committee on Armed Services may insert in the Congressional Record not later than November 16, 2015, such material as he may deem explanatory of defense authorization measures for the fiscal year 2016.

When said resolution was considered.

After debate,

Mr. WOODALL moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶139.7 HIRE MORE HEROES

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to House Resolution 507 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the amendment of the Senate to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mr. SIMPSON, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶139.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 37, as modified, printed in Part B of House Report 114-325, submitted by Mrs. HARTZLER:

Page 226, strike lines 13 through 21 and insert the following:

(a) IN GENERAL.—

(1) USE OF FUNDS UNDER CHAPTER 1 PROGRAMS.—Section 319 of title 23, United States Code, is amended to read as follows:

**''§ 319. Encouragement of pollinator habitat and forage development and protection on transportation rights-of-way**

''In carrying out any

Page 227, after line 10, insert the following:

(2) EFFECTIVE DATE.—Section 319 of title 23, United States Code, as in effect on the day before the date of enactment of this Act, shall apply to landscape and roadside development as part of a construction project of Federal-aid highways if funds were obligated for the project before such date of enactment.

(3) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 319 and inserting the following:

Page 226, strike line 13 and all that follows through ''HONEY BEES.—'' on line 13 of page 227.

At the end of subtitle D of title I of division A, add the following:

**SEC. ___. LANDSCAPING AND SCENIC ENHANCEMENT FUNDING DISCONTINUED.**

(a) REPEAL.—Section 319 of title 23, United States Code, and the item relating to that section in the analysis for chapter 1 of such title, are repealed.

(b) EFFECTIVE DATE.—Section 319 of title 23, United States Code, as in effect on the day before the date of enactment of this Act, shall apply to landscape and roadside development as part of a construction project of Federal-aid highways if funds were obligated for the project before such date of enactment.

''319. Encouragement of pollinator habitat and forage development and protection on transportation rights-of-way.''.

It was decided in the negative ..... { Ayes ..... 172 / Noes ..... 255

¶139.9 [Roll No. 594]

AYES—172

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Crenshaw
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kinzinger (IL)
Kline
Labrador
LaHood
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McClintock
McMorris Rodgers
McSally
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Roby
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Wagner
Walberg
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—255

Adams
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Goodlatte
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Knight
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
Meadows
Meehan
Meng
Miller (MI)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Womack
Yarmuth
Young (AK)

NOT VOTING—6

Ellmers (NC)
Gohmert
Johnson (GA)
Meeks
Rush
Takai

So the amendment, as modified, was not agreed to.

¶139.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 39, printed in Part B of House Report 114-325, submitted by Mr. ROONEY of Florida:

At the end of title I of division A, insert the following:

**SEC. ___. VEHICLE WEIGHT LIMITATIONS FOR INTERSTATE SYSTEM HIGHWAYS.**

Section 127(a) of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(15) HAULING OF LIVESTOCK.—A State may allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 95,000 pounds for the hauling of livestock. The cost of a special permit issued under this paragraph may not exceed $200 per year for a livestock trailer.''.

It was decided in the negative ..... { Ayes ..... 185 / Noes ..... 240

¶139.11 [Roll No. 595]

AYES—185

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cleaver
Coffman
Collins (GA)
Collins (NY)
Conaway
Costa
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney

DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Garamendi
Garrett
Gibbs
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffith
Grothman
Guinta
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Jolly
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McMorris Rodgers
McSally
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rouzer
Royce
Scalise
Schrader
Scott, Austin
Scott, David
Sessions
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Valadao
Vela
Wagner
Walden
Walker
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—240

Adams
Aguilar
Amash
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleming
Forbes
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Gibson
Goodlatte
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Grijalva
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Higgins
Hill
Himes
Honda
Hoyer
Huffman
Hultgren
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McHenry
McKinley
McNerney
Meadows
Meehan
Meng
Mica
Miller (MI)
Moore
Moulton
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Perlmutter
Peters
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Richmond
Rigell
Rogers (KY)
Rohrabacher
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walberg
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Williams
Wilson (FL)
Wittman
Yarmuth
Zeldin

NOT VOTING—8

Ellmers (NC)
Gohmert
McDermott
Meeks
Pelosi
Rush
Takai
Whitfield

So the amendment was not agreed to.

¶139.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 41, printed in Part B of House Report 114-325, submitted by Mr. DESAULNIER:

At the end of subtitle D of title I of Division A, add the following:

**SEC. _____. ADDITIONAL REQUIREMENTS FOR CERTAIN TRANSPORTATION PROJECTS.**

(a) IN GENERAL.—Section 106 of title 23, United States Code, is amended by adding at the end the following:

''(k) MEGAPROJECTS.—

''(1) MEGAPROJECT DEFINED.—In this subsection, the term 'megaproject' means a project that has an estimated total cost of $2,500,000,000 or more, and such other projects as may be identified by the Secretary.

''(2) COMPREHENSIVE RISK MANAGEMENT PLAN.—A recipient of Federal financial assistance under this title for a megaproject shall, in order to be authorized for construction, submit to the Secretary a comprehensive risk management plan that contains—

''(A) a description of the process by which the recipient will identify, quantify, and monitor the risks that might result in cost overruns, project delays, reduced construction quality, or reductions in benefits with respect to the megaproject;

''(B) examples of mechanisms the recipient will use to track risks identified pursuant to subparagraph (A);

''(C) a plan to control such risks; and

''(D) such assurances as the Secretary considers appropriate that the recipient will, with respect to the megaproject—

''(i) regularly submit to the Secretary updated cost estimates; and

''(ii) maintain and regularly reassess financial reserves for addressing known and unknown risks.

''(3) PEER REVIEW GROUP.—

''(A) IN GENERAL.—A recipient of Federal financial assistance under this title for a megaproject shall, not later than 90 days after the date when such megaproject is authorized for construction, establish a peer review group for such megaproject that consists of at least 5 individuals (including at least 1 individual with project management experience) to give expert advice on the scientific, technical, and project management aspects of the megaproject.

''(B) MEMBERSHIP.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall establish guidelines describing how a recipient described in subparagraph (A) shall—

''(i) recruit and select members for a peer review group established under such subparagraph;

''(ii) ensure that no member of the peer group has a conflict of interest relating to the project; and

''(iii) make publicly available the criteria for such selection and the identity of members so selected.

''(C) TASKS.—A peer review group established under subparagraph (A) by a recipient of Federal financial assistance for a megaproject shall—

''(i) meet annually until completion of the megaproject;

''(ii) not later than 90 days after the date of the establishment of the peer review group and not later than 90 days after the date of any significant change, as determined by the Secretary, to the scope, schedule, or budget of the megaproject, review the scope, schedule, and budget of the megaproject, including planning, engineering, financing, and any other elements determined appropriate by the Secretary; and

''(iii) submit a report on the findings of each review under clause (ii) to the Secretary, Congress, and the recipient.

''(4) TRANSPARENCY.—A recipient of Federal financial assistance under this title for a megaproject shall publish on the Internet Web site of such recipient—

''(A) the name, license number, and license type of each engineer supervising an aspect of the megaproject; and

''(B) the report submitted under paragraph (3)(C)(iii), not later than 90 days after such submission.''.

(b) APPLICABILITY.—The amendment made by subsection (a) applies with respect to projects that are authorized for construction on or after the date that is 1 year after the date of the enactment of this Act.

It was decided in the negative { Ayes ..... 169 / Noes ..... 257 }

¶139.13 [Roll No. 596]

AYES—169

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Issa
Jackson Lee
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Knight
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)

Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Matsui
McCollum
McGovern
McNerney
Moore
Moulton
Mulvaney
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Pingree
Pocan
Polis
Posey
Price (NC)
Ribble
Richmond
Ruiz
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sherman
Sinema
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Vela
Visclosky
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—257

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

NOT VOTING—7

Ellmers (NC)
Gohmert
Johnson (GA)
McDermott
Meeks
Rush
Takai

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. CONAWAY, assumed the Chair.

When Mr. HULTGREN, Acting Chairman, reported that the Committee, having had under consideration said amendment of the Senate, as amended, had come to no resolution thereon.

¶139.14 H. RES. 512—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CONAWAY, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 512) providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 241 Nays ..... 183

¶139.15 [Roll No. 597]

YEAS—241

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

NAYS—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis

Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Ellmers (NC)
Gohmert
Grothman
Hurt (VA)
Meeks
Rush
Schrader
Sinema
Takai

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. CONAWAY, announced that the ayes had it.

Mr. POLIS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 243 Noes ..... 183

¶139.16 [Roll No. 598]

AYES—243

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

NOES—183

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

NOT VOTING—7

Ellmers (NC)
Gohmert
Grothman
Meeks
Rush
Takai
Yoder

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶139.17 ORDER OF BUSINESS—FURTHER CONSIDERATION OF THE AMENDMENTS OF THE SENATE TO H.R. 22

On motion of Mr. WOODALL, by unanimous consent,

*Ordered*, That during the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, pursuant to House Resolution 512, the amendment numbered 23, printed in Part B of House Report 114-326, may be considered as though printed immediately following amendment number 9 in Part B of such report.

¶139.18 HIRE MORE HEROES

The SPEAKER pro tempore, Mrs. LUMMIS, pursuant to House Resolution 512 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the amendment of the Senate to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mr. CONAWAY, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. HARRIS, assumed the Chair.

When Mr. CONAWAY, Acting Chairman, reported that the Committee, having had under consideration said amendment of the Senate, as amended, had come to no resolution thereon.

¶139.19 ORDER OF BUSINESS—FURTHER CONSIDERATION OF THE AMENDMENTS OF THE SENATE TO H.R. 22

On motion of Mr. SHUSTER, by unanimous consent,

*Ordered*, That during the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, pursuant to House Resolution 512, the amendment numbered 1, printed in Part A of House Report 114-326, may be considered out of sequence.

¶139.20 HIRE MORE HEROES

The SPEAKER pro tempore, Mr. CONAWAY, pursuant to House Resolution 512 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the amendment of the Senate to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mr. PALAZZO, Acting Chairman, assumed the chair; and after some time spent therein,

¶139.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in Part A of House Report 114-326, submitted by Mr. DESAULNIER:

Page 110, after line 23, insert the following:

(C)(i) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9); and

(ii) by inserting after paragraph (6) the following:

''(7) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (h), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

Page 111, after line 3, insert the following:

(7) in subsection (j)(3)(A), by inserting at the end the following: ''Projects included in the priority list shall come from the highest performing projects identified in the transportation plan under subsection (i)(7). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period.

Page 114, after line 22, add the following:

(C) by redesignating paragraph (9) as paragraph (10);

(D) by inserting after paragraph (8) the following:

''(9) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted long-range statewide transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (d), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''; and

(4) in subsection (g), in paragraph (5)(A), by inserting at the end the following: ''Projects included in the transportation improvement program shall come from the highest performing projects identified in the transportation plan under subsection (f)(9). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.''

Page 244, after line 9, insert the following:

(C)(i) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9);

(ii) by inserting after paragraph (6) the following:

''(7) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (h), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

(7) in subsection (j)(3)(A), by inserting at the end the following: ''Projects included in the priority list shall come from the highest performing projects identified in the transportation plan under subsection (i)(7). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period

Page 247, after line 17, insert the following:

(4) in subsection (f)—

(A) by redesignating paragraph (9) as paragraph (10);

(B) by inserting after paragraph (8) the following:

''(9) PROJECT SELECTION TRANSPARENCY AND ACCOUNTABILITY.—Projects included in the adopted long-range statewide transportation plan shall be selected through a publicly available transparent process that includes use of criteria that directly support factors in subsection (d), the national transportation goals under section 150(b), and applicable State and regional goals. The criteria shall be used to publicly evaluate and identify the highest performing projects.''.

(5) in subsection (g)(5)(A), by inserting at the end the following: ''Projects included in the statewide transportation improvement program shall come from the highest performing projects identified in the transportation plan under subsection (f)(9). If a lower-performing project is included in the priority project list, an explanation shall be included to explain why the lower-performing project was selected, including the goals of achieving geographic balance or providing benefit to economically distressed areas.'' after the period.

It was decided in the negative ..... { Ayes ..... 171 / Noes ..... 252

¶139.22 [Roll No. 599]

AYES—171

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

NOES—252

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crenshaw
Crowley
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Nadler
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Perry
Peters
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher

Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (OH)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Velázquez
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Calvert
Ellmers (NC)
Gohmert
Meeks
Payne
Pelosi
Sinema
Smith (MO)
Takai
Torres

So the amendment was not agreed to.

¶139.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, printed in Part A of House Report 114-326, submitted by Mr. HUNTER:

Page 225, strike lines 4 through 20 and insert the following:

(a) IN GENERAL.—The Secretary shall establish a program to permit the acknowledgment of roadside maintenance with the use of live plant materials.

(b) TERM.—The Secretary shall carry out the program for a 10-year period. Upon the request of a State, the Secretary may continue to carry out the program for that State for an additional 10-year period.

(c) PARTICIPATING STATES.—The Secretary shall select 10 States to participate in the program.

(d) GUIDELINES FOR SELECTION OF STATES.—

(1) IN GENERAL.—The Secretary shall establish guidelines for selecting States to participate in the program.

(2) DISCRETION OF STATES.—The guidelines shall not limit the discretion under subsection (e) of any State participating in the program. Any other guidelines relating to the participation of a State in the program shall be established by that State, subject to subsection (e).

(3) PRIORITY.—In selecting States to participate in the program, the Secretary shall give priority to any State that can provide documentation demonstrating that the State, or its agents, prior to November 2015, actively reviewed, or stated an interest in, innovative approaches using live plant materials for acknowledging a substantial contribution to roadside maintenance.

(e) INCONSISTENT LAWS, REGULATIONS, OR MANUALS.—Notwithstanding any other provision of law, States participating in the program may permit acknowledgment of roadside maintenance through the use of live plant materials without being limited by any Federal, State, or other law, regulation, or manual that limits or regulates procurement actions, acknowledgment signs, advertising, landscaping, or other uses of, or actions relating to, highway rights-of-way or areas adjacent to highway rights-of-way.

(f) FUNDS EXCLUSIVELY FOR ROADSIDE MAINTENANCE.—Any funds paid to a State under the program shall be considered to be State funds (as defined in section 101(a) of title 23, United States Code), and shall be made available for expenditure under the direct control of the State transportation department (as defined in that section) exclusively for roadside maintenance.

(g) REPORT.—Before the expiration of the first 10-year period referred to in subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the program.

It was decided in the negative ..... { Ayes ..... 173 / Noes ..... 255

¶139.24 [Roll No. 600]

AYES—173

Abraham
Allen
Amodei
Ashford
Bass
Benishek
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blum
Bonamici
Bost
Brady (TX)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Cárdenas
Carson (IN)
Carter (TX)
Cartwright
Castro (TX)
Chaffetz
Clay
Clyburn
Coffman
Cohen
Conaway
Cooper
Costa
Cramer
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Franks (AZ)
Frelinghuysen
Garamendi
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Green, Al
Griffith
Guthrie
Gutiérrez
Hanna
Harris
Hastings
Hensarling
Herrera Beutler
Hill
Hinojosa
Hudson
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jolly
Jones
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
LaMalfa
Lipinski
LoBiondo
Long
Loudermilk
Luetkemeyer
Lummis
McCarthy
McKinley
McNerney
Meehan
Miller (MI)
Mooney (WV)
Murphy (FL)
Nolan
Nugent
O'Rourke
Paulsen
Payne
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Posey
Price, Tom
Quigley
Ratcliffe
Renacci
Rigell
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rouzer
Roybal-Allard
Royce
Ruppersberger
Russell
Sanchez, Loretta
Sanford
Scott, David
Serrano
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Stewart
Stivers
Thompson (CA)
Thornberry
Tiberi
Upton
Vargas
Veasey
Wagner
Walden
Walters, Mimi
Walz
Watson Coleman
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

NOES—255

Adams
Aderholt
Aguilar
Amash
Babin
Barletta
Barr
Barton
Beatty
Becerra
Bera
Bishop (MI)
Black
Blackburn
Blumenauer
Boustany
Boyle, Brendan F.
Brady (PA)
Brat
Bridenstine
Brooks (AL)
Brownley (CA)
Calvert
Capps
Capuano
Carney
Carter (GA)
Castor (FL)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Cleaver
Cole
Collins (GA)
Collins (NY)
Comstock
Connolly
Conyers
Cook
Costello (PA)
Courtney
Crawford
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSantis
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Farr
Fattah
Fleming
Frankel (FL)
Fudge
Gabbard
Gallego
Garrett
Gosar
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Grijalva
Grothman
Guinta
Hahn
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hice, Jody B.
Higgins
Himes
Holding
Honda
Hoyer
Huelskamp
Huizenga (MI)
Israel
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Knight
Kuster
Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McSally
Meadows
Meng
Messer
Mica
Miller (FL)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Pearce
Pelosi
Perlmutter
Perry
Pingree
Pocan
Pompeo
Price (NC)
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Roskam
Rothfus
Ruiz
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (TX)
Speier
Stefanik
Stutzman
Swalwell (CA)
Takano
Thompson (MS)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vela
Velázquez
Visclosky
Walberg
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Weber (TX)
Webster (FL)
Welch
Whitfield
Wilson (FL)
Yarmuth
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Ellmers (NC)
Foxx
Gohmert
Meeks
Takai

So the amendment was not agreed to.

¶139.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 8, printed in Part A of House Report 114-326, submitted by Mr. DENHAM:

At the end of subtitle D of title I of Division A, insert the following:

**SEC. ___. FEDERAL AUTHORITY.**

(a) IN GENERAL.—Section 14501(c) of title 49, United States Code, is amended —

(1) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (3) and (4)'';

(2) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6) respectively;

(3) by inserting after paragraph (1) the following:

''(2) ADDITIONAL LIMITATIONS.—

''(A) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regu-

lation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.

''(B) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law that requires a motor carrier that compensates employees on a piecerate basis to pay those employees separate or additional compensation, provided that the motor carrier pays the employee a total sum that when divided by the total number of hours worked during the corresponding work period is equal to or greater than the applicable hourly minimum wage of the State, political subdivision of the State, or political authority of 2 or more States.

''(C) Nothing in this paragraph shall be construed to limit the provisions of paragraph (1).''.

(4) in paragraph (3) (as redesignated) by striking ''Paragraph (1)—'' and inserting ''Paragraphs (1) and (2)—''; and

(5) in paragraph (4)(A) (as redesignated) by striking ''Paragraph (1)'' and inserting ''Paragraphs (1) and (2)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall have the force and effect as if enacted on the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305).

It was decided in the affirmative ..... { Ayes ..... 248 / Noes ..... 180

¶139.26 [Roll No. 601]

AYES—248

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

NOES—180

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brownley (CA)
Buchanan
Buck
Bustos
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Connolly
Conyers
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Gibson
Gowdy
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Serrano
Sewell (AL)
Sherman
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—5

Ellmers (NC)
Gohmert
Hartzler
Meeks
Takai

So the amendment was agreed to.

¶139.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 12, printed in Part A of House Report 114-326, submitted by Mr. KING of Iowa:

At the end of subtitle D of title I of division A, add the following:

**SEC. ___. PREVAILING RATE OF WAGE REQUIREMENTS.**

None of the funds made available by this Act, including the amendments made by this Act, may be used to implement, administer, or enforce the prevailing rate of wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

It was decided in the negative ..... { Ayes ..... 188 / Noes ..... 238

¶139.28 [Roll No. 602]

AYES—188

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cramer
Crawford
Crenshaw
Culberson
Dent
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman

Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—238

Adams
Aguilar
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Emmer (MN)
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Ros-Lehtinen
Roskam
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—7

Cárdenas
Ellmers (NC)
Engel
Gohmert
Meeks
Rokita
Takai

So the amendment was not agreed to.

¶139.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 14, printed in Part A of House Report 114-326, submitted by Mr. CULBERSON:

Page 249, after line 14, insert the following:

(2) in subsection (c)(1)—

(A) in subparagraph (B)(ii) by striking ''and'' at the end;

(B) in subparagraph (B)(iii) by striking the period and inserting ''; and'' ; and

(D) by adding at the end of subparagraph (B) the following:

''(iv) the applicant shall have a current operating ratio, as such ratio is set forth by the Federal Transit Administration using the ratio of current assets to current liabilities, of 1:1.''.

It was decided in the negative ..... { Ayes ..... 116 / Noes ..... 313

¶139.30 [Roll No. 603]

AYES—116

Abraham
Aderholt
Allen
Amash
Babin
Barton
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Carter (GA)
Carter (TX)
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cuellar
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Franks (AZ)
Garrett
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffith
Harris
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Luetkemeyer
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Roby
Roe (TN)
Rokita
Rooney (FL)
Rouzer
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Smith (MO)
Smith (NE)
Smith (TX)
Stutzman
Thornberry
Weber (TX)
Westmoreland
Williams
Wilson (SC)
Woodall
Yoder
Yoho
Young (IA)

NOES—313

Adams
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Love
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Mica
Miller (MI)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—4

Ellmers (NC)
Gohmert
Meeks
Takai

So the amendment was not agreed to.

¶139.31 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 21, printed in Part A of House Report 114-326, submitted by Mr. LEWIS:

Page 441, beginning line 3, strike section 5404 and insert the following new section:

**SEC. 5404. STUDY ON COMMERCIAL DRIVER'S LICENSE PROGRAM.**

(a) STUDY.—The Secretary shall conduct a study to evaluate the safety effects of the laws and regulations of States that allow licensed drivers between the ages of 18 years and 21 years to obtain a commercial driver's

license to operate a commercial motor vehicle within the State.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) A review of the requirements for licensed drivers between the ages of 18 years and 21 years to obtain commercial driver's licenses described in such subsection.

(2) A review of collision rates and fatal collision rates for such drivers while operating a commercial motor vehicle.

(3) A review of any other safety factors and metrics determined appropriate by the Secretary in accordance with subsection (c).

(c) INPUT.—In conducting the study under subsection (a), including with respect to the safety factors and metrics reviewed under subsection (b)(3), the Secretary shall solicit input from representatives of State motor vehicle administrators, motor carriers, labor organizations, independent truck drivers, safety advocates, medical associations and medical professionals, and other persons determined appropriate by the Secretary.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall publish a report containing the results of the study under subsection (a), including any recommendations for statutory changes.

It was decided in the negative ..... { Ayes ..... 181 / Noes ..... 248

¶139.32 [Roll No. 604]

AYES—181

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

NOES—248

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

NOT VOTING—4

| | |
|---|---|
| Ellmers (NC) | Meeks |
| Gohmert | Takai |

So the amendment was not agreed to.

¶139.33 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 26, printed in Part A of House Report 114-326, submitted by Mr. REICHERT:

Page 580, in the matter following line 20, add to the analysis for chapter 702 of title 49, United States Code, after the item relating to section 70203, the following:

''70204. GAO study on economic impact of labor contract negotiations at ports on west coast.

Page 584, line 20, strike the closing quotation marks and the period at the end.

Page 584, after line 20, insert the following:

**''§ 70204. GAO study on economic impact of labor contract negotiations at ports on west coast**

''(a) STUDY.—With respect to the slowdown that occurred during labor contract negotiations at ports on the west coast of the United States during the period from May 2014 to February 2015, the Comptroller General of the United States shall conduct a study to—

''(1) determine the economic impact of such slowdown on the United States and on each port in the United States, including changes in the amount of cargo arriving at and leaving from ports on the west coast and other changes in cargo patterns, including congestion;

''(2) calculate the cost, including the cost to importers, exporters, farmers, manufacturers, and retailers, of contingency plans put in place to avoid disruptions from such slowdown;

''(3) review steps taken by the Federal Mediation and Conciliation Service to resolve the dispute that caused such slowdown;

''(4) identify tools such Service or the President could have used to facilitate a resolution to such dispute;

''(5) evaluate what other mechanisms are available to the President to avoid disruptions during future labor negotiations at ports in the United States;

''(6) suggest how such mechanisms could be changed to improve the ability to avoid such disruptions in order to prevent serious economic harm to importers, exporters, farmers, manufacturers, and retailers; and

''(7) suggest any legislation that might ensure better regulation of the operations of ports in the United States with respect to such labor negotiations.

''(b) REPORT.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit a report to Congress containing the findings of the study conducted under subsection (a).''.

It was decided in the negative ..... { Ayes ..... 200 / Noes ..... 228

¶139.34 [Roll No. 605]

AYES—200

| | | |
|---|---|---|
| Abraham | Carter (TX) | Emmer (MN) |
| Aderholt | Chaffetz | Farenthold |
| Allen | Clawson (FL) | Fincher |
| Ashford | Coffman | Fitzpatrick |
| Babin | Cole | Fleischmann |
| Barletta | Collins (GA) | Fleming |
| Barr | Collins (NY) | Flores |
| Barton | Conaway | Forbes |
| Benishek | Cook | Fortenberry |
| Bishop (MI) | Cooper | Foxx |
| Bishop (UT) | Costa | Franks (AZ) |
| Black | Cramer | Garrett |
| Blum | Crawford | Gibbs |
| Bost | Crenshaw | Goodlatte |
| Boustany | Culberson | Gosar |
| Brat | Denham | Gowdy |
| Brooks (IN) | Dent | Granger |
| Buchanan | DeSantis | Griffith |
| Buck | DesJarlais | Grothman |
| Bucshon | Dold | Guinta |
| Burgess | Duffy | Guthrie |
| Byrne | Duncan (SC) | Hanna |
| Calvert | Duncan (TN) | Hardy |

Harper
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Roskam
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—228

Adams
Aguilar
Amash
Amodei
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Blackburn
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comstock
Connolly
Conyers
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harris
Hartzler
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Hudson
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meadows
Meehan
Meng
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Rice (SC)
Richmond
Rokita
Ros-Lehtinen
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Trott
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Williams
Wilson (FL)
Yarmuth
Yoho
Zeldin

NOT VOTING—5

Brady (TX)
Ellmers (NC)
Gohmert
Meeks
Takai

So the amendment was not agreed to.

¶139.35 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 29, printed in Part A of House Report 114-326, submitted by Mr. DESANTIS:

At the end of subtitle D of title I of division A, add the following new section:

**SEC. 1431. SENSE OF CONGRESS ON INSOLVENCY OF THE HIGHWAY TRUST FUND AND RETURNING POWER TO STATES.**

(a) FINDINGS.—Congress finds the following:

(1) The Highway Trust Fund is nearing insolvency.

(2) It is critical for Congress to phase down the Federal gas and diesel taxes and empower the States to tax and regulate their highway and infrastructure projects.

(3) The Federal role and funding of surface transportation should be refocused solely on Federal activities and empower States with control and responsibility over their transportation funding and spending decisions.

(4) The objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States.

(5) The Interstate System connecting all States is near completion.

(6) Each State has the responsibility of providing an efficient transportation network for the residents of the State.

(7) Each State has means to build and operate a network of transportation systems, including highways, that best serves the needs of the State.

(8) Each State is best capable of determining the needs of the State and acting on those needs.

(9) The Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the perceptions of the Federal Government on what is best for the States.

(10) The Federal Government has used the Federal motor fuel tax revenues to force all States to take actions that are not necessarily appropriate for individual States.

(11) The Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities.

(12) The Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars of projects, programs, and activities that the States would not otherwise undertake.

(13) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary should provide a new policy blueprint to govern the Federal role in transportation once existing and prior financial obligations are met;

(2) this policy should return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(3) this policy will preserve the Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways and will preserve responsibility of the Department of Transportation for design construction and preservation of transportation facilities on Federal public land, preserving responsibility of the Department of Transportation for national programs of transportation research and development and transportation safety; and

(4) this policy will preserve responsibility of the Department of Transportation to eliminate, to the maximum extent practicable, Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities with respect to transportation activities carried out by States, local governments, and the private sector.

It was decided in the negative ..... { Ayes ..... 118 / Noes ..... 310

¶139.36 [Roll No. 606]

AYES—118

Amash
Babin
Barton
Bishop (UT)
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Farenthold
Fincher
Fleming
Flores
Franks (AZ)
Garrett
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffith
Grothman
Harris
Hensarling
Herrera Beutler
Hice, Jody B.
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Luetkemeyer
Marchant
McCarthy
McCaul
McClintock
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palazzo
Palmer
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Rice (SC)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Wagner
Walberg
Walker
Weber (TX)
Wenstrup
Williams
Wilson (SC)
Yoho

NOES—310

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Barletta
Barr

Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—5

Brady (TX)
Ellmers (NC)
Gohmert
Meeks
Takai

So the amendment was not agreed to.

After some further time,

¶139.37 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in Part B of House Report 114-326, submitted by Mr. PERRY:

Page 1022, strike lines 5 through 7 and insert the following:

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended—

(1) by striking ''20 percent of such authority for each fiscal year'' and inserting ''25 percent of such authority for fiscal year 2016, 30 percent of such authority for fiscal year 2017, 35 percent of such authority for fiscal year 2018, and 40 percent of such authority for each fiscal year thereafter''; and

(2) by adding at the end the following: ''If the Bank fails to comply with the 2nd preceding sentence with respect to a fiscal year, the Bank may not approve the provision of a guarantee, insurance, or credit, or any combination thereof benefitting a single person, in an amount exceeding $100,000,000 until the beginning of the 2nd succeeding fiscal year.''.

It was decided in the negative { Ayes ..... 121 / Noes ..... 303

¶139.38 [Roll No. 607]

AYES—121

Abraham
Allen
Amash
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Loudermilk
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—303

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—9

| | | |
|---|---|---|
| Babin | Meeks | Takai |
| DeFazio | Rice (NY) | Wagner |
| Ellmers (NC) | Sinema | Wilson (FL) |

So the amendment was not agreed to.

¶139.39 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in Part B of House Report 114-326, submitted by Mr. MULVANEY:

Page 1032, after line 4, insert the following:

**SEC. _____. RESTRICT BANK LENDING TO SERVING AS COUNTERVAILING LENDER.**

(a) BAN ON PROVIDING CREDIT ASSISTANCE FOR TRANSACTION THAT DOES NOT MEET FOREIGN COMPETITION.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

''(14) PROHIBITION ON ASSISTANCE FOR TRANSACTION THAT DOES NOT MEET FOREIGN COMPETITION.—The Bank shall not guarantee, insure, or extend (or participate in the extension of) credit involving any transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, that does not meet competition from a foreign, officially sponsored, export credit agency.''.

(b) ANNUAL CERTIFICATION THAT EACH PROVISION BY THE BANK OF CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COMPETITION.—Section 8(h) of such Act (12 U.S.C. 535g(h)) is amended to read as follows:

''(h) CERTIFICATION THAT EACH PROVISION OF CREDIT ASSISTANCE IS MADE TO MEET FOREIGN COMPETITION.—The Bank shall include in its annual report to the Congress under subsection (a) a certification that—

''(1) each provision by the Bank of a loan, guarantee, or insurance, with respect to which credit assistance from the Bank was first sought after the effective date of this subsection, in the period covered by the report was made to meet competition from a foreign, officially sponsored, export credit agency; and

''(2) no such provision was made to fill market gaps that the private sector is not willing or able to meet.''.

It was decided in the negative { Ayes ..... 117 / Noes ..... 309

¶139.40 [Roll No. 608]

AYES—117

| | | |
|---|---|---|
| Abraham | Franks (AZ) | Lummis |
| Allen | Garrett | Massie |
| Amash | Gohmert | McCarthy |
| Babin | Goodlatte | McCaul |
| Barr | Gosar | McClintock |
| Bilirakis | Graves (GA) | McHenry |
| Bishop (UT) | Graves (LA) | McKinley |
| Black | Grayson | Meadows |
| Blackburn | Griffith | Messer |
| Blum | Guthrie | Miller (FL) |
| Brat | Harris | Mooney (WV) |
| Buck | Heck (NV) | Mulvaney |
| Burgess | Hensarling | Neugebauer |
| Carter (TX) | Hice, Jody B. | Noem |
| Chabot | Holding | Nugent |
| Chaffetz | Hudson | Olson |
| Clawson (FL) | Huelskamp | Palmer |
| Coffman | Huizenga (MI) | Pearce |
| Collins (GA) | Hurt (VA) | Perry |
| Conaway | Issa | Pittenger |
| DeSantis | Jenkins (KS) | Pitts |
| DesJarlais | Johnson, Sam | Pompeo |
| Duffy | Jones | Posey |
| Duncan (SC) | Jordan | Price, Tom |
| Duncan (TN) | King (IA) | Ratcliffe |
| Farenthold | Labrador | Roe (TN) |
| Fleischmann | LaMalfa | Rohrabacher |
| Fleming | Lamborn | Rokita |
| Flores | Lance | Roskam |
| Forbes | Latta | Ross |
| Foxx | Love | Rothfus |
| Rouzer | Smith (TX) | Westmoreland |
| Royce | Stewart | Williams |
| Scalise | Stutzman | Wittman |
| Schweikert | Tipton | Woodall |
| Scott, Austin | Walker | Yoder |
| Sensenbrenner | Webster (FL) | Yoho |
| Sessions | Wenstrup | Young (IA) |
| Smith (MO) | Westerman | Young (IN) |

NOES—309

| | | |
|---|---|---|
| Adams | Emmer (MN) | Lujan Grisham (NM) |
| Aderholt | Engel | Luján, Ben Ray (NM) |
| Aguilar | Eshoo | Lynch |
| Amodei | Esty | MacArthur |
| Ashford | Farr | Maloney, Carolyn |
| Barletta | Fattah | Maloney, Sean |
| Barton | Fincher | Marchant |
| Bass | Fitzpatrick | Marino |
| Beatty | Fortenberry | Matsui |
| Becerra | Foster | McCollum |
| Benishek | Frankel (FL) | McDermott |
| Bera | Frelinghuysen | McGovern |
| Beyer | Fudge | McMorris Rodgers |
| Bishop (GA) | Gabbard | McNerney |
| Bishop (MI) | Gallego | McSally |
| Blumenauer | Garamendi | Meehan |
| Bonamici | Gibbs | Meng |
| Bost | Gibson | Mica |
| Boustany | Gowdy | Miller (MI) |
| Boyle, Brendan F. | Graham | Moolenaar |
| Brady (PA) | Granger | Moore |
| Brady (TX) | Graves (MO) | Moulton |
| Bridenstine | Green, Al | Mullin |
| Brooks (AL) | Green, Gene | Murphy (FL) |
| Brooks (IN) | Grijalva | Murphy (PA) |
| Brown (FL) | Grothman | Nadler |
| Brownley (CA) | Guinta | Napolitano |
| Buchanan | Gutiérrez | Neal |
| Bucshon | Hahn | Newhouse |
| Bustos | Hanna | Nolan |
| Butterfield | Hardy | Norcross |
| Byrne | Harper | Nunes |
| Calvert | Hartzler | O'Rourke |
| Capps | Hastings | Palazzo |
| Capuano | Heck (WA) | Pallone |
| Cárdenas | Herrera Beutler | Pascrell |
| Carney | Higgins | Paulsen |
| Carson (IN) | Hill | Payne |
| Carter (GA) | Himes | Pelosi |
| Cartwright | Hinojosa | Perlmutter |
| Castor (FL) | Honda | Peters |
| Castro (TX) | Hoyer | Peterson |
| Chu, Judy | Huffman | Pingree |
| Cicilline | Hultgren | Pocan |
| Clark (MA) | Hunter | Poe (TX) |
| Clarke (NY) | Hurd (TX) | Poliquin |
| Clay | Israel | Polis |
| Cleaver | Jackson Lee | Price (NC) |
| Clyburn | Jeffries | Quigley |
| Cohen | Jenkins (WV) | Rangel |
| Cole | Johnson (GA) | Reed |
| Collins (NY) | Johnson (OH) | Reichert |
| Comstock | Johnson, E. B. | Renacci |
| Connolly | Jolly | Ribble |
| Conyers | Joyce | Rice (NY) |
| Cook | Kaptur | Rice (SC) |
| Cooper | Katko | Richmond |
| Costa | Keating | Rigell |
| Costello (PA) | Kelly (IL) | Roby |
| Courtney | Kelly (MS) | Rogers (AL) |
| Cramer | Kelly (PA) | Rogers (KY) |
| Crawford | Kennedy | Rooney (FL) |
| Crenshaw | Kildee | Ros-Lehtinen |
| Crowley | Kilmer | Roybal-Allard |
| Cuellar | Kind | Ruiz |
| Culberson | King (NY) | Ruppersberger |
| Cummings | Kinzinger (IL) | Rush |
| Curbelo (FL) | Kirkpatrick | Russell |
| Davis (CA) | Kline | Ryan (OH) |
| Davis, Danny | Knight | Salmon |
| Davis, Rodney | Kuster | Sánchez, Linda T. |
| DeGette | LaHood | Sanchez, Loretta |
| Delaney | Langevin | Sanford |
| DeLauro | Larsen (WA) | Sarbanes |
| DelBene | Larson (CT) | Schakowsky |
| Denham | Lawrence | Schiff |
| Dent | Lee | Schrader |
| DeSaulnier | Levin | Scott (VA) |
| Deutch | Lewis | Scott, David |
| Diaz-Balart | Lieu, Ted | Serrano |
| Dingell | Lipinski | Sewell (AL) |
| Doggett | LoBiondo | Sherman |
| Dold | Loebsack | Shimkus |
| Donovan | Lofgren | Shuster |
| Doyle, Michael F. | Long | Simpson |
| Duckworth | Lowenthal | Sires |
| Edwards | Lowey | Slaughter |
| Ellison | Lucas | Smith (NE) |
| | Luetkemeyer | Smith (NJ) |
| | | Smith (WA) |
| | | Speier |
| | | Stefanik |
| | | Stivers |
| | | Swalwell (CA) |
| | | Takano |
| | | Thompson (CA) |
| | | Thompson (MS) |
| | | Thompson (PA) |
| | | Thornberry |
| | | Tiberi |
| | | Titus |
| | | Tonko |
| | | Torres |
| | | Trott |
| | | Tsongas |
| | | Turner |
| | | Upton |
| | | Valadao |
| | | Van Hollen |
| | | Vargas |
| | | Veasey |
| | | Vela |
| | | Velázquez |
| | | Visclosky |
| | | Wagner |
| | | Walberg |
| | | Walden |
| | | Walorski |
| | | Walters, Mimi |
| | | Walz |
| | | Wasserman Schultz |
| | | Waters, Maxine |
| | | Watson Coleman |
| | | Weber (TX) |
| | | Welch |
| | | Whitfield |
| | | Wilson (SC) |
| | | Womack |
| | | Yarmuth |
| | | Young (AK) |
| | | Zeldin |
| | | Zinke |

NOT VOTING—7

| | | |
|---|---|---|
| DeFazio | Meeks | Wilson (FL) |
| Ellmers (NC) | Sinema | |
| Loudermilk | Takai | |

So the amendment was not agreed to.

¶139.41 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, printed in Part B of House Report 114-326, submitted by Mr. MULVANEY:

Page 1032, after line 4, insert the following:

**SEC. 95004. CERTIFICATION THAT BANK ASSISTANCE DOES NOT COMPETE WITH THE PRIVATE SECTOR.**

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) RECIPIENTS OF BANK ASSISTANCE FOR A TRANSACTION OF MORE THAN $10,000,000 REQUIRED TO CERTIFY INABILITY TO OBTAIN CREDIT ELSEWHERE.—The Bank shall not guarantee, insure, or extend credit, or participate in an extension of credit, in connection with a transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, of more than $10,000,000, to a person, unless the person has—

''(1) certified to the Bank that the person has sought, and has been unable to obtain, private sector financing for the transaction without any Federal Government support; and

''(2) provided the Bank with documentation that at least 2 private financial institutions have declined to provide financing for the transaction.''.

**SEC. 95005. FALSE CLAIMS ACT PROVISIONS.**

(a) APPLICABILITY OF FALSE CLAIMS PROVISIONS TO EXPORT-IMPORT BANK TRANSACTIONS.—Section 3729(a) of title 31, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4);

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

''(3) ADDITIONAL VIOLATIONS.—Any person who—

''(A) receives a loan or guarantee from the Export Import Bank of the United States for the purposes of supporting a project or venture, without conducting reasonable diligence to determine whether private sector financing would have been available to support the project or venture, whether or not the terms of the private sector financing would have been substantially different from the terms of the financing provided by the Export Import Bank of the United States; or

''(B) receives a loan or guarantee from the Export Import Bank of the United States for the purposes of supporting a project or venture, knowing that private sector financing would have been available to support the project or venture, whether or not the terms of the private sector financing would have been substantially different from financing provided by the Export Import Bank of the United States,

is liable to the United States Government for the face value or the appraised value of the loan or guarantee, whichever amount is greater.''; and

(3) in paragraph (2)(A), by striking ''the violation of this subsection'' and inserting ''a violation under paragraph (1)''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to acts described in paragraph (3) of section 3729(a) of title 31, United States Code, as added by subsection (a)(2) of this section, that are committed on or after the date of the enactment of this Act.

**SEC. 95006. STATUTORY REQUIREMENT FOR EXPORT-IMPORT BANK CONTRACTS.**

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by sections 95001 and 95004 of this Act, is amended by adding at the end the following:

''(m) EFFECTS OF FINDING BY INSPECTOR GENERAL THAT CONTRACT RECIPIENT MADE INACCURATE REPRESENTATION ABOUT AVAILABILITY OF COMPETING FOREIGN FINANCING OR PRIVATE SECTOR FINANCING.—

''(1) RESCISSION OF CONTRACT.—The Bank may not enter into a contract under which the Bank provides a loan or guarantee, unless the contract provides that, if the Inspector General of the Bank determines that a representation made by the recipient of the loan or guarantee about the availability of competing foreign export financing or private sector financing was inaccurate at the time the representation was made—

''(A) the contract shall be considered rescinded; and

''(B) the recipient shall immediately repay to the Bank an amount equal to—

''(i) in the case of a loan, the amount of the loan; or

''(ii) in the case of a guarantee, an amount equal to the appraised value of the guarantee.

''(2) INELIGIBILITY FOR FUTURE FINANCIAL SUPPORT.—A person whose contract is rescinded under paragraph (1) shall not be eligible for any financial support from the Bank.''.

It was decided in the negative ..... { Ayes ..... 124 / Noes ..... 302 }

¶139.42 [Roll No. 609]

AYES—124

Abraham, Allen, Amash, Babin, Barr, Bilirakis, Bishop (UT), Black, Blackburn, Blum, Brat, Brooks (AL), Buck, Burgess, Carter (TX), Chabot, Chaffetz, Clawson (FL), Coffman, Collins (GA), Conaway, Culberson, DeSantis, DesJarlais, Duffy, Duncan (SC), Duncan (TN), Emmer (MN), Farenthold, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Garrett, Gibbs, Gohmert, Goodlatte, Gosar, Gowdy, Graves (GA), Graves (LA), Grayson, Guthrie, Harris, Heck (NV), Hensarling, Hice, Jody B., Holding, Hudson, Huelskamp, Huizenga (MI), Hultgren, Hurt (VA), Issa, Jenkins (KS), Johnson, Sam, Jones, Jordan, King (IA), Labrador, LaMalfa, Lamborn, Lance, Latta, Love, Lummis, Marchant, Massie, McCarthy, McCaul, McClintock, McHenry, McKinley, McSally, Meadows, Messer, Miller (FL), Mooney (WV), Mulvaney, Neugebauer, Noem, Nugent, Olson, Palmer, Perry, Pittenger, Pompeo, Posey, Price, Tom, Ratcliffe, Roe (TN), Rohrabacher, Rokita, Roskam, Ross, Rothfus, Rouzer, Salmon, Scalise, Schweikert, Scott, Austin, Sensenbrenner, Sessions, Smith (MO), Smith (NE), Smith (TX), Stewart, Stutzman, Tipton, Walberg, Walker, Webster (FL), Wenstrup, Westmoreland, Williams, Wittman, Woodall, Yoder, Yoho, Young (IA), Young (IN)

NOES—302

Adams, Aderholt, Aguilar, Amodei, Ashford, Barletta, Barton, Bass, Beatty, Becerra, Benishek, Bera, Beyer, Bishop (GA), Bishop (MI), Blumenauer, Bonamici, Bost, Boustany, Boyle, Brendan F., Brady (PA), Brady (TX), Bridenstine, Brooks (IN), Brown (FL), Brownley (CA), Buchanan, Bucshon, Bustos, Butterfield, Byrne, Calvert, Capps, Capuano, Cárdenas, Carney, Carson (IN), Carter (GA), Cartwright, Castor (FL), Castro (TX), Chu, Judy, Cicilline, Clark (MA), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Cole, Collins (NY), Comstock, Connolly, Conyers, Cook, Cooper, Costa, Costello (PA), Courtney, Cramer, Crawford, Crenshaw, Crowley, Cuellar, Cummings, Curbelo (FL), Davis (CA), Davis, Danny, Davis, Rodney, DeGette, Delaney, DeLauro, DelBene, Denham, Dent, DeSaulnier, Deutch, Diaz-Balart, Dingell, Doggett, Dold, Donovan, Doyle, Michael F., Duckworth, Edwards, Ellison, Engel, Eshoo, Esty, Farr, Fattah, Fincher, Fitzpatrick, Foster, Frankel (FL), Frelinghuysen, Fudge, Gabbard, Gallego, Garamendi, Gibson, Graham, Granger, Graves (MO), Green, Al, Green, Gene, Griffith, Grijalva, Grothman, Guinta, Gutiérrez, Hahn, Hanna, Hardy, Harper, Hartzler, Hastings, Heck (WA), Herrera Beutler, Higgins, Hill, Himes, Hinojosa, Honda, Hoyer, Huffman, Hunter, Hurd (TX), Israel, Jackson Lee, Jeffries, Jenkins (WV), Johnson (GA), Johnson (OH), Johnson, E. B., Jolly, Joyce, Kaptur, Katko, Keating, Kelly (IL), Kelly (MS), Kelly (PA), Kennedy, Kildee, Kilmer, Kind, King (NY), Kinzinger (IL), Kirkpatrick, Kline, Knight, Kuster, LaHood, Langevin, Larsen (WA), Larson (CT), Lawrence, Lee, Levin, Lewis, Lieu, Ted, Lipinski, LoBiondo, Loebsack, Lofgren, Long, Lowenthal, Lowey, Lucas, Luetkemeyer, Lujan Grisham (NM), Luján, Ben Ray (NM), Lynch, MacArthur, Maloney, Carolyn, Maloney, Sean, Marino, Matsui, McCollum, McDermott, McGovern, McMorris Rodgers, McNerney, Meehan, Meng, Mica, Miller (MI), Moolenaar, Moore, Moulton, Mullin, Murphy (FL), Murphy (PA), Nadler, Napolitano, Neal, Newhouse, Nolan, Norcross, Nunes, O'Rourke, Palazzo, Pallone, Pascrell, Paulsen, Payne, Pearce, Pelosi, Perlmutter, Peters, Peterson, Pingree, Pitts, Pocan, Poe (TX), Poliquin, Polis, Price (NC), Quigley, Rangel, Reed, Reichert, Renacci, Ribble, Rice (NY), Rice (SC), Richmond, Rigell, Roby, Rogers (AL), Rogers (KY), Rooney (FL), Ros-Lehtinen, Roybal-Allard, Royce, Ruiz, Ruppersberger, Rush, Russell, Ryan (OH), Sánchez, Linda T., Sanchez, Loretta, Sanford, Sarbanes, Schakowsky, Schiff, Schrader, Scott (VA), Scott, David, Serrano, Sewell (AL), Sherman, Shimkus, Shuster, Simpson, Sires, Slaughter, Smith (NJ), Smith (WA), Speier, Stefanik, Stivers, Swalwell (CA), Takano, Thompson (CA), Thompson (MS), Thompson (PA), Thornberry, Tiberi, Titus, Tonko, Torres, Trott, Tsongas, Turner, Upton, Valadao, Van Hollen, Vargas, Veasey, Vela, Velázquez, Visclosky, Wagner, Walden, Walorski, Walters, Mimi, Walz, Wasserman Schultz, Watson Coleman, Weber (TX), Welch, Westerman, Whitfield, Wilson (FL), Wilson (SC), Womack, Yarmuth, Young (AK), Zeldin, Zinke

NOT VOTING—7

DeFazio, Ellmers (NC), Loudermilk, Meeks, Sinema, Takai, Waters, Maxine

So the amendment was not agreed to.

¶139.43 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, printed in Part B of House Report 114-326, submitted by Mr. MULVANEY:

Page 1032, after line 4, insert the following:

**SEC. ____. PROHIBITION ON SUPPORT TO CERTAIN ENTERPRISES IN COUNTRIES WITH SOVEREIGN WEALTH FUNDS OVER $100,000,000,000.**

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

''(14) PROHIBITION ON SUPPORT TO CERTAIN ENTERPRISES IN COUNTRIES WITH SOVEREIGN WEALTH FUNDS OVER $100,000,000,000.—

''(A) IN GENERAL.—The Bank shall not guarantee or extend (or participate in an extension of) credit in connection with a transaction, with respect to which credit assistance from the Bank is first sought after the effective date of this paragraph, with a foreign company (or joint venture including a foreign company) that benefits from support from a foreign government if the foreign government has 1 or more sovereign wealth funds with an aggregate value of at least $100,000,000,000.

''(B) SOVEREIGN WEALTH FUND DEFINED.—In clause (i), the term 'sovereign wealth fund' means, with respect to a government, an investment fund owned by the government, excluding foreign currency reserve assets, any asset held by a central bank for the execution of monetary policy, and any government-managed pension fund.''.

It was decided in the negative ..... { Ayes ..... 116 / Noes ..... 308 }

¶139.44 [Roll No. 610]

AYES—116

Abraham, Allen, Amash, Babin, Barr, Bilirakis, Bishop (UT), Black, Blackburn, Blum, Brat, Buck, Burgess, Carter (TX), Chabot, Chaffetz, Clawson (FL), Coffman, Collins (GA), Conaway, Culberson, DeSantis, DesJarlais, Duffy, Duncan (SC), Duncan (TN), Farenthold, Fleischmann, Fleming, Flores, Forbes, Foxx, Franks (AZ), Frelinghuysen, Garrett, Gohmert, Goodlatte, Gosar, Gowdy, Graves (GA), Graves (LA), Grayson, Guthrie, Harris, Heck (NV), Hensarling, Hice, Jody B., Holding, Hudson, Huelskamp, Huizenga (MI), Hurt (VA), Issa, Jenkins (KS), Johnson, Sam, Jones, Jordan, King (IA), Labrador, LaMalfa, Lamborn, Lance, Latta, Love, Lummis, Marchant, Massie, McCarthy, McCaul, McClintock, McKinley, Meadows, Messer, Miller (FL), Mooney (WV), Mulvaney, Neugebauer, Noem, Nugent, Olson, Palmer, Pearce, Perry, Pittenger, Pompeo, Posey, Price, Tom, Ratcliffe, Roe (TN), Rohrabacher

Rokita
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—308

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—9

DeFazio
Ellmers (NC)
Emmer (MN)
Loudermilk
Meeks
Nolan
Ribble
Sinema
Takai

So the amendment was not agreed to.

¶139.45 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in Part B of House Report 114-326, submitted by Mr. MULVANEY:

Page 1032, after line 4, insert the following:

**SEC. _____. SATISFACTION OF OBLIGATIONS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES.**

(a) ELIMINATION OF AUTHORITY TO ISSUE OBLIGATIONS TO THE SECRETARY OF THE TREASURY.—Section 5 of the Export-Import Bank Act of 1945 (12 U.S.C. 635d) is repealed.

(b) REQUIREMENT THAT THE EXPORT-IMPORT BANK OF THE UNITED STATES COVER ALL ITS LOSSES.—

(1) IN GENERAL.—Section 2 of Public Law 90-390 (12 U.S.C. 635k) is amended—

(A) by striking ''the first $100,000,000 of such losses shall be borne by the Bank; the second $100,000,000 of such losses shall be borne by the Secretary of the Treasury; and any losses in excess thereof'' and inserting ''all losses''; and

(B) by striking the 2nd and 3rd sentences.

(2) CONFORMING REPEAL.—Section 3 of Public Law 90-390 (12 U.S.C. 635l) is repealed.

It was decided in the negative ..... { Ayes ..... 117 Noes ..... 308

¶139.46 [Roll No. 611]

AYES—117

Abraham
Allen
Amash
Babin
Barr
Barton
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Grayson
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—308

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Freleinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)

Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—8

Conyers
DeFazio
Ellmers (NC)
Loudermilk
Meeks
Rice (NY)
Sinema
Takai

So the amendment was not agreed to.

¶139.47 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 6, printed in Part B of House Report 114-326, submitted by Mr. MULVANEY:

Page 1032, after line 4, insert the following:

**SEC. _____. STRENGTHENING PORTFOLIO DIVERSIFICATION AND RISK MANAGEMENT.**

(a) LIMITATIONS ON SECTORAL CREDIT EXPOSURE OF THE BANK.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) LIMITATIONS ON SECTORAL CREDIT EXPOSURE OF THE BANK.—

''(1) IN GENERAL.—The Bank shall not guarantee, insure, or extend (participate in the extension of) credit in connection with a transaction in a single industrial sector if the provision of the guarantee, insurance, or credit would result in the total credit exposure of the Bank in the sector being more than 20 percent of the total credit exposure of the Bank.

''(2) EFFECT OF EXCESSIVE SECTORAL CREDIT EXPOSURE.—If, as of the end of a fiscal year, the credit exposure of the Bank in a single industrial sector exceeds the limit specified in paragraph (1), the Bank may not guarantee, insure, or extend (participate in the extension of) credit in connection with a transaction in the sector until the President of the Bank reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that, as of the end of the calendar month preceding the month in which the report is made, the credit exposure of the Bank in the sector does not exceed the limit.''.

(b) LIMITATIONS ON BANK ASSISTANCE BENEFITTING A SINGLE PERSON.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act and subsection (a) of this section, is amended by adding at the end the following:

''(m) LIMITATIONS ON BANK ASSISTANCE BENEFITTING A SINGLE PERSON.—

''(1) IN GENERAL.—The Bank shall not guarantee, insure, or extend (participate in the extension of) credit in a fiscal year if the provision of the guarantee, insurance, or credit would result in a single person benefitting from more than 10 percent of the total dollar amount of credit assistance provided by the Bank in the fiscal year.

''(2) EFFECT OF EXCESSIVE BENEFIT FOR A SINGLE EXPORTER.—If, in a fiscal year, a person has benefitted from more than 10 percent of the total dollar amount of credit assistance provided by the Bank in the fiscal year, the Bank may not guarantee, insure, or extend (participate in the extension of) credit so as to benefit the person until the beginning of the 2nd succeeding fiscal year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

It was decided in the negative ..... { Ayes ..... 114 / Noes ..... 314

¶139.48 [Roll No. 612]

AYES—114

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—314

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

So the amendment was not agreed to.

¶139.49 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, printed in Part B of House Report 114-326, submitted by Mr. ROTHFUS:

Page 1032, after line 4, insert the following:

**SEC. _____. GUARANTEE FROM UNITED STATES EXPORTER REQUIRED AS A CONDITION OF PROVIDING GUARANTEE OR EXTENDING CREDIT TO FOREIGN PERSON.**

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 95001 of this Act, is amended by adding at the end the following:

''(1) GUARANTEE FROM UNITED STATES EXPORTER REQUIRED AS A CONDITION OF PROVIDING GUARANTEE OR EXTENDING CREDIT TO FOREIGN PERSON.—

''(1) IN GENERAL.—The Bank may not provide a guarantee or extend (or participate in the extension of credit) to a foreign person in a fiscal year in connection with the export of goods or services by a United States company, unless—

''(A) the United States company—

''(i) guarantees the repayment by the foreign person of the applicable percentage for

the fiscal year of the amount of the guarantee or credit provided by the Bank; and

''(ii) pledges collateral in an amount sufficient to cover the applicable percentage for the fiscal year of the amount guaranteed by the United States company; and

''(B) the guarantee by the United States company is senior to any other obligation of the United States company.

''(2) APPLICABLE PERCENTAGE DEFINED.—In paragraph (1), the term 'applicable percentage' means—

''(A) in the case of fiscal year 2016, 10 percent;

''(B) in the case of fiscal year 2017, 20 percent;

''(C) in the case of fiscal year 2018, 30 percent;

''(D) in the case of fiscal year 2019, 40 percent;

''(E) in the case of fiscal year 2020, 50 percent;

''(F) in the case of fiscal year 2021, 60 percent;

''(G) in the case of fiscal year 2022, 70 percent;

''(H) in the case of fiscal year 2023, 80 percent;

''(I) in the case of fiscal year 2024, 90 percent; and

''(J) in the case of fiscal year 2025 and each succeeding fiscal year, 100 percent.

''(3) INAPPLICABILITY TO SMALL BUSINESS EXPORTERS.—Paragraph (1) shall not apply with respect to the provision of a guarantee or credit in connection with an export by a small business concern (as defined in section 3(a) of the Small Business Act).''.

It was decided in the negative ..... { Ayes ..... 115 Noes ..... 313

¶139.50 [Roll No. 613]

AYES—115

Abraham
Allen
Amash
Babin
Barr
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Grayson
Griffith
Guthrie
Harris
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pompeo
Posey
Price, Tom
Ratcliffe
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—313

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

So the amendment was not agreed to.

¶139.51 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 8, printed in Part B of House Report 114-326, submitted by Mr. ROYCE:

Page 1032, after line 4, insert the following:

**SEC. _____. PROHIBITION ON AID TO STATE-SPONSORS OF TERRORISM.**

Section 2(b)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(2)) is amended—

(1) in the paragraph heading, by inserting ''OR STATE-SPONSORS OF TERRORISM'' before the period;

(2) in subparagraph (A)—

(A) by striking ''or'' at the end of clause (i);

(B) by redesignating clause (ii) as clause (iii) and inserting after clause (i) the following:

''(ii) in connection with the purchase or lease of any product by a country that is designated as a state-sponsor of terrorism, or any agency or national thereof; or''; and

(C) in clause (iii) (as so redesignated), by inserting ''or a state-sponsor of terrorism'' before the period;

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and inserting after subparagraph (B) the following:

''(C) STATE-SPONSOR OF TERRORISM DEFINED.—In this paragraph, the term 'state-sponsor of terrorism' means a country the government of which the Secretary of State has determined, for purposes of section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)), section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism.'';

(4) in subparagraph (D) (as so redesignated)—

(A) in the subparagraph heading, by inserting ''OR A STATE-SPONSOR OF TERRORISM'' after ''MARXIST-LENINIST'';

(B) by inserting ''or that any country described in subparagraph (C) has ceased to be a state-sponsor of terrorism'' after ''(B)(i))'';

(C) by inserting ''or a state-sponsor of terrorism, as the case may be,'' before ''for purposes''; and

(D) by inserting ''or a state-sponsor of terrorism, as the case may be'' before the period at the end; and

(5) in subparagraph (E) (as so redesignated)—

(A) in clause (i)—

(i) by striking ''Subparagraph'' and inserting ''Clauses (i) and (iii) (but only to the extent applicable with respect to Marxist-Leninist countries) of subparagraph''; and

(ii) by striking ''(ii)'' and inserting ''(iii) (but only to the extent applicable with respect to Marxist-Leninist countries)''; and

(B) in clause (ii), by striking ''(ii)'' and inserting ''(iii) (but only to the extent applicable with respect to Marxist-Leninist countries)''.

It was decided in the negative ..... { Ayes ..... 183 Noes ..... 244

¶139.52 [Roll No. 614]

AYES—183

Abraham
Allen
Amash
Babin
Barr
Barton
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Costello (PA)
Culberson
Curbelo (FL)
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Love
Lummis
Maloney, Sean
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roby
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—244

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Marino
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Mica
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Trott
Tsongas
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Womack
Yarmuth

NOT VOTING—6

Blum
DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

So the amendment was not agreed to.

¶139.53 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 9, printed in Part B of House Report 114-326, submitted by Mr. SCHWEIKERT:

Page 1032, after line 4, insert the following:

**SEC. _____. USE OF FAIR VALUE ACCOUNTING PRINCIPLES.**

The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended by adding at the end the following:

**"SEC. 16. USE OF FAIR VALUE ACCOUNTING PRINCIPLES.**

''The Bank shall prepare the financial statements of the Bank in accordance with fair value accounting principles.''.

It was decided in the negative ..... { Ayes ..... 133 Noes ..... 295

¶139.54 [Roll No. 615]

AYES—133

Abraham
Allen
Amash
Babin
Barr
Barton
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Brooks (AL)
Buck
Burgess
Byrne
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Griffith
Guthrie
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roby
Roe (TN)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Thornberry
Tipton
Walberg
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wittman
Woodall
Yoho
Young (IA)
Young (IN)

NOES—295

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers

McNerney
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Yarmuth
Yoder
Young (AK)
Zeldin
Zinke

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

So the amendment was not agreed to.

¶139.55 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 23, printed in Part B of House Report 114-326, submitted by Mr. WESTMORELAND:

Page 1032, after line 4, insert the following:

**SEC. ___. PROCEDURES REQUIRED IN RESPONSE TO COMMENT ALLEGING ECONOMIC HARM WILL RESULT IF PROPOSED BANK TRANSACTION IS APPROVED.**

Section 3(c) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)) is amended by adding at the end the following:

''(11) PROCEDURES REQUIRED IN RESPONSE TO COMMENT ALLEGING ECONOMIC HARM WILL RESULT IF PROPOSED BANK TRANSACTION IS APPROVED.—If the Board of Directors receives a comment from a representative of a United States company, in response to a notice that the Board has caused to be published in the Federal Register, that alleges that the company will suffer economic harm if a proposed Bank transaction is approved, then, unless the Board unanimously votes to do otherwise, the Board shall provide for—

''(A) a 60-day discussion period that begins at the end of the comment period otherwise required by law, with respect to all comments received by the Board in response to the notice, which period shall be extended by not more than 60 days if at least 1 Board member recommends such an extension; and

''(B) an opportunity for any such commenter who makes such an allegation to appear before the Board and be heard with respect to the notice if at least 1 Board member recommends that the commenter be invited to do so.''.

It was decided in the negative { Ayes ..... 129 / Noes ..... 298

¶139.56 [Roll No. 616]

AYES—129

Abraham
Allen
Amash
Babin
Barr
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brat
Buck
Burgess
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gohmert
Goodlatte
Gosar
Graves (GA)
Grayson
Griffith
Guthrie
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jenkins (KS)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lance
Latta
Love
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Noem
Nugent
Nunes
Olson
Palmer
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stutzman
Tipton
Walker
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)

NOES—298

Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gowdy
Graham
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Whitfield
Wilson (FL)
Womack
Yarmuth
Young (AK)
Zeldin
Zinke

NOT VOTING—6

DeFazio
Ellmers (NC)
Joyce
Loudermilk
Meeks
Takai

So the amendment was not agreed to.

¶139.57 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 10, printed in Part B of House Report 114-326, submitted by Mr. YOUNG of Iowa:

Amend the table of contents by inserting after the item pertaining to section 62001 the following:

TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS

Sec. 63001. Requirements regarding rule makings.

Page 988, insert after line 20 the following:

**TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS**

**SEC. 63001. REQUIREMENTS REGARDING RULE MAKINGS.**

For each publication in the Federal Register required to be made by law and pertaining to a rule made to carry out this Act or the amendments made by this Act, the agency making the rule shall include in such publication a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online.

It was decided in the affirmative ..... { Ayes ..... 236 Noes ..... 192

¶139.58 [Roll No. 617]

AYES—236

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

NOES—192

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

NOT VOTING—5

DeFazio
Ellmers (NC)
Loudermilk
Meeks
Takai

So the amendment was agreed to.

After some further time,

## THURSDAY, NOVEMBER 5 (LEGISLATIVE DAY OF NOVEMBER 4), 2015

The SPEAKER pro tempore, Mr. OLSON, assumed the Chair.

When Ms. FOXX, Acting Chairman, reported that the Committee, having had under consideration said amendment of the Senate, as amended, had come to no resolution thereon.

¶139.59 HOUR OF MEETING

On motion of Mr. MULLIN, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, November 5, 2015.

¶139.60 SELECT INVESTIGATIVE PANEL OF THE COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore, Mr. OLSON, pursuant to section 2(a) of House Resolution 461, 114th Congress, and the order of the House of January 6, 2015, announced that the Speaker appointed the following Members to the Select Investigative Panel of the Committee on Energy and Commerce: Ms. SCHAKOWSKY, Mr. NADLER, Mses. DEGETTE, SPEIER, DELBENE, and Mrs. WATSON COLEMAN.

¶139.61 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DEFAZIO, for today after 10 p.m. and November 5.

And then,

¶139.62 ADJOURNMENT

On motion of Mr. MULLIN, pursuant to the previous order of the House, at 1 o'clock and 5 minutes a.m., Thursday, November 5 (legislative day of November 4), 2015, the House adjourned until 9 a.m. on Thursday, November 5, 2015.

¶139.63 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2130. A bill to provide legal certainty to property owners along the Red River in Texas, and for other purposes; with an amendment (Rept. 114–327). Referred to the Committee of the Whole House on the state of the Union.

¶139.64 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. GOODLATTE, Mr. HARRIS, and Mr. BOUSTANY):

H.R. 3918. A bill to modify the provisions of the Immigration and Nationality Act relating to nonimmigrant visas issued under section 101(a)(15)(H)(ii)(b) of such Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself, Mrs. RADEWAGEN, Ms. BROWNLEY of California, Mr. JOLLY, Mr. RYAN of Ohio, Mr. BLUMENAUER, Mr. BISHOP of Georgia, Mr. JONES, Ms. JACKSON LEE, Mr. SERRANO, Ms. JUDY CHU of California, Mr. HONDA, Mr. GARAMENDI, Mrs. NAPOLITANO, Mr. BUTTERFIELD, Mr. VEASEY, Mr. SABLAN, Ms. BORDALLO, Mr. KILMER, and Mr. VAN HOLLEN):

H.R. 3919. A bill to authorize the Secretary of Labor to award special recognition to employers for veteran-friendly employment practices; to the Committee on Education and the Workforce, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself, Mrs. BLACKBURN, Mr. SMITH of New Jersey, and Mr. SABLAN):

H.R. 3920. A bill to direct the Commissioner of Food and Drugs to issue an order withdrawing approval for Essure System; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 3921. A bill to amend the Securities Exchange Act of 1934 to require certain reporting by hedge funds that are the beneficial owner of more than 1 percent of a class of security, and for other purposes; to the Committee on Financial Services.

By Mr. KELLY of Pennsylvania (for himself and Mr. SAM JOHNSON of Texas):

H.R. 3922. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income and Security Act of 1974 to provide for a best interest standard for advice fiduciaries, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUDSON:

H.R. 3923. A bill to provide for a report that develops recommended United States energy security valuation methods; to the Committee on Energy and Commerce.

By Mr. CASTRO of Texas (for himself and Mr. MCCAUL):

H.R. 3924. A bill to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. DAVIS of California:

H.R. 3925. A bill to direct the Secretary of Education to carry out a program of canceling certain Federal student loans of principals in high need schools; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself, Ms. NORTON, Mr. RYAN of Ohio, Mr. HASTINGS, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. VAN HOLLEN, Mr. MURPHY of Florida, Mr. GALLEGO, Mr. RANGEL, Mr. MCGOVERN, Ms. BROWNLEY of California, Mrs. LAWRENCE, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. RICHMOND, Mr. CÁRDENAS, Ms. EDWARDS, Ms. MOORE, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, Ms. VELÁZQUEZ, Ms. ESTY, Mrs. NAPOLITANO, Mr. FARR, Ms. CASTOR of Florida, Mr. LIPINSKI, Mr. RUSH, Mr. SIRES, Mr. NORCROSS, Mr. MEEKS, Ms. PINGREE, Mr. COHEN, Mr. CONNOLLY, Ms. ADAMS, Mr. RUPPERSBERGER, and Mr. MOULTON):

H.R. 3926. A bill to amend the Public Health Service Act to provide for better understanding of the epidemic of gun violence, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself, Ms. JUDY CHU of California, Ms. BONAMICI, Mr. DEFAZIO, Mr. MCDERMOTT, Mr. TED LIEU of California, Ms. ROYBAL-ALLARD, Ms. ESHOO, Mr. SCHRADER, Ms. LOFGREN, Mr. HECK of Washington, Mr. DESAULNIER, Mrs. CAPPS, Mr. SWALWELL of California, Mr. BLUMENAUER, Mr. HONDA, Ms. EDWARDS, Ms. SPEIER, Mr. THOMPSON of California, Mrs. NAPOLITANO, Mr. FARR, Ms. LEE, Mr. KILMER, Mr. GARAMENDI, Mr. LOWENTHAL, Mr. LARSEN of Washington, Ms. MATSUI, Mr. SMITH of Washington, Ms. DELBENE, Mr. PETERS, and Mrs. DAVIS of California):

H.R. 3927. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. BARLETTA, Mr. GOHMERT, Mr. GOSAR, Mr. BROOKS of Alabama, Mr. DUNCAN of South Carolina, Mr. SMITH of Texas, and Mr. BABIN):

H.R. 3928. A bill to authorize the Capitol Police to enforce the immigration laws, and for other purposes; to the Committee on House Administration.

By Mr. LATTA (for himself, Mr. FRANKS of Arizona, Mr. PITTENGER, Mr. STEWART, Mr. JONES, Mr. PETERS, Mr. MCKINLEY, Mr. SCHWEIKERT, Mr. HUNTER, Mr. TURNER, Mr. KING of New York, Mr. MEEKS, Mr. MILLER of Florida, Mr. CARSON of Indiana, Mr. VAN HOLLEN, Mr. THOMPSON of Pennsylvania, Mr. KING of Iowa, Mr. RUSSELL, Mr. GIBBS, Ms. KAPTUR, Mr. FORBES, Miss RICE of New York, Mr. HIGGINS, Mr. JOLLY, Mr. MESSER, Mr. WALBERG, Mr. LARSON of Connecticut, Mrs. COMSTOCK, Mr. DESANTIS, and Mr. ZINKE):

H.R. 3929. A bill to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 3930. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the District of Columbia under the Medicaid Program to 80 percent; to the Committee on Energy and Commerce.

By Mr. WESTERMAN (for himself, Mr. CRAWFORD, Mr. HILL, Mr. ZINKE, Mr. MCDERMOTT, and Mr. WOMACK):

H.R. 3931. A bill to designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the ''Chief Petty Officer Adam Brown United States Post Office''; to the Committee on Oversight and Government Reform.

By Mr. MOONEY of West Virginia (for himself, Mr. ROGERS of Alabama, Mr. MEADOWS, Mr. MOOLENAAR, Mr. DUNCAN of South Carolina, Mr. LOUDERMILK, Mr. WEBER of Texas, Mr. CRAMER, Mr. HULTGREN, Mr. LAMALFA, Mr. JONES, Mr. FRANKS of Arizona, Mr. HARPER, Mr. KELLY of Pennsylvania, Mr. PEARCE, Mr. FLEMING, and Mr. PALAZZO):

H. Res. 514. A resolution protecting Religious Freedom in America; to the Committee on the Judiciary.

By Mr. ROSS (for himself and Ms. GRAHAM):

H. Res. 515. A resolution expressing the sense of the House of Representatives regarding the importance of civic education and civic involvement programs in the elementary and secondary schools of the United States; to the Committee on Education and the Workforce.

By Mr. WENSTRUP:

H. Res. 516. A resolution recognizing the individuals who have served, or are serving, in the Armed Forces and have also served, or are serving, as a peace officer or as a first responder and expressing support for the designation of November 10 as Armed Forces, Peace Officer, and First Responder Dual Service Recognition Day; to the Committee on Armed Services.

¶139.65 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. MCKINLEY.
H.R. 242: Ms. KUSTER.
H.R. 249: Mr. KILDEE.
H.R. 317: Mr. LANGEVIN.
H.R. 379: Ms. CASTOR of Florida and Mr. DONOVAN.
H.R. 430: Mr. TAKANO.
H.R. 467: Mr. HUFFMAN.
H.R. 592: Mr. REICHERT.
H.R. 594: Mrs. LOVE.
H.R. 624: Ms. MCSALLY.
H.R. 670: Mr. ISRAEL.
H.R. 816: Mr. AUSTIN SCOTT of Georgia.
H.R. 833: Mr. GRIJALVA, Ms. EDWARDS, and Mr. HONDA.
H.R. 842: Mr. MEADOWS.
H.R. 845: Mr. BROOKS of Alabama and Mr. MEADOWS.
H.R. 879: Mr. KELLY of Mississippi, Mr. HURD of Texas, Mr. BRIDENSTINE, and Mr. HUDSON.
H.R. 912: Mr. COHEN.
H.R. 953: Mr. ROSS.
H.R. 969: Mr. RICE of South Carolina.
H.R. 985: Mrs. WAGNER.
H.R. 1054: Mr. BROOKS of Alabama, Mr. LAMALFA, Mr. KING of Iowa, Mr. JODY B. HICE of Georgia, Mr. HUELSKAMP, Mr. WILSON of South Carolina, Mr. ABRAHAM, and Mr. WEBSTER of Florida.
H.R. 1061: Ms. KAPTUR, Ms. NORTON, Mr. MCDERMOTT, Ms. TSONGAS, Mr. RUSH, Mr. DEFAZIO, and Mr. CARSON of Indiana.
H.R. 1093: Mr. JONES.
H.R. 1174: Mr. BISHOP of Georgia, Mr. DENHAM, Mrs. WATSON COLEMAN, Mr. PAYNE, Mr. LOWENTHAL, and Mr. RANGEL.
H.R. 1192: Mr. SAM JOHNSON of Texas, Mr. KILMER, Mr. GIBSON, and Mrs. DAVIS of California.
H.R. 1194: Ms. DUCKWORTH.
H.R. 1197: Mr. ZELDIN.
H.R. 1202: Mr. EMMER of Minnesota.
H.R. 1211: Ms. SPEIER.
H.R. 1277: Mr. TAKAI.
H.R. 1288: Ms. LEE and Ms. BONAMICI.
H.R. 1453: Mr. FORTENBERRY and Mr. NOLAN.
H.R. 1552: Mr. HASTINGS, Ms. MCCOLLUM, Mr. GRAYSON, Mrs. WATSON COLEMAN, Ms. MATSUI, Mr. QUIGLEY, and Mr. VAN HOLLEN.
H.R. 1568: Ms. CASTOR of Florida.
H.R. 1594: Mr. KILDEE.
H.R. 1608: Ms. ROS-LEHTINEN.
H.R. 1688: Mr. BOST.
H.R. 1715: Mrs. ELLMERS of North Carolina.
H.R. 1728: Mr. RUSH, Ms. MENG, and Ms. GRAHAM.
H.R. 1752: Mr. COSTELLO of Pennsylvania.
H.R. 1784: Mr. ROUZER.
H.R. 1821: Mr. LARSEN of Washington.
H.R. 1877: Mr. JOLLY, Mr. KILDEE, and Mr. CARTWRIGHT.
H.R. 1902: Ms. EDWARDS.
H.R. 2000: Mr. CICILLINE.
H.R. 2043: Ms. TSONGAS and Mr. RUPPERSBERGER.
H.R. 2050: Mr. CUELLAR and Ms. SEWELL of Alabama.
H.R. 2058: Mr. HUDSON.
H.R. 2125: Mr. TAKANO.
H.R. 2142: Mr. ASHFORD.
H.R. 2153: Mr. VAN HOLLEN.
H.R. 2156: Mr. CONAWAY.
H.R. 2241: Mr. DONOVAN, Mr. ENGEL, Mr. KEATING, Mr. PASCRELL, Mr. HIGGINS, Ms. MENG, and Mr. SHERMAN.
H.R. 2278: Mr. CULBERSON.
H.R. 2285: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2292: Mr. FOSTER.
H.R. 2407: Ms. ADAMS.
H.R. 2434: Mr. EMMER of Minnesota.

H.R. 2477: Mr. HURD of Texas.
H.R. 2515: Ms. CASTOR of Florida and Mr. SENSENBRENNER.
H.R. 2520: Mr. HUDSON.
H.R. 2528: Mr. BISHOP of Georgia.
H.R. 2533: Ms. DUCKWORTH.
H.R. 2546: Mr. QUIGLEY.
H.R. 2590: Ms. KUSTER.
H.R. 2606: Mr. HUIZENGA of Michigan.
H.R. 2646: Mr. ROONEY of Florida.
H.R. 2660: Mr. MCDERMOTT, Ms. JUDY CHU of California, Mrs. KIRKPATRICK, and Ms. VELÁZQUEZ.
H.R. 2671: Mr. CARNEY.
H.R. 2672: Mr. CARNEY.
H.R. 2673: Mr. CARNEY.
H.R. 2674: Mr. CARNEY.
H.R. 2698: Mr. DOLD.
H.R. 2715: Ms. MENG and Mr. RUSH.
H.R. 2841: Mr. FORTENBERRY, Mr. CARTWRIGHT, and Ms. KAPTUR.
H.R. 2858: Mr. GALLEGO.
H.R. 2903: Mr. HUDSON.
H.R. 3042: Mr. COURTNEY.
H.R. 3061: Mr. CICILLINE, Mr. DEFAZIO, and Mr. POCAN.
H.R. 3067: Mr. COSTA.
H.R. 3080: Mr. PETERSON and Mr. ASHFORD.
H.R. 3137: Mr. KILDEE.
H.R. 3179: Ms. KUSTER.
H.R. 3183: Mr. CRAMER and Mr. WEBSTER of Florida.
H.R. 3187: Mr. MCCLINTOCK.
H.R. 3222: Mr. SESSIONS.
H.R. 3268: Mr. ROSS, Mr. SHUSTER, Mr. MCDERMOTT, Mr. COURTNEY, and Mr. GALLEGO.
H.R. 3302: Mrs. ELLMERS of North Carolina.
H.R. 3314: Mr. DESANTIS, Mr. DESJARLAIS, Mr. STEWART, Mr. COLLINS of New York, and Mr. CRAMER.
H.R. 3316: Ms. NORTON and Ms. MENG.
H.R. 3339: Mr. RUPPERSBERGER.
H.R. 3340: Mr. GARRETT and Mr. LUETKEMEYER.
H.R. 3381: Mr. RUSH, Mr. CONYERS, Mr. BISHOP of Georgia, Ms. HAHN, and Mr. LARSON of Connecticut.
H.R. 3395: Mr. SCHIFF.
H.R. 3423: Mr. LOBIONDO and Mr. LARSEN of Washington.
H.R. 3427: Ms. KAPTUR, Mr. NADLER, Ms. EDWARDS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. ENGEL, and Ms. SEWELL of Alabama.
H.R. 3520: Ms. JUDY CHU of California.
H.R. 3534: Mr. LAMALFA.
H.R. 3549: Mr. RIGELL.
H.R. 3565: Mr. GARAMENDI, Mr. LOWENTHAL, Ms. SPEIER, and Mr. HONDA.
H.R. 3632: Mr. HASTINGS and Mr. QUIGLEY.
H.R. 3684: Mr. BOUSTANY.
H.R. 3686: Mr. KIND.
H.R. 3690: Mr. PASCRELL.
H.R. 3705: Mrs. WAGNER, Mr. TIPTON, Mr. ROSS, and Mr. POSEY.
H.R. 3711: Mrs. DAVIS of California.
H.R. 3739: Mr. ZINKE.
H.R. 3750: Mr. CONNOLLY, Mr. ZINKE, Mr. DEUTCH, Mr. BEYER, Mr. SIRES, Mr. RIBBLE, Mr. SWALWELL of California, Mr. SCHIFF, Mrs. DINGELL, Mr. WILSON of South Carolina, and Mr. CICILLINE.
H.R. 3760: Ms. MCCOLLUM.
H.R. 3766: Mr. SIRES and Mr. SHERMAN.
H.R. 3793: Mr. CÁRDENAS, Ms. NORTON, Mr. KILMER, Ms. WILSON of Florida, and Mr. LOWENTHAL.
H.R. 3804: Mr. SANFORD.
H.R. 3805: Mr. POCAN, Mr. SWALWELL of California, Mr. CARSON of Indiana, and Mr. VAN HOLLEN.
H.R. 3841: Mr. KILMER, Ms. LOFGREN, and Mr. CARTWRIGHT.
H.R. 3859: Mr. DUNCAN of South Carolina and Mrs. WATSON COLEMAN.
H.R. 3865: Mr. COSTELLO of Pennsylvania and Mr. LATTA.
H.R. 3868: Mr. STIVERS, Mr. SHERMAN, Mr. SCHWEIKERT, Mr. PITTENGER, and Mr. KILDEE.
H.R. 3880: Mr. HUDSON, Mr. POSEY, Mr. WESTMORELAND, Mr. BISHOP of Michigan, Mr. MEADOWS, and Mr. WILSON of South Carolina.
H.J. Res. 47: Mr. FORTENBERRY.
H.J. Res. 55: Mr. WALKER.
H. Con. Res. 19: Mr. LARSON of Connecticut.
H. Con. Res. 65: Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, and Ms. ROYBAL-ALLARD.
H. Res. 12: Mr. RENACCI and Mr. GUTIÉRREZ.
H. Res. 32: Ms. BROWNLEY of California.
H. Res. 318: Mr. FARENTHOLD.
H. Res. 393: Mr. TED LIEU of California and Ms. CLARK of Massachusetts.
H. Res. 500: Mr. DESANTIS.
H. Res. 502: Mrs. LAWRENCE, Mrs. CAPPS, Ms. KUSTER, Ms. BORDALLO, Mr. SERRANO, Mr. NOLAN, Mr. DOGGETT, and Mr. GRIJALVA.
H. Res. 505: Mr. VAN HOLLEN, Ms. LINDA T. SÁNCHEZ of California, Ms. BASS, Mrs. DINGELL, Mr. DAVID SCOTT of Georgia, Mr. HONDA, Mrs. LAWRENCE, Mr. BISHOP of Georgia, Mr. MOULTON, Ms. NORTON, Mr. BUTTERFIELD, and Mr. VARGAS.
H. Res. 510: Mr. FRANKS of Arizona, Mr. FORBES, Mr. PITTENGER, Mr. MOONEY of West Virginia, Mrs. WAGNER, Mr. LAMALFA, Mr. LAMBORN, Mr. FLORES, Mr. HARRIS, Mr. PEARCE, Mr. WALBERG, Mr. SMITH of Missouri, Mr. ROE of Tennessee, Mr. GROTHMAN, Mr. HULTGREN, and Mr. GIBBS.
H. Res. 511: Mr. HUELSKAMP and Mr. MESSER.
H. Res. 513: Mrs. LOWEY, Mr. DEUTCH, Mr. LIPINSKI, Mrs. BUSTOS, Mr. FRANKS of Arizona, Ms. GRANGER, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. TED LIEU of California, Mr. SHERMAN, Mr. RUSH, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Ms. KUSTER, Mr. WEBER of Texas, Mr. MCGOVERN, Mrs. LAWRENCE, Ms. BONAMICI, Mr. GRAYSON, Mr. SMITH of Washington, Mr. CICILLINE, Ms. JACKSON LEE, Ms. WASSERMAN SCHULTZ, Ms. MATSUI, Ms. MENG, Mr. NADLER, Mr. DOGGETT, Mr. HASTINGS, Mr. ISRAEL, Mrs. CAPPS, Ms. MCCOLLUM, Mr. KEATING, Mr. DOLD, Mr. LEVIN, Ms. LEE, and Ms. WILSON of Florida.

### ¶139.66 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1019: Mr. CULBERSON.

## THURSDAY, NOVEMBER 5, 2015 (140)

The House was called to order by the SPEAKER.

### ¶140.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, November 4, 2015.

Mr. HECK of Nevada, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. HECK of Nevada, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

### ¶140.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3380. A letter from the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule — Agriculture Priorities and Allocations System (RIN: 0560-AH68) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3381. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; Ouachita Parish, Louisiana, and Incorporated Areas [Docket ID: FEMA-2015-0001] [Docket No.: FEMA-B-1089] received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3382. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; St. Charles County, Missouri, and Incorporated Areas [Docket ID: FEMA-2015-0001] received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3383. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Acquisition Regulations: Export Control (RIN:1991-AB99) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3384. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt From Certification; Spirulina Extract; Confirmation of Effective Date [Docket No.: FDA-2014-C-1552] received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3385. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Amendments to Existing Validated End-User Authorizations in the People's Republic of China [Docket No.: 150825776-5776-01] (RIN: 0694-AG69) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

3386. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(d) of the Arms Export Control Act, Transmittal No.: DDTC 15-098; to the Committee on Foreign Affairs.

3387. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-055; to the Committee on Foreign Affairs.

3388. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-012; to the Committee on Foreign Affairs.

3389. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-067; to the Committee on Foreign Affairs.

3390. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-068; to the Committee on Foreign Affairs.

3391. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-090; to the Committee on Foreign Affairs.

3392. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-079; to the Committee on Foreign Affairs.

3393. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-078; to the Committee on Foreign Affairs.

3394. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-076; to the Committee on Foreign Affairs.

3395. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-172, ''Higher Education Licensure Commission Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3396. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-173, ''Sexual Assault Victim Rights Task Force Report Extension Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3397. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-175, ''ABLE Program Trust Establishment Temporary Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3398. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-192, ''Closing of a Public Alley in Square 369, S.O. 13-07989, Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3399. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-193, ''Testing Integrity Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3400. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-194, ''Closing of a Public Alley in Square 197, S.O. 15-23895, Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3401. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-195, ''James Bunn Way Designation Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3402. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-171, ''Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3403. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-174, ''Rent Control Hardship Petition Limitation Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3404. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE168) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3405. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Reef Fish Fishery of the Gulf of Mexico; 2015 Recreational Accountability Measures and Closure for Gulf of Mexico Greater Amberjack [Docket No.: 1206013412-2517-02] (RIN: 0648-XE182) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3406. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE223) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3407. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quotas [Docket No.: 150121066-5717-02] (RIN: 0648-BE81) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3408. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Regulatory Amendment 22 [Docket No.: 150305220-5683-02] (RIN: 0648-BE76) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3409. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Effort and Catch Limits and Other Restrictions and Requirements [Docket No.: 150122068-5868-02] (RIN: 0648-BE84) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3410. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fishery Management Council Freedom of Information Act Requests Regulations; Technical Amendments to Regulations [Docket No.: 141212999-5843-01] (RIN: 0648-BE73) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3411. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Amendment 24; Correction [Docket No.: 140904754-5917-03] (RIN: 0648-BE27) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3412. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; State Waters Exemption [Docket No.: 150626556-5886-02] (RIN: 0648-BF20) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3413. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Establishment of Tuna Vessel Monitoring System in the Eastern Pacific Ocean [Docket No.: 130722646-5874-03] (RIN: 0648-BD54) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3414. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures; Correction [Docket No.: 150226189-5859-03] (RIN: 0648-BE91) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3415. A letter from the Deputy CFO, National Environmental Satellite, Data and Information Service, NOAA, Department of Commerce, transmitting the Department's final rule — Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services [Docket No.: 150202106-5879-02] (RIN: 0648-BE86) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Science, Space, and Technology.

3416. A communication from the President of the United States, transmitting notification of intent to enter into the free trade agreement known as the Trans-Pacific Partnership Agreement, pursuant to 19 U.S.C. 4205(a)(1)(A); Public Law 114-26, Sec. 106(a)(1)(A); (H. Doc. No. 114—73); to the Committee on Ways and Means and ordered to be printed.

3417. A communication from the President of the United States, transmitting notification of intent to suspend the application of duty-free treatment to all AGOA-eligible goods in the agricultural sector for the Republic of South Africa, pursuant to Secs. 506A(d)(4)(C) and 506A(c) of the African Growth and Opportunity Act; (H. Doc. No. 114—74); to the Committee on Ways and Means and ordered to be printed.

### ¶140.3 BORDER PATROL AGENT PAY REFORM

Mr. THORNBERRY moved to suspend the rules and pass the bill of the Sen-

ate (S. 1356) to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions; as amended.

The SPEAKER pro tempore, Mr. HULTGREN, recognized Mr. THORNBERRY and Mr. SMITH of Washington, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HULTGREN, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of Washington, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 370 Nays ..... 58

¶140.4 [Roll No. 618]

YEAS—370

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—58

Amash
Bass
Becerra
Blumenauer
Bonamici
Capuano
Carson (IN)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
DeSaulnier
Duncan (TN)
Ellison
Farr
Fudge
Grayson
Griffith
Grijalva
Gutiérrez
Hahn
Honda
Huffman
Jones
Kennedy
Kildee
Labrador
Lee
Lewis
Lofgren
Lowenthal
Maloney, Carolyn
Massie
McCollum
McDermott
McGovern
Moore
Mulvaney
Nadler
Napolitano
Nolan
Payne
Pocan
Polis
Rangel
Rohrabacher
Sanford
Schakowsky
Schrader
Serrano
Swalwell (CA)
Takano
Van Hollen
Velázquez
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—5

DeFazio
Ellmers (NC)
Meeks
Rush
Takai

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said amendment.

¶140.5 HIRE MORE HEROES

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to House Resolution 512 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the amendment of the Senate to the text of the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mr. COLLINS of Georgia, Acting Chairman, assumed the chair; and after some time spent therein,

¶140.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 15, printed in Part B of House Report 114-326, submitted by Ms. SCHAKOWSKY:

Page 574, insert after line 6 the following new sections:

**SEC. 34216. IMPROVED VEHICLE SAFETY DATABASES.**

Not later than 2 years after the date of enactment of this Act, the Secretary shall increase public accessibility to and timeliness of information on the National Highway Traffic Safety Administration's vehicle safety databases including by—

(1) improving organization and functionality, including modern web design features, and allowing for data to be searched, aggregated, and downloaded;

(2) providing greater consistency in presentation of vehicle safety issues;

(3) improving searchability about specific vehicles and issues through standardization of commonly used search terms and the integration of databases to enable all to be simultaneously searched using the same keyword search function; and

(4) improving the publicly accessible early warning database, by—

(A) enabling users to search for incidents across multiple reporting periods for a given make and model name, model year, or type of potential defect; and

(B) ensuring that search results, in addition to being downloadable, are sortable within an Internet browser by make, model name, model year, State or foreign country of the incident, number of deaths, number of injuries, date of the incident, and type of potential defect.

**SEC. 34217. IMPROVED USED CAR BUYERS GUIDE.**

In addition to the information already required to be included pursuant to section 455.2 of title 16, Code of Federal Regulations (the Used Motor Vehicle Trade Regulation Rule), the Buyers Guide window form shall include—

(1) a statement of the vehicle's brand history, total loss history, and salvage history according to the vehicle's National Motor Vehicle Title Information System (NMVTIS) vehicle history report, the date on which the dealer obtained the vehicle history report, and the website where a consumer can obtain a vehicle history report; and

(2) a statement of the vehicle's recall repair history according to the vehicle identification number search tool established pursuant to section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note), the date on which the used vehicle dealer obtained the recall repair history, and the website where a consumer may obtain this information.

**SEC. 34218. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.**

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records, including documents, reports, correspondence, or other materials that contain information concerning malfunctions that may be related to motor vehicle safety (including any failure or malfunction beyond normal deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications, that could in any reasonably foreseeable manner be a causative factor in, or aggravate, an accident or an injury to a person), for a period of not less than 20 calendar years from the date on which they were generated or acquired by the manufacturer. Such requirement shall also apply to all underlying records on which information reported to the Secretary under part 579 of title 49, Code of Federal Regulations, is based.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

**SEC. 34219. ELIMINATION OF REGIONAL RECALLS.**

Section 30118 of title 49, United States Code, is amended by adding at the end the following new subsections:

''(f) LONG-TERM EXPOSURE TO ENVIRONMENTAL CONDITIONS.—If a manufacturer of a motor vehicle or replacement equipment learns the vehicle or equipment contains a safety problem caused by long-term exposure to environmental conditions, the manufacturer shall give notice under subsection (c) as if the manufacturer learned the vehicle or equipment contains a defect and decides in good faith that the defect is related to motor vehicle safety.

''(g) NATIONAL ORDERS AND NOTIFICATIONS.—All orders under subsection (b)(2) and notifications under subsection (c) shall be carried out on a national basis and shall not be limited to vehicles or equipment in certain States or territories or other geographic regions of the United States. This paragraph shall not prevent the Secretary from permitting the prioritization of the shipment of replacement parts by geographic location when appropriate.''.

**SEC. 34220. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.**

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or''.

**SEC. 34221. PEDESTRIAN SAFETY IMPROVEMENT RULE.**

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of safety standards or performance requirements to reduce the number of injuries and fatalities suffered by pedestrians and other non-occupants who are struck by passenger motor vehicles.

(b) SPECIFICATIONS.—In carrying out subsection (a), the Secretary shall consider means for protecting especially vulnerable pedestrian and non-occupant populations, including children, older adults, and individuals with disabilities.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the completion of each testing and research initiative required under subsection (a), the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) REPORT.—If the Secretary determines that the standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) PASSENGER MOTOR VEHICLE DEFINED.—In this section, the term ''passenger motor vehicle''—

(1) means a motor vehicle (as defined in section 30102(a) of title 49, United States Code) that is rated at less than 10,000 pounds gross vehicular weight; and

(2) does not include—

(A) a motorcycle;

(B) a trailer; or

(C) a low speed vehicle (as defined in section 571.3 of title 49, Code of Federal Regulations).

**SEC. 34222. RULEMAKING ON REAR SEAT CRASHWORTHINESS.**

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of safety standards or performance requirements for the crashworthiness and survivability for passengers in the rear seats of motor vehicles.

(b) SPECIFICATIONS.—In carrying out subsection (a), the Secretary shall consider side- and rear-impact collision testing, additional airbags, head restraints, seatbelt fit, seatbelt airbags, belt anchor location, and any other factors the Secretary considers appropriate.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the completion of each research and testing initiative required under subsection (a), the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) REPORT.—If the Secretary determines that the standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

It was decided in the negative { Ayes ..... 176 / Noes ..... 251

¶140.7 [Roll No. 619]

AYES—176

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

NOES—251

| | | |
|---|---|---|
| Abraham | Cramer | Grothman |
| Aderholt | Crawford | Guinta |
| Allen | Crenshaw | Guthrie |
| Amash | Cuellar | Hanna |
| Amodei | Culberson | Hardy |
| Babin | Curbelo (FL) | Harper |
| Barletta | Davis, Rodney | Harris |
| Barr | Denham | Hartzler |
| Barton | Dent | Heck (NV) |
| Benishek | DeSantis | Hensarling |
| Bilirakis | DesJarlais | Herrera Beutler |
| Bishop (MI) | Diaz-Balart | Hice, Jody B. |
| Bishop (UT) | Dold | Higgins |
| Black | Donovan | Hill |
| Blackburn | Duffy | Holding |
| Blum | Duncan (SC) | Hudson |
| Bost | Duncan (TN) | Huelskamp |
| Boustany | Emmer (MN) | Huizenga (MI) |
| Brady (TX) | Farenthold | Hultgren |
| Brat | Fincher | Hunter |
| Bridenstine | Fleischmann | Hurd (TX) |
| Brooks (AL) | Fleming | Hurt (VA) |
| Brooks (IN) | Flores | Issa |
| Buchanan | Forbes | Jenkins (KS) |
| Buck | Fortenberry | Jenkins (WV) |
| Bucshon | Foxx | Johnson (OH) |
| Burgess | Franks (AZ) | Johnson, Sam |
| Byrne | Frelinghuysen | Jolly |
| Calvert | Garrett | Jordan |
| Carter (GA) | Gibbs | Joyce |
| Carter (TX) | Gibson | Katko |
| Chabot | Gohmert | Kelly (MS) |
| Chaffetz | Goodlatte | Kelly (PA) |
| Clawson (FL) | Gosar | King (IA) |
| Coffman | Gowdy | King (NY) |
| Cole | Graham | Kinzinger (IL) |
| Collins (GA) | Granger | Kline |
| Collins (NY) | Graves (GA) | Knight |
| Comstock | Graves (LA) | Labrador |
| Conaway | Graves (MO) | LaHood |
| Cook | Grayson | LaMalfa |
| Costello (PA) | Griffith | Lamborn |

Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—6

DeFazio
Ellmers (NC)
Jeffries
Meeks
Rush
Takai

So the amendment was not agreed to.

¶140.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 16, printed in Part B of House Report 114-326, submitted by Mr. MULLIN:

At the end of subtitle D of title XXXIV insert the following new part:

**PART IV—ALTERNATIVE FUEL VEHICLES**

**SEC. 34441. REGULATION PARITY FOR ELECTRIC AND NATURAL GAS VEHICLES.**

(a) IN GENERAL.—In promulgating regulations, the Administrator of the Environmental Protection Administration shall ensure that any preference or incentive provided to an electric vehicle is also provided to a natural gas vehicle.

(b) REVISION OF EXISTING REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall revise any regulations of the Administrator in existence as of that date concerning electric vehicles as necessary to ensure that the regulations conform to subsection (a).

It was decided in the affirmative ..... { Ayes ..... 246 / Noes ..... 178

¶140.9 [Roll No. 620]

AYES—246

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

NOES—178

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

NOT VOTING—9

DeFazio
Ellmers (NC)
Jeffries
King (IA)
Meeks
Pitts
Rogers (AL)
Rush
Takai

So the amendment was agreed to.

¶140.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 17, printed in Part B of House Report 114-326, submitted by Mr. BURGESS:

Page 550, strike line 24 and all that follows through page 551, line 4, and insert the following:

(A) $31,270,000 for fiscal year 2016.
(B) $36,537,670 for fiscal year 2017.
(C) $42,296,336 for fiscal year 2018.
(D) $47,999,728 for fiscal year 2019.
(E) $54,837,974 for fiscal year 2020.
(F) $61,656,407 for fiscal year 2021.

Insert after subtitle D of title XXXIV the following new subtitle:

**Subtitle E—Additional Motor Vehicle Provisions**

**SEC. 34501. REQUIRED REPORTING OF NHTSA AGENDA.**

Not later than December 1 of the year beginning after the date of enactment of this Act, and each year thereafter, the Administrator of the National Highway Traffic Safety Administration shall publish on the public website of the Administration, and file with the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual plan for the following calendar year detailing the Administration's projected activities, including—

(1) the Administrator's policy priorities;
(2) any rulemakings projected to be commenced;
(3) any plans to develop guidelines;
(4) any plans to restructure the Administration or to establish or alter working groups;
(5) any planned projects or initiatives of the Administration, including the working groups and advisory committees of the Administration; and
(6) any projected dates or timetables associated with any of the items described in paragraphs (1) through (5).

**SEC. 34502. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.**

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''10 calendar years'' and inserting ''15 calendar years''.

**SEC. 34503. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.**

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records required to be maintained by manufacturers under section 576.6 of title 49, Code of Federal Regulations, for a period of not less than 10 calendar years from the date on which they were generated or acquired by the manufacturer.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

**SEC. 34504. NONAPPLICATION OF PROHIBITIONS RELATING TO NONCOMPLYING MOTOR VEHICLES TO VEHICLES USED FOR TESTING OR EVALUATION.**

Section 30112(b) of title 49, United States Code, is amended—

(1) in paragraph (8), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

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

''(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing or evaluation by a manufacturer that prior to the date of enactment of this paragraph—

''(A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

''(B) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations;

''(C) if applicable, has identified an agent for service of process in accordance with part 551 of such title; and

''(D) agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation.''.

**SEC. 34505. TREATMENT OF LOW-VOLUME MANUFACTURERS.**

(a) EXEMPTION FROM VEHICLE SAFETY STANDARDS FOR LOW-VOLUME MANUFACTURERS.—Section 30114 of title 49, United States Code, is amended—

(1) by striking ''The'' and inserting ''(a) VEHICLES USED FOR PARTICULAR PURPOSES.—The''; and

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

''(b) EXEMPTION FOR LOW-VOLUME MANUFACTURERS.—

''(1) IN GENERAL.—The Secretary shall—

''(A) exempt from section 30112(a) of this title not more than 500 replica motor vehicles per year that are manufactured or imported by a low-volume manufacturer; and

''(B) except as provided in paragraph (4) of this subsection, limit any such exemption to the Federal Motor Vehicle Safety Standards applicable to motor vehicles and not motor vehicle equipment.

''(2) REGISTRATION REQUIREMENT.—To qualify for an exemption under paragraph (1), a low-volume manufacturer shall register with the Secretary at such time, in such manner, and under such terms that the Secretary determines appropriate. The Secretary shall establish terms that ensure that no person may register as a low-volume manufacturer if the person is registered as an importer under section 30141 of this title.

''(3) PERMANENT LABEL REQUIREMENT.—

''(A) IN GENERAL.—The Secretary shall require a low-volume manufacturer to affix a permanent label to a motor vehicle exempted under paragraph (1) that identifies the specified standards and regulations for which such vehicle is exempt from section 30112(a) and designates the model year such vehicle replicates.

''(B) WRITTEN NOTICE.—The Secretary may require a low-volume manufacturer of a motor vehicle exempted under paragraph (1) to deliver written notice of the exemption to—

''(i) the dealer; and

''(ii) the first purchaser of the motor vehicle, if the first purchaser is not an individual that purchases the motor vehicle for resale.

''(C) REPORTING REQUIREMENT.—A low-volume manufacturer shall annually submit a report to the Secretary including the number and description of the motor vehicles exempted under paragraph (1) and a list of the exemptions described on the label affixed under subparagraph (A).

''(4) EFFECT ON OTHER PROVISIONS.—Any motor vehicle exempted under this subsection shall also be exempted from sections 32304, 32502, and 32902 of this title and from section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

''(5) LIMITATION AND PUBLIC NOTICE.—The Secretary shall have 60 days to review and approve a registration submitted under paragraph (2). Any registration not approved or denied within 60 days after submission shall be deemed approved. The Secretary shall have the authority to revoke an existing registration based on a failure to comply with requirements set forth in this subsection. The registrant shall be provided a reasonable opportunity to correct all deficiencies, if such are correctable based on the sole discretion of the Secretary. An exemption granted by the Secretary to a low-volume manufacturer under this subsection may not be transferred to any other person, and shall expire at the end of the calendar year for which it was granted with respect to any volume authorized by the exemption that was not applied by the low-volume manufacturer to vehicles built during that calendar year. The Secretary shall maintain an up-to-date list of registrants on an annual basis and publish such list in the Federal Register or on a website operated by the Secretary.

''(6) LIMITATION OF LIABILITY FOR ORIGINAL MANUFACTURERS, LICENSORS OR OWNERS OF PRODUCT CONFIGURATION, TRADE DRESS, OR DESIGN PATENTS.—The original manufacturer, its successor or assignee, or current owner, who grants a license or otherwise transfers rights to a low-volume manufacturer shall incur no liability to any person or entity under Federal or State statute, regulation, local ordinance, or under any Federal or State common law for such license or assignment to a low-volume manufacturer.

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

''(A) LOW-VOLUME MANUFACTURER.—The term 'low-volume manufacturer' means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production is not more than 5,000 motor vehicles.

''(B) REPLICA MOTOR VEHICLE.—The term 'replica motor vehicle' means a motor vehicle produced by a low-volume manufacturer and that—

''(i) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the replica motor vehicle; and

''(ii) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.''.

(b) VEHICLE EMISSION COMPLIANCE STANDARDS FOR LOW-VOLUME MOTOR VEHICLE MANUFACTURERS.—Part A of title II of the Clean Air Act (42 U.S.C. 7521 et seq.) is amended—

(1) in section 206(a) by adding at the end the following new paragraph:

''(5)(A) A motor vehicle engine (including all engine emission controls) from a motor vehicle that has been granted a certificate of conformity by the Administrator for the model year in which the motor vehicle is assembled, or a motor vehicle engine that has been granted an Executive order subject to regulations promulgated by the California Air Resources Board for the model year in which the motor vehicle is assembled, may be installed in an exempted specially produced motor vehicle, if—

''(i) the manufacturer of the engine supplies written instructions explaining how to install the engine and maintain functionality of the engine's emission control system and the on-board diagnostic system (commonly known as 'OBD II'), except with respect to evaporative emissions diagnostics;

''(ii) the manufacturer of the exempted specially produced motor vehicle installs the engine in accordance with such instructions; and

''(iii) the installation instructions include emission control warranty information from the engine manufacturer in compliance with section 207, including where warranty repairs can be made, emission control labels to be affixed to the vehicle, and the certificate of conformity number for the applicable vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

''(B) A motor vehicle containing an engine compliant with the requirements of subparagraph (A) shall be treated as meeting the requirements of section 202 applicable to new vehicles manufactured or imported in the model year in which the exempted specially produced motor vehicle is assembled.

''(C) Engine installations that are not performed in accordance with installation instructions provided by the manufacturer and alterations to the engine not in accordance with the installation instructions shall—

''(i) be treated as prohibited acts by the installer under section 203; and

''(ii) subject to civil penalties under the first and third sentences of section 205(a), civil actions under section 205(b), and administrative assessment of penalties under section 205(c).

''(D) The manufacturer of an exempted specially produced motor vehicle that has an engine compliant with the requirements of subparagraph (A) shall provide to the purchaser of such vehicle all information received by the manufacturer from the engine manufacturer, including information regarding emissions warranties from the engine manufacturer and all emissions-related recalls by the engine manufacturer.

''(E) To qualify to install an engine under this paragraph, a manufacturer of exempted specially produced motor vehicles shall register with the Administrator at such time and in such manner as the Administrator determines appropriate. The manufacturer shall submit an annual report to the Administrator that includes—

''(i) a description of the exempted specially produced motor vehicles and engines installed in such vehicles; and

''(ii) the certificate of conformity number issued to the motor vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

''(F) Exempted specially produced motor vehicles compliant with this paragraph shall be exempted from—

''(i) motor vehicle certification testing under this section; and

''(ii) vehicle emission control inspection and maintenance programs required under section 110.

''(G) A person engaged in the manufacturing or assembling of exempted specially produced motor vehicles shall not be treated as a manufacturer for purposes of this Act by virtue of such manufacturing or assembling, so long as such person complies with subparagraphs (A) through (E).''; and

(2) in section 216 by adding at the end the following new paragraph:

''(12) EXEMPTED SPECIALLY PRODUCED MOTOR VEHICLE.—The term 'exempted specially produced motor vehicle' means a replica motor vehicle that is exempt from specified standards pursuant to section 30114(b) of title 49, United States Code.''.

(c) IMPLEMENTATION.—Not later than 12 months after the date of enactment of this Act, the Secretary of Transportation and the Administrator of the Environmental Protection Agency shall issue such regulations as may be necessary to implement the amendments made by subsections (a) and (b), respectively.

**SEC. 34506. NO LIABILITY ON THE BASIS OF NHTSA MOTOR VEHICLE SAFETY GUIDELINES.**

Section 30111 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(f) NO LIABILITY ON THE BASIS OF MOTOR VEHICLE SAFETY GUIDELINES ISSUED BY THE SECRETARY.—(1) No guidelines issued by the Secretary with respect to motor vehicle safety shall provide a basis for or evidence of liability in any action against a defendant whose practices are alleged to be inconsistent with such guidelines. A person who is subject to any such guidelines may use an alternative approach to that set forth in such guidelines that complies with any requirement in a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation.

''(2) No such guidelines shall confer any rights on any person nor shall operate to bind the Secretary or any person who is subject to such guidelines to the approach recommended in such guidelines. In any enforcement action with respect to motor vehicle safety, the Secretary must prove a violation of a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation. The Secretary may not build a case against or negotiate a consent order with any person based in whole or in part on practices of the person that are alleged to be inconsistent with any such guidelines.

''(3) A defendant may use compliance with any such guidelines as evidence of compliance with the provision of this subtitle, motor vehicle safety standard issued under this subtitle, or other statute or regulation under which such guidelines were developed.''.

It was decided in the affirmative ..... { Ayes ..... 235 / Noes ..... 192

¶140.11 [Roll No. 621]

AYES—235

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

NOES—192

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

NOT VOTING—6

| | | |
|---|---|---|
| DeFazio | Jeffries | Rush |
| Ellmers (NC) | Meeks | Takai |

So the amendment was agreed to.

¶140.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 18, printed in Part B of House Report 114-326, submitted by Mr. NEUGEBAUER:

Strike sections 52203 and 52205.

Insert after section 52202 the following:

**SEC. 52203. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.**

(a) ELIMINATION OF SURPLUS FUNDS.—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking ''AND SURPLUS FUNDS''; and

(B) in paragraph (2), by striking ''deposited in the surplus fund of the bank'' and inserting ''transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury''; and

(2) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) TRANSFER TO THE TREASURY.—The Federal reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

It was decided in the affirmative ..... { Ayes ..... 354 / Noes ..... 72

¶140.13 [Roll No. 622]

AYES—354

| | | |
|---|---|---|
| Abraham | Beatty | Bost |
| Adams | Benishek | Boustany |
| Aderholt | Bera | Boyle, Brendan F. |
| Aguilar | Beyer | Brady (PA) |
| Allen | Bishop (GA) | Brady (TX) |
| Amash | Bishop (MI) | Brat |
| Amodei | Bishop (UT) | Bridenstine |
| Ashford | Black | Brooks (AL) |
| Babin | Blackburn | Brooks (IN) |
| Barletta | Blum | Brownley (CA) |
| Barr | Blumenauer | Buchanan |
| Barton | Bonamici | |

Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capuano
Cárdenas
Carney
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Clark (MA)
Clawson (FL)
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Emmer (MN)
Eshoo
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sanford
Scalise
Schakowsky
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—72

Bass
Becerra
Brown (FL)
Butterfield
Capps
Carson (IN)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Cummings
Davis (CA)
Deutch
Doggett
Edwards
Engel
Farr
Fattah
Fudge
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Hinojosa
Honda
Hoyer
Jackson Lee
Johnson (GA)
Johnson, E. B.
Langevin
Lee
Lewis
Lofgren
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
McNerney
Nadler
Napolitano
Newhouse
Pallone
Payne
Pelosi
Pingree
Price (NC)
Rangel
Roybal-Allard
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schrader
Scott (VA)
Serrano
Slaughter
Smith (WA)
Speier
Takano
Tonko
Van Hollen
Veasey
Vela
Velázquez
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch

NOT VOTING—7

Bilirakis
DeFazio
Ellmers (NC)
Jeffries
Meeks
Rush
Takai

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. BYRNE, assumed the Chair.

When Mr. COLLINS of Georgia, Acting Chairman, reported the amendment of the Senate to the text of the bill H.R. 22, as amended by House Resolution 507, back to the House with sundry further amendments adopted by the Committee.

Pursuant to House Resolution 512, the previous question was ordered on the amendments.

Pursuant to House Resolution 507, the following amendment to the amendment of the Senate, printed in Part A of House Report 114-325, was considered as agreed to:

Page 888, strike line 13 and all that follows through page 889, line 15 and insert the following:

**SEC. 51101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.**

(a) HIGHWAY TRUST FUND.-Section 9503 of the Internal Revenue Code of 1986 is amended-

(1) by striking ''November 21, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2021'', and

(2) by striking ''Surface Transportation Extension Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Reauthorization and Reform Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.-Sec-tion 9504 of the Internal Revenue Code of 1986 is amended-

(1) by striking ''Surface Transportation Extension Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Reauthorization and Reform Act of 2015'', and

(2) by striking ''November 21, 2015'' in subsection (d)(2) and inserting ''October 1, 2021''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.-Sec-tion 9508(e)(2) of the Internal Revenue Code of 1986 is amended by striking ''November 21, 2015'' and inserting ''October 1, 2021''.

(d) EFFECTIVE DATE.-The amendments made by this section shall take effect on November 21, 2015.

Page 892, line 19, strike ''redesignating'' and all that follows through ''paragraph (6)'' on line 20 and insert ''redesignating paragraph (8) as paragraph (10) and inserting after paragraph (7)''.

Page 892, line 22, strike ''(7)'' and insert ''(8)''.

Page 893, line 1, strike ''$34,401,000,000'' and insert ''$25,976,000,000''.

Page 893, line 4, strike ''$11,214,000,000'' and insert ''$9,000,000,000''.

Page 893, line 6, strike ''(8)'' and insert ''(9)''.

Page 895, line 7, strike ''section 9503(f)(8)'' and insert ''section 9503(f)(9)''.

Page 895, strike line 16 and all that follows through page 901, line 9.

Page 907, strike line 13 and all that follows through page 916, line 25.

Page 928, strike line 4 and all that follows through line 17.

Page 928, strike line 19 and all that follows through line 24.

Page 987, strike line 16 and all that follows through page 988, line 20.

Page 1004, strike line 7 and all that follows through page 1005, line 8.

Pursuant to House Resolution 512, the question on agreeing to the amendments was put en gros.

Will the House agree to the amendments en gros?

The SPEAKER pro tempore, Mr. BYRNE, announced that the ayes had it.

Mr. SHUSTER demanded a recorded vote on agreeing to the amendments en gros, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 363 / Noes ..... 64

¶140.14 [Roll No. 623]

AYES—363

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
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Blum
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Boyle, Brendan F.
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Brooks (IN)
Brown (FL)
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Buchanan
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Bustos
Butterfield
Byrne
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Capps
Capuano
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
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Castro (TX)
Chabot
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Chu, Judy
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Clark (MA)
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Clyburn
Cohen
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Collins (GA)
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Comstock
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Connolly
Conyers
Cook
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Cramer
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Crowley
Cuellar
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Duncan (TN)
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Ellison
Emmer (MN)
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Esty
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Farr
Fattah
Fincher
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Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
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Gowdy
Graham
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Graves (GA)
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Herrera Beutler
Higgins
Hill
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Honda
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Kelly (IL)
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Kennedy
Kildee
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Kirkpatrick
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Knight
Kuster
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Langevin
Larsen (WA)
Larson (CT)
Latta
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Levin
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Lieu, Ted
Lipinski
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Lowenthal
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Lujan Grisham (NM)
Luján, Ben Ray (NM)
MacArthur
Maloney, Carolyn
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McGovern
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Pittenger
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Stivers
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Takano
Thompson (CA)
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Waters, Maxine
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Gohmert
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Poe (TX)
Pompeo
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Roskam
Rouzer
Salmon
Sanford
Schakowsky
Schweikert
Smith (MO)
Smith (TX)
Tipton
Weber (TX)
Williams
Wilson (SC)
Yoder
Yoho
Young (IA)

NOT VOTING—6

DeFazio
Ellmers (NC)
Jeffries
Meeks
Rush
Takai

So the amendments en gros were agreed to.

A motion to reconsider the vote whereby said amendments en gros were agreed to was, by unanimous consent, laid on the table.

The following sundry further amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

In the matter proposed to be inserted by the amendment of the Senate to the text of the bill, strike section 1 and all that follows through division B and insert the following:

**DIVISION A—SURFACE TRANSPORTATION**

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Surface Transportation Reauthorization and Reform Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

**SEC. 2. DEFINITIONS.**

In this Act, the following definitions apply:

(1) DEPARTMENT.—The term ''Department'' means the Department of Transportation.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

**SEC. 3. EFFECTIVE DATE.**

Except as otherwise provided, this Act, including the amendments made by this Act, takes effect on October 1, 2015.

**SEC. 4. REFERENCES.**

Except as expressly provided otherwise, any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this division.

## TITLE I—FEDERAL-AID HIGHWAYS

### Subtitle A—Authorizations and Programs

**SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation block grant program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, and to carry out section 134 of that title—

(A) $38,419,500,000 for fiscal year 2016;
(B) $39,113,500,000 for fiscal year 2017;
(C) $39,927,500,000 for fiscal year 2018;
(D) $40,764,000,000 for fiscal year 2019;
(E) $41,623,000,000 for fiscal year 2020; and
(F) $42,483,000,000 for fiscal year 2021.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, $200,000,000 for each of fiscal years 2016 through 2021.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—
(i) $465,000,000 for fiscal year 2016;
(ii) $475,000,000 for fiscal year 2017;
(iii) $485,000,000 for fiscal year 2018;
(iv) $490,000,000 for fiscal year 2019;
(v) $495,000,000 for fiscal year 2020; and
(vi) $500,000,000 for fiscal year 2021.
(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—
(i) IN GENERAL.—For the Federal lands transportation program under section 203 of title 23, United States Code—
(I) $325,000,000 for fiscal year 2016;
(II) $335,000,000 for fiscal year 2017;
(III) $345,000,000 for fiscal year 2018;
(IV) $350,000,000 for fiscal year 2019;
(V) $375,000,000 for fiscal year 2020; and
(VI) $400,000,000 for fiscal year 2021.
(ii) ALLOCATION.—Of the amount made available for a fiscal year under clause (i)—
(I) the amount for the National Park Service is—
(aa) $260,000,000 for fiscal year 2016;
(bb) $268,000,000 for fiscal year 2017;
(cc) $276,000,000 for fiscal year 2018;
(dd) $280,000,000 for fiscal year 2019;
(ee) $300,000,000 for fiscal year 2020; and
(ff) $320,000,000 for fiscal year 2021;
(II) the amount for the United States Fish and Wildlife Service is $30,000,000 for each of fiscal years 2016 through 2021; and
(III) the amount for the United States Forest Service is—
(aa) $15,000,000 for fiscal year 2016;
(bb) $16,000,000 for fiscal year 2017;
(cc) $17,000,000 for fiscal year 2018;
(dd) $18,000,000 for fiscal year 2019;
(ee) $19,000,000 for fiscal year 2020; and
(ff) $20,000,000 for fiscal year 2021.
(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code—
(i) $250,000,000 for fiscal year 2016;
(ii) $255,000,000 for fiscal year 2017;
(iii) $260,000,000 for fiscal year 2018;
(iv) $265,000,000 for fiscal year 2019;
(v) $270,000,000 for fiscal year 2020; and
(vi) $275,000,000 for fiscal year 2021.
(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, $200,000,000 for each of fiscal years 2016 through 2021.
(5) NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.—For nationally significant freight and highway projects under section 117 of title 23, United States Code—
(A) $725,000,000 for fiscal year 2016;
(B) $735,000,000 for fiscal year 2017; and
(C) $750,000,000 for each of fiscal years 2018 through 2021.
(b) DISADVANTAGED BUSINESS ENTERPRISES.—
(1) FINDINGS.—Congress finds that—
(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;
(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;
(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;
(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and
(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.
(2) DEFINITIONS.—In this subsection, the following definitions apply:
(A) SMALL BUSINESS CONCERN.—
(i) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).
(ii) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $23,980,000, as adjusted annually by the Secretary for inflation.
(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.
(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.
(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—
(A) survey and compile a list of the small business concerns referred to in paragraph (3) in the State, including the location of the small business concerns in the State; and
(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—
(i) women;
(ii) socially and economically disadvantaged individuals (other than women); and
(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.
(5) UNIFORM CERTIFICATION.—
(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.
(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—
(i) on-site visits;
(ii) personal interviews with personnel;
(iii) issuance or inspection of licenses;
(iv) analyses of stock ownership;
(v) listings of equipment;
(vi) analyses of bonding capacity;
(vii) listings of work completed;
(viii) examination of the resumes of principal owners;
(ix) analyses of financial capacity; and
(x) analyses of the type of work preferred.
(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—
(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and
(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.
(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with paragraph (3) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (3) is unconstitutional.

**SEC. 1102. OBLIGATION CEILING.**

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—
(1) $40,867,000,000 for fiscal year 2016;
(2) $41,599,000,000 for fiscal year 2017;
(3) $42,453,000,000 for fiscal year 2018;
(4) $43,307,000,000 for fiscal year 2019;
(5) $44,201,000,000 for fiscal year 2020; and
(6) $45,096,000,000 for fiscal year 2021.
(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—
(1) section 125 of title 23, United States Code;
(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);
(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);
(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);
(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);
(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);
(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);
(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);
(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;
(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);
(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;
(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to $639,000,000 for each of those fiscal years); and
(13) section 119 of title 23, United States Code (but, for fiscal years 2016 through 2021, only in an amount equal to $639,000,000 for each of those fiscal years).
(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2016 through 2021, the Secretary—

(1) shall not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) shall not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) shall determine the proportion that—

(A) the obligation authority provided by subsection (a) for the fiscal year, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the national highway performance program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2021—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141)) and 104 of title 23, United States Code.

(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of this Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2021, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

**SEC. 1103. DEFINITIONS.**

Section 101(a) of title 23, United States Code, is amended—

(1) by striking paragraph (29);

(2) by redesignating paragraphs (15) through (28) as paragraphs (16) through (29), respectively; and

(3) by inserting after paragraph (14) the following:

''(15) NATIONAL HIGHWAY FREIGHT NETWORK.—The term 'National Highway Freight Network' means the National Highway Freight Network established under section 167.''.

**SEC. 1104. APPORTIONMENT.**

(a) ADMINISTRATIVE EXPENSES.—Section 104(a)(1) of title 23, United States Code, is amended to read as follows:

''(1) IN GENERAL.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to be made available to the Secretary for administrative expenses of the Federal Highway Administration $440,000,000 for each of fiscal years 2016 through 2021.''.

(b) DIVISION AMONG PROGRAMS OF STATE'S SHARE OF BASE APPORTIONMENT.—Section 104(b) of title 23, United States Code, is amended—

(1) in the subsection heading by striking ''DIVISION OF STATE APPORTIONMENTS AMONG PROGRAMS'' and inserting ''DIVISION AMONG PROGRAMS OF STATE'S SHARE OF BASE APPORTIONMENT'';

(2) in the matter preceding paragraph (1)—

(A) by inserting ''of the base apportionment'' after ''the amount''; and

(B) by striking ''surface transportation program'' and inserting ''surface transportation block grant program'';

(3) in paragraph (2)—

(A) in the paragraph heading by striking ''SURFACE TRANSPORTATION PROGRAM'' and inserting ''SURFACE TRANSPORTATION BLOCK GRANT PROGRAM''; and

(B) by striking ''surface transportation program'' and inserting ''surface transportation block grant program''; and

(4) in each of paragraphs (4) and (5), in the matter preceding subparagraph (A), by inserting ''of the base apportionment'' after ''the amount''.

(c) CALCULATION OF STATE AMOUNTS.—Section 104(c) of title 23, United States Code, is amended to read as follows:

''(c) CALCULATION OF AMOUNTS.—

''(1) STATE SHARE.—For each of fiscal years 2016 through 2021, the amount for each State shall be determined as follows:

''(A) INITIAL AMOUNTS.—The initial amounts for each State shall be determined by multiplying—

''(i) each of—

''(I) the base apportionment;

''(II) supplemental funds reserved under subsection (h)(1) for the national highway performance program; and

''(III) supplemental funds reserved under subsection (h)(2) for the surface transportation block grant program; by

''(ii) the share for each State, which shall be equal to the proportion that—

''(I) the amount of apportionments that the State received for fiscal year 2015; bears to

''(II) the amount of those apportionments received by all States for that fiscal year.

''(B) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under subparagraph (A) shall be adjusted to ensure that each State receives an aggregate apportionment equal to at least 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(2) STATE APPORTIONMENT.—On October 1 of fiscal years 2016 through 2021, the Secretary shall apportion the sums authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134 in accordance with paragraph (1).''.

(d) SUPPLEMENTAL FUNDS.—Section 104 of title 23, United States Code, is amended by adding at the end the following:

''(h) SUPPLEMENTAL FUNDS.—

''(1) SUPPLEMENTAL FUNDS FOR NATIONAL HIGHWAY PERFORMANCE PROGRAM.—

''(A) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the national highway performance program under section 119 for that fiscal year an amount equal to—

''(i) $53,596,122 for fiscal year 2019;

''(ii) $66,717,816 for fiscal year 2020; and

''(iii) $79,847,397 for fiscal year 2021.

''(B) TREATMENT OF FUNDS.—Funds reserved under subparagraph (A) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(1), and shall be in addition to amounts apportioned under that subsection.

''(2) SUPPLEMENTAL FUNDS FOR SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—

''(A) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the surface transportation block grant program under section 133 for that fiscal year an amount equal to $819,900,000 pursuant to section 133(h), plus—

''(i) $70,526,310 for fiscal year 2016;

''(ii) $104,389,904 for fiscal year 2017;

''(iii) $148,113,536 for fiscal year 2018;

''(iv) $160,788,367 for fiscal year 2019;

''(v) $200,153,448 for fiscal year 2020; and

''(vi) $239,542,191 for fiscal year 2021.

''(B) TREATMENT OF FUNDS.—Funds reserved under subparagraph (A) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(2), and shall be in addition to amounts apportioned under that subsection.

''(i) BASE APPORTIONMENT DEFINED.—In this section, the term 'base apportionment' means—

''(1) the combined amount authorized for appropriation for the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134; minus

''(2) supplemental funds reserved under subsection (h) for the national highway performance program and the surface transportation block grant program.''.

**SEC. 1105. NATIONAL HIGHWAY PERFORMANCE PROGRAM.**

Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7)—

(A) by striking ''this paragraph'' and inserting ''section 150(e)''; and

(B) by inserting ''under section 150(e)'' after ''the next report submitted''; and

(2) by adding at the end the following:

''(h) TIFIA PROGRAM.—Upon Secretarial approval of credit assistance under chapter 6, the Secretary, at the request of a State, may allow the State to use funds apportioned under section 104(b)(1) to pay subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.

''(i) ADDITIONAL FUNDING ELIGIBILITY FOR CERTAIN BRIDGES.—

''(1) IN GENERAL.—Funds apportioned to a State to carry out the national highway performance program may be obligated for a project for the reconstruction, resurfacing, restoration, rehabilitation, or preservation of a bridge not on the National Highway System, if the bridge is on a Federal-aid highway.

''(2) LIMITATION.—A State required to make obligations under subsection (f) shall ensure such requirements are satisfied in order to use the flexibility under paragraph (1).''.

**SEC. 1106. SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.**

(a) FINDINGS.—Congress finds that—

(1) the benefits of the surface transportation block grant program accrue principally to the residents of each State and municipality where the funds are obligated;

(2) decisions about how funds should be obligated are best determined by the States and municipalities to respond to unique local circumstances and implement the most efficient solutions; and

(3) reforms of the program to promote flexibility will enhance State and local control over transportation decisions.

(b) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—Section 133 of title 23, United States Code, is amended—

(1) by striking subsections (a), (b), (c), and (d) and inserting the following:

''(a) ESTABLISHMENT.—The Secretary shall establish a surface transportation block grant program in accordance with this section to provide flexible funding to address State and local transportation needs.

''(b) ELIGIBLE PROJECTS.—Funds apportioned to a State under section 104(b)(2) for the surface transportation block grant program may be obligated for the following:

''(1) Construction of—

''(A) highways, bridges, tunnels, including designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40;

''(B) ferry boats and terminal facilities eligible for funding under section 129(c);

''(C) transit capital projects eligible for assistance under chapter 53 of title 49;

''(D) infrastructure-based intelligent transportation systems capital improvements;

''(E) truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note); and

''(F) border infrastructure projects eligible for funding under section 1303 of SAFETEA–LU (23 U.S.C. 101 note).

''(2) Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs.

''(3) Environmental measures eligible under sections 119(g), 328, and 329 and transportation control measures listed in section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (42 U.S.C. 7408(f)(1)(A)).

''(4) Highway and transit safety infrastructure improvements and programs, including railway-highway grade crossings.

''(5) Fringe and corridor parking facilities and programs in accordance with section 137 and carpool projects in accordance with section 146.

''(6) Recreational trails projects eligible for funding under section 206, pedestrian and bicycle projects in accordance with section 217 (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)), and the safe routes to school program under section 1404 of SAFETEA–LU (23 U.S.C. 402 note).

''(7) Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

''(8) Development and implementation of a State asset management plan for the National Highway System and a performance-based management program for other public roads.

''(9) Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets.

''(10) Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of this title.

''(11) Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal.

''(12) Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs.

''(13) At the request of a State, and upon Secretarial approval of credit assistance under chapter 6, subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.

''(14) The creation and operation by a State of an office to assist in the design, implementation, and oversight of public-private partnerships eligible to receive funding under this title and chapter 53 of title 49, and the payment of a stipend to unsuccessful private bidders to offset their proposal development costs, if necessary to encourage robust competition in public-private partnership procurements.

''(15) Any type of project eligible under this section as in effect on the day before the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, including projects described under section 101(a)(29) as in effect on such day.

''(c) LOCATION OF PROJECTS.—A surface transportation block grant project may not be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991, except—

''(1) for a bridge or tunnel project (other than the construction of a new bridge or tunnel at a new location);

''(2) for a project described in paragraphs (4) through (11) of subsection (b);

''(3) for a project described in section 101(a)(29), as in effect on the day before the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015; and

''(4) as approved by the Secretary.

''(d) ALLOCATIONS OF APPORTIONED FUNDS TO AREAS BASED ON POPULATION.—

''(1) CALCULATION.—Of the funds apportioned to a State under section 104(b)(2) (after the reservation of funds under subsection (h))—

''(A) the percentage specified in paragraph (6) for a fiscal year shall be obligated under this section, in proportion to their relative shares of the population of the State—

''(i) in urbanized areas of the State with an urbanized area population of over 200,000;

''(ii) in areas of the State other than urban areas with a population greater than 5,000; and

''(iii) in other areas of the State; and

''(B) the remainder may be obligated in any area of the State.

''(2) METROPOLITAN AREAS.—Funds attributed to an urbanized area under paragraph (1)(A)(i) may be obligated in the metropolitan area established under section 134 that encompasses the urbanized area.

''(3) CONSULTATION WITH REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—For purposes of paragraph (1)(A)(iii), before obligating funding attributed to an area with a population greater than 5,000 and less than 200,000, a State shall consult with the regional transportation planning organizations that represent the area, if any.

''(4) DISTRIBUTION AMONG URBANIZED AREAS OF OVER 200,000 POPULATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of funds that a State is required to obligate under paragraph (1)(A)(i) shall be obligated in urbanized areas described in paragraph (1)(A)(i) based on the relative population of the areas.

''(B) OTHER FACTORS.—The State may obligate the funds described in subparagraph (A) based on other factors if the State and the relevant metropolitan planning organizations jointly apply to the Secretary for the permission to base the obligation on other factors and the Secretary grants the request.

''(5) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with sections 134 and 135.

''(6) PERCENTAGE.—The percentage referred to in paragraph (1)(A) is—

''(A) for fiscal year 2016, 51 percent;

''(B) for fiscal year 2017, 52 percent;

''(C) for fiscal year 2018, 53 percent;
''(D) for fiscal year 2019, 54 percent;
''(E) for fiscal year 2020, 55 percent; and
''(F) for fiscal year 2021, 55 percent.'';
(2) by striking the section heading and inserting ''**Surface transportation block grant program**'';
(3) by striking subsection (e);
(4) by redesignating subsections (f) through (h) as subsections (e) through (g), respectively;
(5) in subsection (e)(1), as redesignated by this subsection—
(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and
(B) by striking ''fiscal years 2011 through 2014'' and inserting ''fiscal years 2016 through 2021'';
(6) in subsection (g)(1), as redesignated by this subsection, by striking ''under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014'' and inserting ''under subsection (d)(1)(A)(ii) for each of fiscal years 2016 through 2021''; and
(7) by adding at the end the following:
''(h) STP SET-ASIDE.—
''(1) RESERVATION OF FUNDS.—Of the funds apportioned to a State under section 104(b)(2) for each fiscal year, the Secretary shall reserve an amount such that—
''(A) the Secretary reserves a total of $819,900,000 under this subsection; and
''(B) the State's share of that total is determined by multiplying the amount under subparagraph (A) by the ratio that—
''(i) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP–21; bears to
''(ii) the total amount of funds apportioned to all States for the transportation enhancements program for fiscal year 2009.
''(2) ALLOCATION WITHIN A STATE.—Funds reserved for a State under paragraph (1) shall be obligated within that State in the manner described in subsection (d), except that, for purposes of this paragraph (after funds are made available under paragraph (5))—
''(A) for each fiscal year, the percentage referred to in paragraph (1)(A) of that subsection shall be deemed to be 50 percent; and
''(B) the following provisions shall not apply:
''(i) Paragraph (3) of subsection (d).
''(ii) Subsection (e).
''(3) ELIGIBLE PROJECTS.—Funds reserved under this subsection may be obligated for projects or activities described in section 101(a)(29) or 213, as such provisions were in effect on the day before the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015.
''(4) ACCESS TO FUNDS.—
''(A) IN GENERAL.—A State or metropolitan planning organization required to obligate funds in accordance with paragraph (2) shall develop a competitive process to allow eligible entities to submit projects for funding that achieve the objectives of this subsection. A metropolitan planning organization for an area described in subsection (d)(1)(A)(i) shall select projects under such process in consultation with the relevant State.
''(B) ELIGIBLE ENTITY DEFINED.—In this paragraph, the term 'eligible entity' means—
''(i) a local government;
''(ii) a regional transportation authority;
''(iii) a transit agency;
''(iv) a natural resource or public land agency;
''(v) a school district, local education agency, or school;
''(vi) a tribal government; and
''(vii) any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection.
''(5) CONTINUATION OF CERTAIN RECREATIONAL TRAILS PROJECTS.—For each fiscal year, a State shall—
''(A) obligate an amount of funds reserved under this section equal to the amount of the funds apportioned to the State for fiscal year 2009 under section 104(h)(2), as in effect on the day before the date of enactment of MAP–21, for projects relating to recreational trails under section 206;
''(B) return 1 percent of those funds to the Secretary for the administration of that program; and
''(C) comply with the provisions of the administration of the recreational trails program under section 206, including the use of apportioned funds described in subsection (d)(3)(A) of that section.
''(6) STATE FLEXIBILITY.—
''(A) RECREATIONAL TRAILS.—A State may opt out of the recreational trails program under paragraph (5) if the Governor of the State notifies the Secretary not later than 30 days prior to apportionments being made for any fiscal year.
''(B) LARGE URBANIZED AREAS.—A metropolitan planning area may use not to exceed 50 percent of the funds reserved under this subsection for an urbanized area described in subsection (d)(1)(A)(i) for any purpose eligible under subsection (b).
''(i) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects funded under this section (excluding those carried out under subsection (h)(5)) shall be treated as projects on a Federal-aid highway under this chapter.''.
(c) TECHNICAL AND CONFORMING AMENDMENTS.—
(1) SECTION 126.—Section 126(b)(2) of title 23, United States Code, is amended—
(A) by striking ''section 213'' and inserting ''section 133(h)''; and
(B) by striking ''section 213(c)(1)(B)'' and inserting ''section 133(h)''.
(2) SECTION 213.—Section 213 of title 23, United States Code, is repealed.
(3) SECTION 322.—Section 322(h)(3) of title 23, United States Code, is amended by striking ''surface transportation program'' and inserting ''surface transportation block grant program''.
(4) SECTION 504.—Section 504(a)(4) of title 23, United States Code, is amended—
(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and
(B) by striking ''surface transportation program'' and inserting ''surface transportation block grant program''.
(5) CHAPTER 1.—Chapter 1 of title 23, United States Code, is amended by striking ''surface transportation program'' each place it appears and inserting ''surface transportation block grant program''.
(6) CHAPTER ANALYSES.—
(A) CHAPTER 1.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 133 and inserting the following:

''133. Surface transportation block grant program.''.

(B) CHAPTER 2.—The item relating to section 213 in the analysis for chapter 2 of title 23, United States Code, is repealed.
(7) OTHER REFERENCES.—Any reference in any other law, regulation, document, paper, or other record of the United States to the surface transportation program under section 133 of title 23, United States Code, shall be deemed to be a reference to the surface transportation block grant program under such section.

**SEC. 1107. RAILWAY-HIGHWAY GRADE CROSSINGS.**

Section 130(e)(1) of title 23, United States Code, is amended to read as follows:
''(1) IN GENERAL.—
''(A) SET ASIDE.—Before making an apportionment under section 104(b)(3) for a fiscal year, the Secretary shall set aside, from amounts made available to carry out the highway safety improvement program under section 148 for such fiscal year, for the elimination of hazards and the installation of protective devices at railway-highway crossings at least—
''(i) $225,000,000 for fiscal year 2016;
''(ii) $230,000,000 for fiscal year 2017;
''(iii) $235,000,000 for fiscal year 2018;
''(iv) $240,000,000 for fiscal year 2019;
''(v) $245,000,000 for fiscal year 2020; and
''(vi) $250,000,000 for fiscal year 2021.
''(B) INSTALLATION OF PROTECTIVE DEVICES.—At least ½ of the funds set aside each fiscal year under subparagraph (A) shall be available for the installation of protective devices at railway-highway crossings.
''(C) OBLIGATION AVAILABILITY.—Sums set aside each fiscal year under subparagraph (A) shall be available for obligation in the same manner as funds apportioned under section 104(b)(1) of this title.''.

**SEC. 1108. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

(a) DEFINITIONS.—
(1) IN GENERAL.—Section 148(a) of title 23, United States Code, is amended—
(A) in paragraph (4)(B)—
(i) in the matter preceding clause (i), by striking ''includes, but is not limited to,'' and inserting ''only includes''; and
(ii) by adding at the end the following:
''(xxv) Installation of vehicle-to-infrastructure communication equipment.
''(xxvi) Pedestrian hybrid beacons.
''(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.
''(xxviii) A physical infrastructure safety project not described in clauses (i) through (xxvii).'';
(B) by striking paragraph (10); and
(C) by redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively.
(2) CONFORMING AMENDMENTS.—Section 148 of title 23, United States Code, is amended—
(A) in subsection (c)(1)(A) by striking ''subsections (a)(12)'' and inserting ''subsections (a)(11)''; and
(B) in subsection (d)(2)(B)(i) by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)''.
(b) DATA COLLECTION.—Section 148(f) of title 23, United States Code, is amended by adding at the end the following:
''(3) PROCESS.—The Secretary shall establish a process to allow a State to cease to collect the subset referred to in paragraph (2)(A) for public roads that are gravel roads or otherwise unpaved if—
''(A) the State does not use funds provided to carry out this section for a project on such roads until the State completes a collection of the required model inventory of roadway elements for the roads; and
''(B) the State demonstrates that the State consulted with affected Indian tribes before ceasing to collect data with respect to such roads that are included in the National Tribal Transportation Facility Inventory.
''(4) RULE OF CONSTRUCTION.—Nothing in paragraph (3) may be construed to allow a State to cease data collection related to serious injuries or fatalities.''.
(c) RURAL ROAD SAFETY.—Section 148(g)(1) of title 23, United States Code, is amended—
(1) by striking ''If the fatality rate'' and inserting the following:
''(A) IN GENERAL.—If the fatality rate''; and
(2) by adding at the end the following:
''(B) FATALITIES EXCEEDING THE MEDIAN RATE.—If the fatality rate on rural roads in

a State, for the most recent 2-year period for which data is available, is more than the median fatality rate for rural roads among all States for such 2-year period, the State shall be required to demonstrate, in the subsequent State strategic highway safety plan of the State, strategies to address fatalities and achieve safety improvements on high risk rural roads.''.

(d) COMMERCIAL MOTOR VEHICLE SAFETY BEST PRACTICES.—

(1) REVIEW.—The Secretary shall conduct a review of best practices with respect to the implementation of roadway safety infrastructure improvements that—

(A) are cost effective; and

(B) reduce the number or severity of accidents involving commercial motor vehicles.

(2) CONSULTATION.—In conducting the review under paragraph (1), the Secretary shall consult with State transportation departments and units of local government.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make available on the public Internet Web site of the Department, a report describing the results of the review conducted under paragraph (1).

**SEC. 1109. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.**

(a) ELIGIBLE PROJECTS.—Section 149(b) of title 23, United States Code, is amended—

(1) in paragraph (7) by striking ''or'' at the end;

(2) in paragraph (8) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(9) if the project or program is for the installation of vehicle-to-infrastructure communication equipment.''.

(b) STATES FLEXIBILITY.—Section 149(d) of title 23, United States Code, is amended to read as follows:

''(d) STATES FLEXIBILITY.—

''(1) STATES WITHOUT A NONATTAINMENT AREA.—If a State does not have, and never has had, a nonattainment area designated under the Clean Air Act (42 U.S.C. 7401 et seq.), the State may use funds apportioned to the State under section 104(b)(4) for any project in the State that—

''(A) would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area; or

''(B) is eligible under the surface transportation block grant program under section 133.

''(2) STATES WITH A NONATTAINMENT AREA.—

''(A) IN GENERAL.—If a State has a nonattainment area or maintenance area and received funds in fiscal year 2009 under section 104(b)(2)(D), as in effect on the day before the date of enactment of the MAP–21, above the amount of funds that the State would have received based on the nonattainment and maintenance area population of the State under subparagraphs (B) and (C) of section 104(b)(2), as in effect on the day before the date of enactment of the MAP–21, the State may use, for any project that would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or is eligible under the surface transportation block grant program under section 133, an amount of funds apportioned to such State under section 104(b)(4) that is equal to the product obtained by multiplying—

''(i) the amount apportioned to such State under section 104(b)(4) (excluding the amounts reserved for obligation under subsection (k)(1)); by

''(ii) the ratio calculated under subparagraph (B).

''(B) RATIO.—For purposes of this paragraph, the ratio shall be calculated as the proportion that—

''(i) the amount for fiscal year 2009 such State was permitted by section 149(c)(2), as in effect on the day before the date of enactment of the MAP–21, to obligate in any area of the State for projects eligible under section 133, as in effect on the day before the date of enactment of the MAP–21; bears to

''(ii) the total apportionment to such State for fiscal year 2009 under section 104(b)(2), as in effect on the day before the date of enactment of the MAP–21.

''(3) CHANGES IN DESIGNATION.—If a new nonattainment area is designated or a previously designated nonattainment area is redesignated as an attainment area in a State under the Clean Air Act (42 U.S.C. 7401 et seq.), the Secretary shall modify, in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP–21, the amount such State is permitted to obligate in any area of the State for projects eligible under section 133.''.

(c) PRIORITY CONSIDERATION.—Section 149(g)(3) of title 23, United States Code, is amended to read as follows:

''(3) PRIORITY CONSIDERATION.—

''(A) IN GENERAL.—In distributing funds received for congestion mitigation and air quality projects and programs from apportionments under section 104(b)(4) in areas designated as nonattainment or maintenance for PM2.5 under the Clean Air Act (42 U.S.C. 7401 et seq.) and where regional motor vehicle emissions are not an insignificant contributor to the air quality problem for PM2.5, States and metropolitan planning organizations shall give priority to projects, including diesel retrofits, that are proven to reduce direct emissions of PM2.5.

''(B) USE OF FUNDING.—To the maximum extent practicable, funding used in an area described in subparagraph (A) shall be used on the most cost-effective projects and programs that are proven to reduce directly emitted fine particulate matter.''.

(d) PRIORITY FOR USE OF FUNDS IN PM2.5 AREAS.—Section 149(k) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking ''such fine particulate'' and inserting ''directly emitted fine particulate''; and

(2) by adding at the end the following:

''(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—

''(A) EXCEPTION.—For any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, subsection (g)(3) and paragraphs (1) and (2) of this subsection do not apply to a nonattainment or maintenance area in the State if—

''(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and

''(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.

''(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set aside under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.''.

(e) PERFORMANCE PLAN.—Section 149(l)(1)(B) of title 23, United States Code, is amended by inserting ''emission and congestion reduction'' after ''achieving the''.

**SEC. 1110. NATIONAL HIGHWAY FREIGHT POLICY.**

(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended to read as follows:

**''§ 167. National highway freight policy**

''(a) IN GENERAL.—It is the policy of the United States to improve the condition and performance of the National Highway Freight Network established under this section to ensure that the Network provides a foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).

''(b) GOALS.—The goals of the national highway freight policy are—

''(1) to invest in infrastructure improvements and to implement operational improvements that—

''(A) strengthen the contribution of the National Highway Freight Network to the economic competitiveness of the United States;

''(B) reduce congestion and bottlenecks on the National Highway Freight Network; and

''(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

''(2) to improve the safety, security, and resilience of highway freight transportation;

''(3) to improve the state of good repair of the National Highway Freight Network;

''(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Highway Freight Network;

''(5) to improve the economic efficiency of the National Highway Freight Network;

''(6) to improve the short and long distance movement of goods that—

''(A) travel across rural areas between population centers; and

''(B) travel between rural areas and population centers;

''(7) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address highway freight connectivity; and

''(8) to reduce the environmental impacts of freight movement on the National Highway Freight Network.

''(c) ESTABLISHMENT OF NATIONAL HIGHWAY FREIGHT NETWORK.—

''(1) IN GENERAL.—The Secretary shall establish a National Highway Freight Network in accordance with this section to strategically direct Federal resources and policies toward improved performance of the Network.

''(2) NETWORK COMPONENTS.—The National Highway Freight Network shall consist of—

''(A) the Interstate System;

''(B) non-Interstate highway segments on the 41,000-mile comprehensive primary freight network developed by the Secretary under section 167(d) as in effect on the day before the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015; and

''(C) additional non-Interstate highway segments designated by the States under subsection (d).

''(d) STATE ADDITIONS TO NETWORK.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, each State, in consultation with the State freight advisory committee, may increase the number of miles designated as part of the National Highway Freight Network by not more than 10 percent of the miles designated in that State under subparagraphs (A) and (B) of subsection (c)(2) if the additional miles—

''(A) close gaps between segments of the National Highway Freight Network;

''(B) establish connections from the National Highway Freight Network to critical facilities for the efficient movement of freight, including ports, freight railroads, international border crossings, airports, intermodal facilities, warehouse and logistics centers, and agricultural facilities; or

''(C) are part of critical emerging freight corridors or critical commerce corridors.

''(2) SUBMISSION.—Each State shall—

''(A) submit to the Secretary a list of the additional miles added under this subsection; and

''(B) certify that the additional miles meet the requirements of paragraph (1).

''(e) REDESIGNATION.—

''(1) REDESIGNATION BY SECRETARY.—

''(A) IN GENERAL.—Effective beginning 5 years after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, and every 5 years thereafter, the Secretary shall redesignate the highway segments designated by the Secretary under subsection (c)(2)(B) that are on the National Highway Freight Network.

''(B) CONSIDERATIONS.—In redesignating highway segments under subparagraph (A), the Secretary shall consider—

''(i) changes in the origins and destinations of freight movements in the United States;

''(ii) changes in the percentage of annual average daily truck traffic in the annual average daily traffic on principal arterials;

''(iii) changes in the location of key facilities;

''(iv) critical emerging freight corridors; and

''(v) network connectivity.

''(C) LIMITATION.—Each redesignation under subparagraph (A) may increase the mileage on the National Highway Freight Network designated by the Secretary by not more than 3 percent.

''(2) REDESIGNATION BY STATES.—

''(A) IN GENERAL.—Effective beginning 5 years after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, and every 5 years thereafter, each State may, in consultation with the State freight advisory committee, redesignate the highway segments designated by the State under subsection (c)(2)(C) that are on the National Highway Freight Network.

''(B) CONSIDERATIONS.—In redesignating highway segments under subparagraph (A), the State shall consider—

''(i) gaps between segments of the National Highway Freight Network;

''(ii) needed connections from the National Highway Freight Network to critical facilities for the efficient movement of freight, including ports, freight railroads, international border crossings, airports, intermodal facilities, warehouse and logistics centers, and agricultural facilities; and

''(iii) critical emerging freight corridors or critical commerce corridors.

''(C) LIMITATION.—Each redesignation under subparagraph (A) may increase the mileage on the National Highway Freight Network designated by the State by not more than 3 percent.

''(D) RESUBMISSION.—Each State, under the advisement of the State freight advisory committee, shall—

''(i) submit to the Secretary a list of the miles redesignated under this paragraph; and

''(ii) certify that the redesignated miles meet the requirements of subsection (d)(1).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 167 and inserting the following:

''167. National highway freight policy.''.

**SEC. 1111. NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.**

(a) IN GENERAL.—Title 23, United States Code, is amended by inserting after section 116 the following:

**''§ 117. Nationally significant freight and highway projects**

''(a) ESTABLISHMENT.—There is established a nationally significant freight and highway projects program to provide financial assistance for projects of national or regional significance that will—

''(1) improve the safety, efficiency, and reliability of the movement of freight and people;

''(2) generate national or regional economic benefits and an increase in the global economic competitiveness of the United States;

''(3) reduce highway congestion and bottlenecks;

''(4) improve connectivity between modes of freight transportation; or

''(5) enhance the strength, durability, and serviceability of critical highway infrastructure.

''(b) GRANT AUTHORITY.—In carrying out the program established in subsection (a), the Secretary may make grants, on a competitive basis, in accordance with this section.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—The Secretary may make a grant under this section to the following:

''(A) A State or group of States.

''(B) A metropolitan planning organization that serves an urbanized area (as defined by the Bureau of the Census) with a population of more than 200,000 individuals.

''(C) A unit of local government.

''(D) A special purpose district or public authority with a transportation function, including a port authority.

''(E) A Federal land management agency that applies jointly with a State or group of States.

''(2) APPLICATIONS.—To be eligible for a grant under this section, an entity specified in paragraph (1) shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines is appropriate.

''(d) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—Except as provided in subsection (h), the Secretary may make a grant under this section only for a project that—

''(A) is—

''(i) a freight project carried out on the National Highway Freight Network established under section 167 of this title;

''(ii) a highway or bridge project carried out on the National Highway System;

''(iii) an intermodal or rail freight project carried out on the National Multimodal Freight Network established under section 70103 of title 49; or

''(iv) a railway-highway grade crossing or grade separation project; and

''(B) has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(i) $100,000,000; or

''(ii) in the case of a project—

''(I) located in 1 State, 30 percent of the amount apportioned under this chapter to the State in the most recently completed fiscal year; or

''(II) located in more than 1 State, 50 percent of the amount apportioned under this chapter to the participating State with the largest apportionment under this chapter in the most recently completed fiscal year.

''(2) LIMITATION.—

''(A) IN GENERAL.—Not more than $500,000,000 of the amounts made available for grants under this section for fiscal years 2016 through 2021, in the aggregate, may be used to make grants for projects described in paragraph (1)(A)(iii) and such a project may only receive a grant under this section if—

''(i) the project will make a significant improvement to freight movements on the National Highway Freight Network; and

''(ii) the Federal share of the project funds only elements of the project that provide public benefits.

''(B) EXCLUSIONS.—The limitation under subparagraph (A) shall—

''(i) not apply to a railway-highway grade crossing or grade separation project; and

''(ii) with respect to a multimodal project, shall apply only to the non-highway portion or portions of the project.

''(e) ELIGIBLE PROJECT COSTS.—Grant amounts received for a project under this section may be used for—

''(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements.

''(f) PROJECT REQUIREMENTS.—The Secretary may make a grant for a project described under subsection (d) only if the relevant applicant demonstrates that—

''(1) the project will generate national or regional economic, mobility, or safety benefits;

''(2) the project will be cost effective;

''(3) the project will contribute to the accomplishment of 1 or more of the national goals described under section 150 of this title;

''(4) the project is based on the results of preliminary engineering;

''(5) with respect to related non-Federal financial commitments—

''(A) 1 or more stable and dependable sources of funding and financing are available to construct, maintain, and operate the project; and

''(B) contingency amounts are available to cover unanticipated cost increases;

''(6) the project cannot be easily addressed using other funding available to the project sponsor under this chapter; and

''(7) the project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project.

''(g) ADDITIONAL CONSIDERATIONS.—In making a grant under this section, the Secretary shall consider—

''(1) the extent to which a project utilizes nontraditional financing, innovative design and construction techniques, or innovative technologies;

''(2) the amount and source of non-Federal contributions with respect to the proposed project; and

''(3) the need for geographic diversity among grant recipients, including the need for a balance between the needs of rural and urban communities.

''(h) RESERVED AMOUNTS.—

''(1) IN GENERAL.—The Secretary shall reserve not less than 10 percent of the amounts made available for grants under this section each fiscal year to make grants for projects described in subsection (d)(1)(A)(i) that do not satisfy the minimum threshold under subsection (d)(1)(B).

''(2) GRANT AMOUNT.—Each grant made under this subsection shall be in an amount that is at least $5,000,000.

''(3) PROJECT SELECTION CONSIDERATIONS.—In addition to other applicable requirements, in making grants under this subsection the Secretary shall consider—

''(A) the cost effectiveness of the proposed project; and

''(B) the effect of the proposed project on mobility in the State and region in which the project is carried out.

''(4) EXCESS FUNDING.—In any fiscal year in which qualified applications for grants under this subsection will not allow for the amount reserved under paragraph (1) to be fully utilized, the Secretary shall use the unutilized amounts to make other grants under this section.

''(5) RURAL AREAS.—The Secretary shall reserve not less than 20 percent of the amounts made available for grants under this section, including the amounts made available under paragraph (1), each fiscal year to make grants for projects located in rural areas.

''(i) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost of a project assisted with a grant under this section may not exceed 50 percent.

''(2) NON-FEDERAL SHARE.—Funds apportioned to a State under section 104(b)(1) or 104(b)(2) may be used to satisfy the non-Federal share of the cost of a project for which a grant is made under this section so long as the total amount of Federal funding for the project does not exceed 80 percent of project costs.

''(j) AGREEMENTS TO COMBINE AMOUNTS.—Two or more entities specified in subsection (c)(1) may combine, pursuant to an agreement entered into by the entities, any part of the amounts provided to the entities from grants under this section for a project for which the relevant grants were made if—

''(1) the agreement will benefit each entity entering into the agreement; and

''(2) the agreement is not in violation of a law of any such entity.

''(k) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project is located on a Federal-aid highway.

''(l) TIFIA PROGRAM.—At the request of an eligible applicant under this section, the Secretary may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

''(m) CONGRESSIONAL NOTIFICATION.—

''(1) NOTIFICATION.—At least 60 days before making a grant for a project under this section, the Secretary shall notify, in writing, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the proposed grant. The notification shall include an evaluation and justification for the project and the amount of the proposed grant award.

''(2) CONGRESSIONAL DISAPPROVAL.—The Secretary may not make a grant or any other obligation or commitment to fund a project under this section if a joint resolution is enacted disapproving funding for the project before the last day of the 60-day period described in paragraph (1).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 116 the following:

''117. Nationally significant freight and highway projects.''.

(c) REPEAL.—Section 1301 of SAFETEA–LU (23 U.S.C. 101 note), and the item relating to that section in the table of contents in section 1(b) of such Act, are repealed.

**SEC. 1112. TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.**

Section 165(a) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking ''$150,000,000'' and inserting ''$158,000,000''; and

(2) in paragraph (2) by striking ''$40,000,000'' and inserting ''$42,000,000''.

**SEC. 1113. FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAM.**

Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

''(C) TRIBAL DATA COLLECTION.—In addition to the data to be collected under subparagraph (A), not later than 90 days after the last day of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of the Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

''(i) The names of projects and activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

''(ii) A description of the projects and activities identified under clause (i).

''(iii) The current status of the projects and activities identified under clause (i).

''(iv) An estimate of the number of jobs created and the number of jobs retained by the projects and activities identified under clause (i).''.

**SEC. 1114. TRIBAL TRANSPORTATION PROGRAM.**

Section 202(a)(6) of title 23, United States Code, is amended by striking ''6 percent'' and inserting ''5 percent''.

**SEC. 1115. FEDERAL LANDS TRANSPORTATION PROGRAM.**

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)(B) by striking ''operation'' and inserting ''capital, operations,'';

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv) by striking ''and'' at the end;

(ii) in clause (v) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(vi) the Bureau of Reclamation; and

''(vii) independent Federal agencies with natural resource and land management responsibilities.''; and

(B) in paragraph (2)(B)—

(i) in the matter preceding clause (i) by inserting ''performance management, including'' after ''support''; and

(ii) in clause (i)(II) by striking '', and'' and inserting ''; and''; and

(3) in subsection (c)(2)(B) by adding at the end the following:

''(vi) The Bureau of Reclamation.''.

**SEC. 1116. TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM.**

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 206 the following:

**''SEC. 207. TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM.**

''(a) ESTABLISHMENT.—Subject to the requirements of this section, the Secretary shall establish and carry out a program to be known as the tribal transportation self-governance program. The Secretary may delegate responsibilities for administration of the program as the Secretary determines appropriate.

''(b) ELIGIBILITY.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), an Indian tribe shall be eligible to participate in the program if the Indian tribe requests participation in the program by resolution or other official action by the governing body of the Indian tribe, and demonstrates, for the preceding 3 fiscal years, financial stability and financial management capability, and transportation program management capability.

''(2) CRITERIA FOR DETERMINING FINANCIAL STABILITY AND FINANCIAL MANAGEMENT CAPACITY.—For the purposes of paragraph (1), evidence that, during the preceding 3 fiscal years, an Indian tribe had no uncorrected significant and material audit exceptions in the required annual audit of the Indian tribe's self-determination contracts or self-governance funding agreements with any Federal agency shall be conclusive evidence of the required financial stability and financial management capability.

''(3) CRITERIA FOR DETERMINING TRANSPORTATION PROGRAM MANAGEMENT CAPABILITY.—The Secretary shall require an Indian tribe to demonstrate transportation program management capability, including the capability to manage and complete projects eligible under this title and projects eligible under chapter 53 of title 49, to gain eligibility for the program.

''(c) COMPACTS.—

''(1) COMPACT REQUIRED.—Upon the request of an eligible Indian tribe, and subject to the requirements of this section, the Secretary shall negotiate and enter into a written compact with the Indian tribe for the purpose of providing for the participation of the Indian tribe in the program.

''(2) CONTENTS.—A compact entered into under paragraph (1) shall set forth the general terms of the government-to-government relationship between the Indian tribe and the United States under the program and other terms that will continue to apply in future fiscal years.

''(3) AMENDMENTS.—A compact entered into with an Indian tribe under paragraph (1) may be amended only by mutual agreement of the Indian tribe and the Secretary.

''(d) ANNUAL FUNDING AGREEMENTS.—

''(1) FUNDING AGREEMENT REQUIRED.—After entering into a compact with an Indian tribe under subsection (c), the Secretary shall negotiate and enter into a written annual funding agreement with the Indian tribe.

''(2) CONTENTS.—

''(A) IN GENERAL.—

''(i) FORMULA FUNDING AND DISCRETIONARY GRANTS.—A funding agreement entered into with an Indian tribe shall authorize the Indian tribe, as determined by the Indian tribe, to plan, conduct, consolidate, administer, and receive full tribal share funding, tribal transit formula funding, and funding to tribes from discretionary and competitive grants administered by the Department for all programs, services, functions, and activities (or portions thereof) that are made available to Indian tribes to carry out tribal transportation programs and programs, services, functions, and activities (or portions thereof) administered by the Secretary that are otherwise available to Indian tribes.

''(ii) TRANSFERS OF STATE FUNDS.—

''(I) INCLUSION OF TRANSFERRED FUNDS IN FUNDING AGREEMENT.—A funding agreement entered into with an Indian tribe shall include Federal-aid funds apportioned to a State under chapter 1 if the State elects to provide a portion of such funds to the Indian tribe for a project eligible under section 202(a).

''(II) METHOD FOR TRANSFERS.—If a State elects to provide funds described in subclause (I) to an Indian tribe, the State shall transfer the funds back to the Secretary and the Secretary shall transfer the funds to the Indian tribe in accordance with this section.

''(III) RESPONSIBILITY FOR TRANSFERRED FUNDS.—Notwithstanding any other provision of law, if a State provides funds described in subclause (I) to an Indian tribe—

''(aa) the State shall not be responsible for constructing or maintaining a project carried out using the funds or for administering or supervising the project or funds during the applicable statute of limitations period related to the construction of the project; and

''(bb) the Indian tribe shall be responsible for constructing and maintaining a project carried out using the funds and for administering and supervising the project and funds in accordance with this section during the applicable statute of limitations period related to the construction of the project.

''(B) ADMINISTRATION OF TRIBAL SHARES.—The tribal shares referred to in subparagraph (A) shall be provided without regard to the agency or office of the Department within

which the program, service, function, or activity (or portion thereof) is performed.

''(C) FLEXIBLE AND INNOVATIVE FINANCING.—

''(i) IN GENERAL.—A funding agreement entered into with an Indian tribe under paragraph (1) shall include provisions pertaining to flexible and innovative financing if agreed upon by the parties.

''(ii) TERMS AND CONDITIONS.—

''(I) AUTHORITY TO ISSUE REGULATIONS.—The Secretary may issue regulations to establish the terms and conditions relating to the flexible and innovative financing provisions referred to in clause (i).

''(II) TERMS AND CONDITIONS IN ABSENCE OF REGULATIONS.—If the Secretary does not issue regulations under subclause (I), the terms and conditions relating to the flexible and innovative financing provisions referred to in clause (i) shall be consistent with—

''(aa) agreements entered into by the Department under—

''(AA) section 202(b)(7); and

''(BB) section 202(d)(5), as in effect before the date of enactment of MAP–21 (Public Law 112–141); or

''(bb) regulations of the Department of the Interior relating to flexible financing contained in part 170 of title 25, Code of Federal Regulations, as in effect on the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015.

''(3) TERMS.—A funding agreement shall set forth—

''(A) terms that generally identify the programs, services, functions, and activities (or portions thereof) to be performed or administered by the Indian tribe; and

''(B) for items identified in subparagraph (A)—

''(i) the general budget category assigned;

''(ii) the funds to be provided, including those funds to be provided on a recurring basis;

''(iii) the time and method of transfer of the funds;

''(iv) the responsibilities of the Secretary and the Indian tribe; and

''(v) any other provision agreed to by the Indian tribe and the Secretary.

''(4) SUBSEQUENT FUNDING AGREEMENTS.—

''(A) APPLICABILITY OF EXISTING AGREEMENT.—Absent notification from an Indian tribe that the Indian tribe is withdrawing from or retroceding the operation of 1 or more programs, services, functions, or activities (or portions thereof) identified in a funding agreement, or unless otherwise agreed to by the parties, each funding agreement shall remain in full force and effect until a subsequent funding agreement is executed.

''(B) EFFECTIVE DATE OF SUBSEQUENT AGREEMENT.—The terms of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement.

''(5) CONSENT OF INDIAN TRIBE REQUIRED.—The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian tribe that is subject to the agreement unless such terms are required by Federal law.

''(e) GENERAL PROVISIONS.—

''(1) REDESIGN AND CONSOLIDATION.—

''(A) IN GENERAL.—An Indian tribe, in any manner that the Indian tribe considers to be in the best interest of the Indian community being served, may—

''(i) redesign or consolidate programs, services, functions, and activities (or portions thereof) included in a funding agreement; and

''(ii) reallocate or redirect funds for such programs, services, functions, and activities (or portions thereof), if the funds are—

''(I) expended on projects identified in a transportation improvement program approved by the Secretary; and

''(II) used in accordance with the requirements in—

''(aa) appropriations Acts;

''(bb) this title and chapter 53 of title 49; and

''(cc) any other applicable law.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), if, pursuant to subsection (d), an Indian tribe receives a discretionary or competitive grant from the Secretary or receives State apportioned funds, the Indian tribe shall use the funds for the purpose for which the funds were originally authorized.

''(2) RETROCESSION.—

''(A) IN GENERAL.—

''(i) AUTHORITY OF INDIAN TRIBES.—An Indian tribe may retrocede (fully or partially) to the Secretary programs, services, functions, or activities (or portions thereof) included in a compact or funding agreement.

''(ii) REASSUMPTION OF REMAINING FUNDS.—Following a retrocession described in clause (i), the Secretary may—

''(I) reassume the remaining funding associated with the retroceded programs, functions, services, and activities (or portions thereof) included in the applicable compact or funding agreement;

''(II) out of such remaining funds, transfer funds associated with Department of Interior programs, services, functions, or activities (or portions thereof) to the Secretary of the Interior to carry out transportation services provided by the Secretary of the Interior; and

''(III) distribute funds not transferred under subclause (II) in accordance with applicable law.

''(iii) CORRECTION OF PROGRAMS.—If the Secretary makes a finding under subsection (f)(2)(B) and no funds are available under subsection (f)(2)(A)(ii), the Secretary shall not be required to provide additional funds to complete or correct any programs, functions, services, or activities (or portions thereof).

''(B) EFFECTIVE DATE.—Unless the Indian tribe rescinds a request for retrocession, the retrocession shall become effective within the timeframe specified by the parties in the compact or funding agreement. In the absence of such a specification, the retrocession shall become effective on—

''(i) the earlier of—

''(I) 1 year after the date of submission of the request; or

''(II) the date on which the funding agreement expires; or

''(ii) such date as may be mutually agreed upon by the parties and, with respect to Department of the Interior programs, functions, services, and activities (or portions thereof), the Secretary of the Interior.

''(f) PROVISIONS RELATING TO SECRETARY.—

''(1) DECISIONMAKER.—A decision that relates to an appeal of the rejection of a final offer by the Department shall be made either—

''(A) by an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency in which the decision that is the subject of the appeal was made; or

''(B) by an administrative judge.

''(2) TERMINATION OF COMPACT OR FUNDING AGREEMENT.—

''(A) AUTHORITY TO TERMINATE.—

''(i) PROVISION TO BE INCLUDED IN COMPACT OR FUNDING AGREEMENT.—A compact or funding agreement shall include a provision authorizing the Secretary, if the Secretary makes a finding described in subparagraph (B), to—

''(I) terminate the compact or funding agreement (or a portion thereof); and

''(II) reassume the remaining funding associated with the reassumed programs, functions, services, and activities included in the compact or funding agreement.

''(ii) TRANSFERS OF FUNDS.—Out of any funds reassumed under clause (i)(II), the Secretary may transfer the funds associated with Department of the Interior programs, functions, services, and activities (or portions thereof) to the Secretary of the Interior to provide continued transportation services in accordance with applicable law.

''(B) FINDINGS RESULTING IN TERMINATION.—The finding referred to in subparagraph (A) is a specific finding of—

''(i) imminent jeopardy to a trust asset, natural resources, or public health and safety that is caused by an act or omission of the Indian tribe and that arises out of a failure to carry out the compact or funding agreement, as determined by the Secretary; or

''(ii) gross mismanagement with respect to funds or programs transferred to the Indian tribe under the compact or funding agreement, as determined by the Secretary in consultation with the Inspector General of the Department, as appropriate.

''(C) PROHIBITION.—The Secretary shall not terminate a compact or funding agreement (or portion thereof) unless—

''(i) the Secretary has first provided written notice and a hearing on the record to the Indian tribe that is subject to the compact or funding agreement; and

''(ii) the Indian tribe has not taken corrective action to remedy the mismanagement of funds or programs or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

''(D) EXCEPTION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (C), the Secretary, upon written notification to an Indian tribe that is subject to a compact or funding agreement, may immediately terminate the compact or funding agreement (or portion thereof) if—

''(I) the Secretary makes a finding of imminent substantial and irreparable jeopardy to a trust asset, natural resource, or public health and safety; and

''(II) the jeopardy arises out of a failure to carry out the compact or funding agreement.

''(ii) HEARINGS.—If the Secretary terminates a compact or funding agreement (or portion thereof) under clause (i), the Secretary shall provide the Indian tribe subject to the compact or agreement with a hearing on the record not later than 10 days after the date of such termination.

''(E) BURDEN OF PROOF.—In any hearing or appeal involving a decision to terminate a compact or funding agreement (or portion thereof) under this paragraph, the Secretary shall have the burden of proof in demonstrating by clear and convincing evidence the validity of the grounds for the termination.

''(g) COST PRINCIPLES.—In administering funds received under this section, an Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by section 450j–1 of title 25, other provisions of law, or by any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget. No other audit or accounting standards shall be required by the Secretary. Any claim by the Federal Government against the Indian tribe relating to funds received under a funding agreement based on any audit conducted pursuant to this subsection shall be subject to the provisions of section 450j–1(f) of title 25.

''(h) TRANSFER OF FUNDS.—The Secretary shall provide funds to an Indian tribe under a funding agreement in an amount equal to—

''(1) the sum of the funding that the Indian tribe would otherwise receive for the pro-

gram, function, service, or activity in accordance with a funding formula or other allocation method established under this title or chapter 53 of title 49; and

''(2) such additional amounts as the Secretary determines equal the amounts that would have been withheld for the costs of the Bureau of Indian Affairs for administration of the program or project.

''(i) CONSTRUCTION PROGRAMS.—

''(1) STANDARDS.—Construction projects carried out under programs administered by an Indian tribe with funds transferred to the Indian tribe pursuant to a funding agreement entered into under this section shall be constructed pursuant to the construction program standards set forth in applicable regulations or as specifically approved by the Secretary (or the Secretary's designee).

''(2) MONITORING.—Construction programs shall be monitored by the Secretary in accordance with applicable regulations.

''(j) FACILITATION.—

''(1) SECRETARIAL INTERPRETATION.—Except as otherwise provided by law, the Secretary shall interpret all Federal laws, Executive orders, and regulations in a manner that will facilitate—

''(A) the inclusion of programs, services, functions, and activities (or portions thereof) and funds associated therewith, in compacts and funding agreements; and

''(B) the implementation of the compacts and funding agreements.

''(2) REGULATION WAIVER.—

''(A) IN GENERAL.—An Indian tribe may submit to the Secretary a written request to waive application of a regulation promulgated under this section with respect to a compact or funding agreement. The request shall identify the regulation sought to be waived and the basis for the request.

''(B) APPROVALS AND DENIALS.—

''(i) IN GENERAL.—Not later than 90 days after the date of receipt of a written request under subparagraph (A), the Secretary shall approve or deny the request in writing.

''(ii) REVIEW.—The Secretary shall review any application by an Indian tribe for a waiver bearing in mind increasing opportunities for using flexible policy approaches at the Indian tribal level.

''(iii) DEEMED APPROVAL.—If the Secretary does not approve or deny a request submitted under subparagraph (A) on or before the last day of the 90-day period referred to in clause (i), the request shall be deemed approved.

''(iv) DENIALS.—If the application for a waiver is not granted, the agency shall provide the applicant with the reasons for the denial as part of the written response required in clause (i).

''(v) FINALITY OF DECISIONS.—A decision by the Secretary under this subparagraph shall be final for the Department.

''(k) DISCLAIMERS.—

''(1) EXISTING AUTHORITY.—Notwithstanding any other provision of law, upon the election of an Indian tribe, the Secretary shall—

''(A) maintain current tribal transportation program funding agreements and program agreements; or

''(B) enter into new agreements under the authority of section 202(b)(7).

''(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed to impair or diminish the authority of the Secretary under section 202(b)(7).

''(l) APPLICABILITY OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—Except to the extent in conflict with this section (as determined by the Secretary), the following provisions of the Indian Self-Determination and Education Assistance Act shall apply to compact and funding agreements (except that any reference to the Secretary of the Interior or the Secretary of Health and Human Services in such provisions shall be treated as a reference to the Secretary of Transportation):

''(1) Subsections (a), (b), (d), (g), and (h) of section 506 of such Act (25 U.S.C. 458aaa–5), relating to general provisions.

''(2) Subsections (b) through (e) and (g) of section 507 of such Act (25 U.S.C.458aaa–6), relating to provisions relating to the Secretary of Health and Human Services.

''(3) Subsections (a), (b), (d), (e), (g), (h), (i), and (k) of section 508 of such Act (25 U.S.C. 458aaa–7), relating to transfer of funds.

''(4) Section 510 of such Act (25 U.S.C. 458aaa-9), relating to Federal procurement laws and regulations.

''(5) Section 511 of such Act (25 U.S.C. 458aaa–10), relating to civil actions.

''(6) Subsections (a)(1), (a)(2), and (c) through (f) of section 512 of such Act (25 U.S.C. 458aaa–11), relating to facilitation, except that subsection (c)(1) of that section shall be applied by substituting 'transportation facilities and other facilities' for 'school buildings, hospitals, and other facilities'.

''(7) Subsections (a) and (b) of section 515 of such Act (25 U.S.C. 458aaa–14), relating to disclaimers.

''(8) Subsections (a) and (b) of section 516 of such Act (25 U.S.C. 458aaa–15), relating to application of title I provisions.

''(9) Section 518 of such Act (25 U.S.C. 458aaa–17), relating to appeals.

''(m) DEFINITIONS.—

''(1) IN GENERAL.—In this section, the following definitions apply (except as otherwise expressly provided):

''(A) COMPACT.—The term 'compact' means a compact between the Secretary and an Indian tribe entered into under subsection (c).

''(B) DEPARTMENT.—The term 'Department' means the Department of Transportation.

''(C) ELIGIBLE INDIAN TRIBE.—The term 'eligible Indian tribe' means an Indian tribe that is eligible to participate in the program, as determined under subsection (b).

''(D) FUNDING AGREEMENT.—The term 'funding agreement' means a funding agreement between the Secretary and an Indian tribe entered into under subsection (d).

''(E) INDIAN TRIBE.—The term 'Indian tribe' means any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a). In any case in which an Indian tribe has authorized another Indian tribe, an intertribal consortium, or a tribal organization to plan for or carry out programs, services, functions, or activities (or portions thereof) on its behalf under this part, the authorized Indian tribe, intertribal consortium, or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution or in this title). In such event, the term 'Indian tribe' as used in this part shall include such other authorized Indian tribe, intertribal consortium, or tribal organization.

''(F) PROGRAM.—The term 'program' means the tribal transportation self-governance program established under this section.

''(G) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(H) TRANSPORTATION PROGRAMS.—The term 'transportation programs' means all programs administered or financed by the Department under this title and chapter 53 of title 49.

''(2) APPLICABILITY OF OTHER DEFINITIONS.—In this section, the definitions set forth in sections 4 and 505 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b; 458aaa) apply, except as otherwise expressly provided in this section.

''(n) REGULATIONS.—

''(1) IN GENERAL.—

''(A) PROMULGATION.—Not later than 90 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5 to negotiate and promulgate such regulations as are necessary to carry out this section.

''(B) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this section shall be published in the Federal Register by the Secretary not later than 21 months after such date of enactment.

''(C) EXPIRATION OF AUTHORITY.—The authority to promulgate regulations under paragraph (1) shall expire 30 months after such date of enactment.

''(D) EXTENSION OF DEADLINES.—A deadline set forth in paragraph (1)(B) or (1)(C) may be extended up to 180 days if the negotiated rulemaking committee referred to in paragraph (2) concludes that the committee cannot meet the deadline and the Secretary so notifies the appropriate committees of Congress.

''(2) COMMITTEE.—

''(A) IN GENERAL.—A negotiated rulemaking committee established pursuant to section 565 of title 5 to carry out this subsection shall have as its members only Federal and tribal government representatives, a majority of whom shall be nominated by and be representatives of Indian tribes with funding agreements under this title.

''(B) REQUIREMENTS.—The committee shall confer with, and accommodate participation by, representatives of Indian tribes, intertribal consortia, tribal organizations, and individual tribal members.

''(C) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian tribes.

''(3) EFFECT.—The lack of promulgated regulations shall not limit the effect of this section.

''(4) EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCE, AND RULES.—Unless expressly agreed to by the participating Indian tribe in the compact or funding agreement, the participating Indian tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except regulations promulgated under this section.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 206 the following:

''207. Tribal transportation self-governance program.''.

**SEC. 1117. EMERGENCY RELIEF.**

(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A) by striking ''or'' at the end;

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

(3) by adding at the end the following:

''(C) projects eligible for assistance under this section located on Federal lands transportation facilities or other federally owned roads that are open to public travel (as defined in subsection (e)).''.

(b) DEFINITIONS.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) OPEN TO PUBLIC TRAVEL.—The term 'open to public travel' means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

''(i) is maintained;

''(ii) is open to the general public; and

''(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

''(B) STANDARD PASSENGER VEHICLE.—The term 'standard passenger vehicle' means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.''.

**SEC. 1118. HIGHWAY USE TAX EVASION PROJECTS.**

Section 143(b) of title 23, United States Code, is amended—

(1) by striking paragraph (2)(A) and inserting the following:

''(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary may deduct such sums as are necessary, not to exceed $6,000,000 for each of fiscal years 2016 through 2021, to carry out this section.'';

(2) in the heading for paragraph (8) by inserting ''BLOCK GRANT'' after ''SURFACE TRANSPORTATION''; and

(3) in paragraph (9) by inserting '', the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate'' after ''the Secretary''.

**SEC. 1119. BUNDLING OF BRIDGE PROJECTS.**

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A) by striking ''the natural condition of the bridge'' and inserting ''the natural condition of the water'';

(2) by redesignating subsection (j) as subsection (k);

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

''(j) BUNDLING OF BRIDGE PROJECTS.—

''(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

''(2) ELIGIBLE ENTITY DEFINED.—In this subsection, the term 'eligible entity' means an entity eligible to carry out a bridge project under section 119 or 133.

''(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

''(A) eligible projects under section 119 or 133;

''(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

''(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

''(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), a bundling of bridge projects under this subsection may be listed as—

''(A) 1 project for purposes of sections 134 and 135; and

''(B) a single project within the applicable bundle.

''(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

''(A) the same funding category or subcategory; and

''(B) the same Federal share.

''(6) ENGINEERING COST REIMBURSEMENT.—The provisions of section 102(b) do not apply to projects carried out under this subsection.''; and

(4) in subsection (k)(2), as redesignated by paragraph (2) of this section, by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

**SEC. 1120. TRIBAL HIGH PRIORITY PROJECTS PROGRAM.**

Section 1123(h)(1) of MAP–21 (23 U.S.C. 202 note) is amended by striking ''fiscal years'' and all that follows through the period at the end and inserting ''fiscal years 2016 through 2021.''.

**SEC. 1121. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.**

Section 147(e) of title 23, United States Code, is amended by striking ''2013 and 2014'' and inserting ''2016 through 2021''.

**Subtitle B—Planning and Performance Management**

**SEC. 1201. METROPOLITAN TRANSPORTATION PLANNING.**

Section 134 of title 23, United States Code, is amended—

(1) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities'';

(2) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).''; and

(C) in paragraph (5) as so redesignated by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(3) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(4) in subsection (g)(3)(A), by inserting ''tourism, natural disaster risk reduction,'' after ''economic development,'';

(5) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system; and

''(J) enhance travel and tourism.''; and

(B) in paragraph (2)(A) by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(6) in subsection (i)—

(A) in paragraph (2)(A)(i) by striking ''transit,'' and inserting ''public transportation facilities, intercity bus facilities,'';

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and

(C) in paragraph (8) by striking ''paragraph (2)(C)'' and inserting ''paragraph (2)(E)'' each place it appears;

(7) in subsection (k)(3)—

(A) in subparagraph (A) by inserting ''(including intercity bus operators, employer-based commuting programs such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), job access projects,'' after ''reduction''; and

(B) by adding at the end the following:

''(C) CONGESTION MANAGEMENT PLAN.—A metropolitan planning organization with a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

''(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

''(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

''(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

''(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and nonprofit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.'';

(8) in subsection (l)—

(A) by adding a period at the end of paragraph (1); and

(B) in paragraph (2)(D) by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(9) in subsection (n)(1) by inserting ''49'' after ''chapter 53 of title''; and

(10) in subsection (p) by striking ''Funds set aside under section 104(f)'' and inserting ''Funds apportioned under section 104(b)(5)''.

**SEC. 1202. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.**

Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking ''and bicycle transportation facilities'' and inserting, '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G) by striking ''and'' at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system; and

''(J) enhance travel and tourism.''; and

(B) in paragraph (2)—

(i) in subparagraph (A) by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(ii) in subparagraph (B)(ii) by striking ''urbanized''; and

(iii) in subparagraph (C) by striking ''urbanized''; and

(3) in subsection (f)—

(A) in paragraph (3)(A)(ii)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators, employer-based commuting pro-

grams, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and

(B) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''.

**Subtitle C—Acceleration of Project Delivery**

**SEC. 1301. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.**

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

''(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of a historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (a)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal Web site by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (a)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

(b) PUBLIC TRANSPORTATION.—Section 303 of title 49, United States Code, is amended by adding at the end the following:

''(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of a historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (c)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal Web site by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (c)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (c)(2), the applicable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

**SEC. 1302. TREATMENT OF IMPROVEMENTS TO RAIL AND TRANSIT UNDER PRESERVATION REQUIREMENTS.**

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(d) RAIL AND TRANSIT.—

''(1) IN GENERAL.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements thereof that are in use or were historically used for the transportation of goods or passengers shall not be considered a use of a historic site under subsection (a), regardless of whether the railroad or rail transit line or element thereof is listed on, or eligible for listing on, the National Register of Historic Places.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to—

''(i) stations; or

''(ii) bridges or tunnels located on—

''(I) railroad lines that have been abandoned; or

''(II) transit lines that are not in use.

''(B) CLARIFICATION WITH RESPECT TO CERTAIN BRIDGES AND TUNNELS.—The bridges and tunnels referred to in subparagraph (A)(ii) do not include bridges or tunnels located on railroad or transit lines—

''(i) over which service has been discontinued; or

''(ii) that have been railbanked or otherwise reserved for the transportation of goods or passengers.''.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, as amended by this Act, is further amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d), (e), and (f)''; and

(2) by adding at the end the following:

''(f) RAIL AND TRANSIT.—

''(1) IN GENERAL.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements thereof that are in use or were historically used for the transportation of goods or passengers shall not be considered a use of a historic site under subsection (c), regardless of whether the railroad or rail transit line or element thereof is listed on, or eligible for listing on, the National Register of Historic Places.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to—

''(i) stations; or

''(ii) bridges or tunnels located on—

''(I) railroad lines that have been abandoned; or

''(II) transit lines that are not in use.

''(B) CLARIFICATION WITH RESPECT TO CERTAIN BRIDGES AND TUNNELS.—The bridges and tunnels referred to in subparagraph (A)(ii) do not include bridges or tunnels located on railroad or transit lines—

''(i) over which service has been discontinued; or

''(ii) that have been railbanked or otherwise reserved for the transportation of goods or passengers.''.

**SEC. 1303. CLARIFICATION OF TRANSPORTATION ENVIRONMENTAL AUTHORITIES.**

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(e) REFERENCES TO PAST TRANSPORTATION ENVIRONMENTAL AUTHORITIES.—

''(1) SECTION 4(F) REQUIREMENTS.—The requirements of this section are commonly referred to as section 4(f) requirements (see section 4(f) of the Department of Transportation Act (Public Law 89–670; 80 Stat. 934) as in effect before the repeal of that section).

''(2) SECTION 106 REQUIREMENTS.—The requirements of section 306108 of title 54 are commonly referred to as section 106 requirements (see section 106 of the National His-

toric Preservation Act of 1966 (Public Law 89–665; 80 Stat. 915) as in effect before the repeal of that section).''.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(g) REFERENCES TO PAST TRANSPORTATION ENVIRONMENTAL AUTHORITIES.—

''(1) SECTION 4(F) REQUIREMENTS.—The requirements of this section are commonly referred to as section 4(f) requirements (see section 4(f) of the Department of Transportation Act (Public Law 89–670; 80 Stat. 934) as in effect before the repeal of that section).

''(2) SECTION 106 REQUIREMENTS.—The requirements of section 306108 of title 54 are commonly referred to as section 106 requirements (see section 106 of the National Historic Preservation Act of 1966 (Public Law 89–665; 80 Stat. 915) as in effect before the repeal of that section).''.

**SEC. 1304. TREATMENT OF CERTAIN BRIDGES UNDER PRESERVATION REQUIREMENTS.**

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(f) BRIDGE EXEMPTION.—A common post-1945 concrete or steel bridge or culvert that is exempt from individual review under section 306108 of title 54 (as described in 77 Fed. Reg. 68790) shall be treated under this section as having a de minimis impact on an area.''.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(h) BRIDGE EXEMPTION.—A common post-1945 concrete or steel bridge or culvert that is exempt from individual review under section 306108 of title 54 (as described in 77 Fed. Reg. 68790) shall be treated under this section as having a de minimis impact on an area.''.

**SEC. 1305. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.**

(a) DEFINITIONS.—Section 139(a) of title 23, United States Code, is amended—

(1) by striking paragraph (5) and inserting the following:

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project that requires the approval of more than 1 Department of Transportation operating administration or secretarial office.'';

(2) by adding at the end the following:

''(9) SUBSTANTIAL DEFERENCE.—The term 'substantial deference' means deference by a participating agency to the recommendations and decisions of the lead agency unless it is not possible to defer without violating the participating agency's statutory responsibilities.''.

(b) APPLICABILITY.—Section 139(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A) in the matter preceding clause (i) by striking ''initiate a rulemaking to''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary shall ensure that programmatic reviews—

''(i) promote transparency, including the transparency of—

''(I) the analyses and data used in the environmental reviews;

''(II) the treatment of any deferred issues raised by agencies or the public; and

''(III) the temporal and spatial scales to be used to analyze issues under subclauses (I) and (II);

''(ii) use accurate and timely information, including through establishment of—

''(I) criteria for determining the general duration of the usefulness of the review; and

''(II) a timeline for updating an out-of-date review;

''(iii) describe—

''(I) the relationship between any programmatic analysis and future tiered analysis; and

''(II) the role of the public in the creation of future tiered analysis;

''(iv) are available to other relevant Federal and State agencies, Indian tribes, and the public; and

''(v) provide notice and public comment opportunities consistent with applicable requirements.''.

(c) FEDERAL LEAD AGENCY.—Section 139(c)(1)(A) of title 23, United States Code, is amended by inserting '', or an operating administration thereof designated by the Secretary,'' after ''Department of Transportation''.

(d) PARTICIPATING AGENCIES.—

(1) INVITATION.—Section 139(d)(2) of title 23, United States Code, is amended by striking ''The lead agency shall identify, as early as practicable in the environmental review process for a project,'' and inserting ''Not later than 45 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the lead agency shall identify''.

(2) SINGLE NEPA DOCUMENT.—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

''(8) SINGLE NEPA DOCUMENT.—

''(A) IN GENERAL.—Except as inconsistent with paragraph (7), to the maximum extent practicable and consistent with Federal law, all Federal permits and reviews for a project shall rely on a single environment document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under the leadership of the lead agency.

''(B) USE OF DOCUMENT.—

''(i) IN GENERAL.—To the maximum extent practicable, the lead agency shall develop an environmental document sufficient to satisfy the requirements for any Federal approval or other Federal action required for the project, including permits issued by other Federal agencies.

''(ii) COOPERATION OF PARTICIPATING AGENCIES.—Other participating agencies shall cooperate with the lead agency and provide timely information to help the lead agency carry out this subparagraph.

''(C) TREATMENT AS PARTICIPATING AND COOPERATING AGENCIES.—A Federal agency required to make an approval or take an action for a project, as described in subparagraph (B), shall work with the lead agency for the project to ensure that the agency making the approval or taking the action is treated as being both a participating and cooperating agency for the project.''.

(e) PROJECT INITIATION.—Section 139(e) of title 23, United States Code, is amended by adding at the end the following:

''(3) ENVIRONMENTAL CHECKLIST.—

''(A) DEVELOPMENT.—The lead agency for a project, in consultation with participating agencies, shall develop, as appropriate, a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of the project.

''(B) PURPOSE.—The purposes of the checklist are—

''(i) to identify agencies and organizations that can provide information about natural, cultural, and historic resources;

''(ii) to develop the information needed to determine the range of alternatives; and

''(iii) to improve interagency collaboration to help expedite the permitting process for the lead agency and participating agencies.''.

(f) PURPOSE AND NEED.—Section 139(f) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting ''; ALTERNATIVES ANALYSIS'' after ''NEED'';

(2) in paragraph (4)—

(A) by striking subparagraph (A) and inserting the following:

''(A) PARTICIPATION.—

''(i) IN GENERAL.—As early as practicable during the environmental review process, the lead agency shall seek the involvement of participating agencies and the public for the purpose of reaching agreement early in the environmental review process on a reasonable range of alternatives that will satisfy all subsequent Federal environmental review and permit requirements.

''(ii) COMMENTS OF PARTICIPATING AGENCIES.—To the maximum extent practicable and consistent with applicable law, each participating agency receiving an opportunity for involvement under clause (i) shall—

''(I) limit the agency's comments to subject matter areas within the agency's special expertise or jurisdiction; and

''(II) afford substantial deference to the range of alternatives recommended by the lead agency.

''(iii) EFFECT OF NONPARTICIPATION.—A participating agency that declines to participate in the development of the purpose and need and reasonable range of alternatives for a project shall be required to comply with the schedule developed under subsection (g)(1)(B).''; and

(B) in subparagraph (B)—

(i) by striking ''Following participation under paragraph (1)'' and inserting the following:

''(i) DETERMINATION.—Following participation under subparagraph (A)''; and

(ii) by adding at the end the following:

''(ii) USE.—To the maximum extent practicable and consistent with Federal law, the range of alternatives determined for a project under clause (i) shall be used for all Federal environmental reviews and permit processes required for the project unless the alternatives must be modified—

''(I) to address significant new information or circumstances, and the lead agency and participating agencies agree that the alternatives must be modified to address the new information or circumstances; or

''(II) for the lead agency or a participating agency to fulfill its responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in a timely manner.''.

(g) COORDINATION AND SCHEDULING.—

(1) COORDINATION PLAN.—Section 139(g)(1) of title 23, United States Code, is amended—

(A) in subparagraph (A) by striking ''The lead agency'' and inserting ''Not later than 90 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the lead agency''; and

(B) in subparagraph (B)(i) by striking ''may establish'' and inserting ''shall establish''.

(2) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—Section 139(g)(3) of title 23, United States Code, is amended to read as follows:

''(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—

''(A) IN GENERAL.—In any case in which a decision under any Federal law relating to a project (including the issuance or denial of a permit or license) is required by law, regulation, or Executive order to be made after the date on which the lead agency has issued a categorical exclusion, finding of no significant impact, or record of decision with respect to the project, any such later decision shall be made or completed by the later of—

''(i) the date that is 180 days after the lead agency's final decision has been made; or

''(ii) the date that is 180 days after the date on which a completed application was submitted for the permit or license.

''(B) TREATMENT OF DELAYS.—Following the deadline established by subparagraph (A), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and publish on the Department's Internet Web site—

''(i) as soon as practicable after the 180-day period, an initial notice of the failure of the Federal agency to make the decision; and

''(ii) every 60 days thereafter, until such date as all decisions of the Federal agency relating to the project have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.''.

(3) ADOPTION OF DOCUMENTS; ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—

(A) IN GENERAL.—Section 139(g) of title 23, United States Code, is amended—

(i) by redesignating paragraph (4) as paragraph (5); and

(ii) by inserting after paragraph (3) the following:

''(4) ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—

''(A) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(i) cite the sources, authorities, and reasons that support the position of the agency; and

''(ii) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(B) SINGLE DOCUMENT.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(i) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(ii) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.''.

(B) CONFORMING AMENDMENT.—Section 1319 of MAP–21 (42 U.S.C. 4332a), and the item relating to that section in the table of contents contained in section 1(c) of that Act, are repealed.

(h) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) ISSUE RESOLUTION.—Section 139(h) of title 23, United States Code, is amended—

(A) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

(B) by inserting after paragraph (3) the following:

''(4) ISSUE RESOLUTION.—Any issue resolved by the lead agency and participating agencies may not be reconsidered unless significant new information or circumstances arise.''.

(2) FAILURE TO ASSURE.—Section 139(h)(5)(C) of title 23, United States Code, (as redesignated by paragraph (1)(A) of this subsection) is amended by striking ''paragraph (5) and'' and inserting ''paragraph (6)''.

(3) ACCELERATED ISSUE RESOLUTION AND REFERRAL.—Section 139(h)(6) of title 23, United States Code, (as redesignated by paragraph (1)(A) of this subsection) is amended by striking subparagraph (C) and inserting the following:

''(C) REFERRAL TO COUNCIL ON ENVIRONMENTAL QUALITY.—

''(i) IN GENERAL.—If issue resolution for a project is not achieved on or before the 30th day after the date of a meeting under subparagraph (B), the Secretary shall refer the matter to the Council on Environmental Quality.

''(ii) MEETING.—Not later than 30 days after the date of receipt of a referral from the Secretary under clause (i), the Council on Environmental Quality shall hold an issue resolution meeting with—

''(I) the head of the lead agency;

''(II) the heads of relevant participating agencies; and

''(III) the project sponsor (including the Governor only if the initial issue resolution meeting request came from the Governor).

''(iii) RESOLUTION.—The Council on Environmental Quality shall work with the lead agency, relevant participating agencies, and the project sponsor until all issues are resolved.''.

(4) FINANCIAL PENALTY PROVISIONS.—Section 139(h)(7)(B)(i)(I) of title 23, United States Code, (as redesignated by paragraph (1)(A) of this subsection) is amended by striking ''under section 106(i) is required'' and inserting ''is required under subsection (h) or (i) of section 106''.

(i) ASSISTANCE TO AFFECTED STATE AND FEDERAL AGENCIES.—

(1) IN GENERAL.—Section 139(j)(1) of title 23, United States Code, is amended to read as follows:

''(1) IN GENERAL.—

''(A) AUTHORITY TO PROVIDE FUNDS.—The Secretary may allow a public entity receiving financial assistance from the Department of Transportation under this title or chapter 53 of title 49 to provide funds to Federal agencies (including the Department), State agencies, and Indian tribes participating in the environmental review process for the project or program.

''(B) USE OF FUNDS.—Funds referred to in subparagraph (A) may be provided only to support activities that directly and meaningfully contribute to expediting and improving permitting and review processes, including planning, approval, and consultation processes for the project or program.''.

(2) ACTIVITIES ELIGIBLE FOR FUNDING.—Section 139(j)(2) of title 23, United States Code, is amended by inserting ''activities directly related to the environmental review process,'' before ''dedicated staffing,''.

(3) AGREEMENT.—Section 139(j)(6) of title 23, United States Code, is amended to read as follows:

''(6) AGREEMENT.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected agency under paragraphs (1) and (2), the affected agency and the requesting public entity shall enter into an agreement that establishes the projects and priorities to be addressed by the use of the funds.''.

(j) IMPLEMENTATION OF PROGRAMMATIC COMPLIANCE.—

(1) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a rulemaking to implement the provisions of section 139(b)(3) of title 23, United States Code, as amended by this section.

(2) CONSULTATION.—Before initiating the rulemaking under paragraph (1), the Secretary shall consult with relevant Federal agencies, relevant State resource agencies, State departments of transportation, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary shall ensure that the rulemaking meets the requirements of section 139(b)(3)(B) of title 23, United States Code, as amended by this section.

(4) COMMENT PERIOD.—The Secretary shall—

(A) allow not fewer than 60 days for public notice and comment on the proposed rule; and

(B) address any comments received under this subsection.

**SEC. 1306. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.**

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(1) maintain and use a searchable Internet Web site—

(A) to make publicly available the status and progress of projects, as defined in section 139 of title 23, United States Code, requiring an environmental assessment or an environmental impact statement with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal, State, or local approval required for such projects; and

(B) to make publicly available the names of participating agencies not participating in the development of a project purpose and need and range of alternatives under section 139(f) of title 23, United States Code; and

(2) in coordination with agencies described in subsection (b) and State agencies, issue reporting standards to meet the requirements of paragraph (1).

(b) FEDERAL, STATE, AND LOCAL AGENCY PARTICIPATION.—A Federal, State, or local agency participating in the environmental review or permitting process for a project, as defined in section 139 of title 23, United States Code, shall provide to the Secretary information regarding the status and progress of the approval of the project for publication on the Internet Web site maintained under subsection (a), consistent with the standards established under subsection (a).

(c) STATES WITH DELEGATED AUTHORITY.—A State with delegated authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) pursuant to section 327 of title 23, United States Code, shall be responsible for supplying project development and compliance status to the Secretary for all applicable projects.

**SEC. 1307. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.**

(a) DEFINITIONS.—Section 168(a) of title 23, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) ENVIRONMENTAL REVIEW PROCESS.—The term 'environmental review process' has the meaning given that term in section 139(a).'';

(2) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(3) by inserting after paragraph (1) the following:

''(2) LEAD AGENCY.—The term 'lead agency' has the meaning given that term in section 139(a).''; and

(4) by striking paragraph (3) (as redesignated by paragraph (2) of this subsection) and inserting the following:

''(3) PLANNING PRODUCT.—The term 'planning product' means a decision, analysis, study, or other documented information that is the result of an evaluation or decisionmaking process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or section 135, respectively.''.

(b) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—Section 168(b) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting ''OR INCORPORATION BY REFERENCE'' after ''ADOPTION'';

(2) in paragraph (1) by striking ''the Federal lead agency for a project may adopt'' and inserting ''and to the maximum extent practicable and appropriate, the lead agency for a project may adopt or incorporate by reference'';

(3) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(4) by striking paragraph (2) (as so redesignated) and inserting the following:

''(2) PARTIAL ADOPTION OR INCORPORATION BY REFERENCE OF PLANNING PRODUCTS.—The lead agency may adopt or incorporate by reference a planning product under paragraph (1) in its entirety or may select portions for adoption or incorporation by reference.''; and

(5) in paragraph (3) (as so redesignated) by inserting ''or incorporation by reference'' after ''adoption''.

(c) APPLICABILITY.—

(1) PLANNING DECISIONS.—Section 168(c)(1) of title 23, United States Code, is amended—

(A) in the matter preceding subparagraph (A) by striking ''adopted'' and inserting ''adopted or incorporated by reference by the lead agency'';

(B) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively;

(C) by inserting before subparagraph (B) (as so redesignated) the following:

''(A) the project purpose and need;'';

(D) by striking subparagraph (B) (as so redesignated) and inserting the following:

''(B) the preliminary screening of alternatives and elimination of unreasonable alternatives;'';

(E) in subparagraph (C) (as so redesignated) by inserting ''and general travel corridor'' after ''modal choice'';

(F) in subparagraph (E) (as so redesignated) by striking ''and'' at the end;

(G) in subparagraph (F) (as so redesignated)—

(i) in the matter preceding clause (i) by striking ''potential impacts'' and all that follows through ''resource agencies,'' and inserting ''potential impacts of a project, including a programmatic mitigation plan developed in accordance with section 169, that the lead agency''; and

(ii) in clause (ii) by striking the period at the end and inserting ''; and''; and

(H) by adding at the end the following:

''(G) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project.''.

(2) PLANNING ANALYSES.—Section 168(c)(2) of title 23, United States Code, is amended—

(A) in the matter preceding subparagraph (A) by striking ''adopted'' and inserting ''adopted or incorporated by reference by the lead agency'';

(B) in subparagraph (G)—

(i) by inserting ''direct, indirect, and'' before ''cumulative effects''; and

(ii) by striking '', identified as a result of a statewide or regional cumulative effects assessment''; and

(C) in subparagraph (H)—

(i) by striking ''proposed action'' and inserting ''proposed project''; and

(ii) by striking ''Federal lead agency'' and inserting ''lead agency''.

(d) CONDITIONS.—Section 168(d) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1) by striking ''Adoption and use'' and all that follows through ''Federal lead agency, that'' and inserting ''The lead agency in the environmental review process may adopt or incorporate by reference and use a planning product under this section if the lead agency determines that'';

(2) in paragraph (2) by striking ''by engaging in active consultation'' and inserting ''in consultation'';

(3) by striking paragraphs (4) and (5) and inserting the following:

''(4) The planning process included public notice that the planning products may be adopted or incorporated by reference during a subsequent environmental review process in accordance with this section.

''(5) During the environmental review process, but prior to determining whether to rely on and use the planning product, the lead agency has—

''(A) made the planning documents available for review and comment by members of the general public and Federal, State, local, and tribal governments that may have an interest in the proposed action;

''(B) provided notice of the lead agency's intent to adopt the planning product or incorporate the planning product by reference; and

''(C) considered any resulting comments.'';

(4) in paragraph (9)—

(A) by inserting ''or incorporation by reference'' after ''adoption''; and

(B) by inserting ''and is sufficient to meet the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)'' after ''for the project''; and

(5) in paragraph (10) by striking ''not later than 5 years prior to date on which the information is adopted'' and inserting ''within the 5-year period ending on the date on which the information is adopted or incorporated by reference''.

(e) EFFECT OF ADOPTION OR INCORPORATION BY REFERENCE.—Section 168(e) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting ''OR INCORPORATION BY REFERENCE'' after ''ADOPTION''; and

(2) by striking ''adopted by the Federal lead agency'' and inserting ''adopted or incorporated by reference by the lead agency''.

**SEC. 1308. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.**

Section 169(f) of title 23, United States Code, is amended by striking ''may use'' and inserting ''shall give substantial weight to''.

**SEC. 1309. DELEGATION OF AUTHORITIES.**

(a) IN GENERAL.—The Secretary shall use the authority under section 106(c) of title 23, United States Code, to the maximum extent practicable, to delegate responsibility to the States for project design, plans, specifications, estimates, contract awards, and inspection of projects, on both a project-specific and programmatic basis.

(b) SUBMISSION OF RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary, in cooperation with the States, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate recommendations for legislation to permit the delegation of additional authorities to the States, including with respect to real estate acquisition and project design.

**SEC. 1310. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.**

(a) ADJUSTMENT FOR INFLATION.—Section 1317 of MAP–21 (23 U.S.C. 109 note) is amended—

(1) in paragraph (1)(A) by inserting ''(as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor)'' after ''$5,000,000''; and

(2) in paragraph (1)(B) by inserting ''(as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor)'' after ''$30,000,000''.

(b) RETROACTIVE APPLICATION.—The first adjustment made pursuant to the amendments made by subsection (a) shall—

(1) be carried out not later than 60 days after the date of enactment of this Act; and

(2) reflect the increase in the Consumer Price Index since July 1, 2012.

**SEC. 1311. APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.**

Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''operating authority that'' and inserting ''operating administration or secretarial office that has expertise but''; and

(ii) by inserting ''proposed multimodal'' after ''with respect to a''; and

(B) by striking paragraph (2) and inserting the following:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a proposed multimodal project.'';

(2) in subsection (b) by inserting ''or title 23'' after ''under this title'';

(3) by striking subsection (c) and inserting the following:

''(c) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—In considering the environmental impacts of a proposed multimodal project, a lead authority may apply categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in implementing regulations or procedures of a cooperating authority for a proposed multimodal project, subject to the conditions that—

''(1) the lead authority makes a determination, with the concurrence of the cooperating authority—

''(A) on the applicability of a categorical exclusion to a proposed multimodal project; and

''(B) that the project satisfies the conditions for a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and this section;

''(2) the lead authority follows the cooperating authority's implementing regulations or procedures under such Act; and

''(3) the lead authority determines that—

''(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under such Act.''; and

(4) by striking subsection (d) and inserting the following:

''(d) COOPERATING AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

**SEC. 1312. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.**

Section 327 of title 23, United States Code, is amended—

(1) in subsection (a)(2)(B)(iii) by striking ''(42 U.S.C. 13 4321 et seq.)'' and inserting ''(42 U.S.C. 4321 et seq.)'';

(2) in subsection (c)(4) by inserting ''reasonably'' before ''considers necessary'';

(3) in subsection (e) by inserting ''and without further approval of'' after ''in lieu of'';

(4) in subsection (g)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—To ensure compliance by a State with any agreement of the State under subsection (c) (including compliance by the State with all Federal laws for which responsibility is assumed under subsection (a)(2)), for each State participating in the program under this section, the Secretary shall—

''(A) not later than 6 months after execution of the agreement, meet with the State to review implementation of the agreement and discuss plans for the first annual audit;

''(B) conduct annual audits during each of the first 4 years of State participation; and

''(C) ensure that the time period for completing an annual audit, from initiation to completion (including public comment and responses to those comments), does not exceed 180 days.''; and

(B) by adding at the end the following:

''(3) AUDIT TEAM.—An audit conducted under paragraph (1) shall be carried out by an audit team determined by the Secretary, in consultation with the State. Such consultation shall include a reasonable opportunity for the State to review and provide comments on the proposed members of the audit team.''; and

(5) by adding at the end the following:

''(k) CAPACITY BUILDING.—The Secretary, in cooperation with representatives of State officials, may carry out education, training, peer-exchange, and other initiatives as appropriate—

''(1) to assist States in developing the capacity to participate in the assignment program under this section; and

''(2) to promote information sharing and collaboration among States that are participating in the assignment program under this section.

''(l) RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.—A State granted authority under this section may, as appropriate and at the request of a local government—

''(1) exercise such authority on behalf of the local government for a locally administered project; or

''(2) provide guidance and training on consolidating and minimizing the documentation and environmental analyses necessary for sponsors of a locally administered project to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any comparable requirements under State law.''.

**SEC. 1313. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.**

(a) PURPOSE.—The purpose of this section is to eliminate duplication of environmental reviews and approvals under State and Federal laws.

(b) IN GENERAL.—Chapter 3 of title 23, United States Code, is amended by adding at the end the following:

**''§ 330. Program for eliminating duplication of environmental reviews**

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish a pilot program to authorize States that are approved to participate in the program to conduct environmental reviews and make approvals for projects under State environmental laws and regulations instead of Federal environmental laws and regulations, consistent with the requirements of this section.

''(2) PARTICIPATING STATES.—The Secretary may select not more than 5 States to participate in the program.

''(3) ALTERNATIVE REVIEW AND APPROVAL PROCEDURES.—In this section, the term 'alternative environmental review and approval procedures' means—

''(A) substitution of 1 or more State environmental laws for—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) such provisions of sections 109(h), 128, and 139 related to the application of that Act that are under the authority of the Secretary, as the Secretary, in consultation with the State, considers appropriate; and

''(iii) related regulations and Executive orders; and

''(B) substitution of 1 or more State environmental regulations for—

''(i) the National Environmental Policy Act of 1969;

''(ii) such provisions of sections 109(h), 128, and 139 related to the application of that Act that are under the authority of the Secretary, as the Secretary, in consultation with the State, considers appropriate; and

''(iii) related regulations and Executive orders.

''(b) APPLICATION.—To be eligible to participate in the program, a State shall submit to the Secretary an application containing such information as the Secretary may require, including—

''(1) a full and complete description of the proposed alternative environmental review and approval procedures of the State;

''(2) each Federal law described in subsection (a)(3) that the State is seeking to substitute;

''(3) each State law and regulation that the State intends to substitute for such Federal law, Federal regulation, or Executive order;

''(4) an explanation of the basis for concluding that the State law or regulation is substantially equivalent to the Federal law described in subsection (a)(3);

''(5) a description of the projects or classes of projects for which the State anticipates exercising the authority that may be granted under the program;

''(6) verification that the State has the financial resources necessary to carry out the authority that may be granted under the program;

''(7) evidence of having sought, received, and addressed comments on the proposed application from the public; and

''(8) any such additional information as the Secretary, or, with respect to section (d)(1)(A), the Secretary in consultation with the Chair, may require.

''(c) REVIEW OF APPLICATION.—In accordance with subsection (d), the Secretary shall—

''(1) review an application submitted under subsection (b);

''(2) approve or disapprove the application not later than 90 days after the date of receipt of the application; and

''(3) transmit to the State notice of the approval or disapproval, together with a statement of the reasons for the approval or disapproval.

''(d) APPROVAL OF APPLICATION.—

''(1) IN GENERAL.—The Secretary shall approve an application submitted under subsection (b) only if—

''(A) the Secretary, with the concurrence of the Chair, determines that the laws and regulations of the State described in the application are substantially equivalent to the Federal laws that the State is seeking to substitute;

''(B) the Secretary determines that the State has the capacity, including financial and personnel, to assume the responsibility; and

''(C) the State has executed an agreement with the Secretary, in accordance with section 327, providing for environmental review, consultation, or other action under Federal environmental laws pertaining to the review or approval of a specific project.

''(2) EXCLUSION.—The National Environmental Policy Act of 1969 shall not apply to a decision by the Secretary to approve or disapprove an application submitted under this section.

''(e) JUDICIAL REVIEW.—

''(1) IN GENERAL.—The United States district courts shall have exclusive jurisdiction over any civil action against a State—

''(A) for failure of the State to meet the requirements of this section; or

''(B) if the action involves the exercise of authority by the State under this section and section 327.

''(2) STATE JURISDICTION.—A State court shall have exclusive jurisdiction over any civil action against a State if the action involves the exercise of authority by the State under this section not covered by paragraph (1).

''(f) ELECTION.—At its discretion, a State participating in the programs under this section and section 327 may elect to apply the National Environmental Protection Act of 1969 instead of the State's alternative environmental review and approval procedures.

''(g) TREATMENT OF STATE LAWS AND REGULATIONS.—To the maximum extent practicable and consistent with Federal law, other Federal agencies with authority over a project subject to this section shall use documents produced by a participating State under this section to satisfy the requirements of the National Environmental Policy Act of 1969.

''(h) RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.—

''(1) IN GENERAL.—A State with an approved program under this section, at the request of a local government, may exercise authority under that program on behalf of up to 10 local governments for locally administered projects.

''(2) SCOPE.—For up to 10 local governments selected by a State with an approved program under this section, the State shall be responsible for ensuring that any environmental review, consultation, or other action required under the National Environmental Policy Act of 1969 or the State program, or both, meets the requirements of such Act or program.

''(i) REVIEW AND TERMINATION.—

''(1) IN GENERAL.—A State program approved under this section shall at all times be in accordance with the requirements of this section.

''(2) REVIEW.—The Secretary shall review each State program approved under this section not less than once every 5 years.

''(3) PUBLIC NOTICE AND COMMENT.—In conducting the review process under paragraph (2), the Secretary shall provide notice and an opportunity for public comment.

''(4) WITHDRAWAL OF APPROVAL.—If the Secretary, in consultation with the Chair, determines at any time that a State is not administering a State program approved under this section in accordance with the requirements of this section, the Secretary shall so notify the State, and if appropriate corrective action is not taken within a reasonable time, not to exceed 90 days, the Secretary shall withdraw approval of the State program.

''(5) EXTENSIONS AND TERMINATIONS.—At the conclusion of the review process under paragraph (2), the Secretary may extend for an additional 5-year period or terminate the authority of a State under this section to substitute that State's laws and regulations for Federal laws.

''(j) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section, and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the administration of the program, including—

''(1) the number of States participating in the program;

''(2) the number and types of projects for which each State participating in the pro-

gram has used alternative environmental review and approval procedures; and

''(3) any recommendations for modifications to the program.

''(k) DEFINITIONS.—In this section, the following definitions apply:

''(1) CHAIR.—The term 'Chair' means the Chair of the Council on Environmental Quality.

''(2) MULTIMODAL PROJECT.—The term 'multimodal project' has the meaning given that term in section 139(a).

''(3) PROGRAM.—The term 'program' means the pilot program established under this section.

''(4) PROJECT.—The term 'project' means—

''(A) a project requiring approval under this title, chapter 53 of subtitle III of title 49, or subtitle V of title 49; and

''(B) a multimodal project.''.

(c) RULEMAKING.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Chair of the Council on Environmental Quality, shall promulgate regulations to implement the requirements of section 330 of title 23, United States Code, as added by this section.

(2) DETERMINATION OF SUBSTANTIALLY EQUIVALENT.—As part of the rulemaking required under this subsection, the Chair shall—

(A) establish the criteria necessary to determine that a State law or regulation is substantially equivalent to a Federal law described in section 330(a)(3) of title 23, United States Code;

(B) ensure that such criteria, at a minimum—

(i) provide for protection of the environment;

(ii) provide opportunity for public participation and comment, including access to the documentation necessary to review the potential impact of a project; and

(iii) ensure a consistent review of projects that would otherwise have been covered under Federal law.

(d) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 23, United States Code, is amended by adding at the end the following:

''330. Program for eliminating duplication of environmental reviews.''.

**SEC. 1314. ASSESSMENT OF PROGRESS ON ACCELERATING PROJECT DELIVERY.**

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall assess the progress made under this Act, MAP–21 (Public Law 112–141), and SAFETEA–LU (Public Law 109–59), including the amendments made by those Acts, to accelerate the delivery of Federal-aid highway and highway safety construction projects and public transportation capital projects by streamlining the environmental review and permitting process.

(b) CONTENTS.—The assessment required under subsection (a) shall evaluate—

(1) how often the various streamlining provisions have been used;

(2) which of the streamlining provisions have had the greatest impact on streamlining the environmental review and permitting process;

(3) what, if any, impact streamlining of the process has had on environmental protection;

(4) how, and the extent to which, streamlining provisions have improved and accelerated the process for permitting under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable Federal laws;

(5) what impact actions by the Council on Environmental Quality have had on accelerating Federal-aid highway and highway safety construction projects and public transportation capital projects;

(6) the number and percentage of projects that proceed under a traditional environmental assessment or environmental impact statement, and the number and percentage of projects that proceed under categorical exclusions;

(7) the extent to which the environmental review and permitting process remains a significant source of project delay and the sources of delays; and

(8) the costs of conducting environmental reviews and issuing permits or licenses for a project, including the cost of contractors and dedicated agency staff.

(c) RECOMMENDATIONS.—The assessment required under subsection (a) shall include recommendations with respect to—

(1) additional opportunities for streamlining the environmental review process, including regulatory or statutory changes to accelerate the processes of Federal agencies (other than the Department) with responsibility for reviewing Federal-aid highway and highway safety construction projects and public transportation capital projects without negatively impacting the environment; and

(2) best practices of other Federal agencies that should be considered for adoption by the Department.

(d) REPORT TO CONGRESS.—The Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the assessment and recommendations required under this section.

**SEC. 1315. IMPROVING STATE AND FEDERAL AGENCY ENGAGEMENT IN ENVIRONMENTAL REVIEWS.**

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:

**''§ 307. Improving State and Federal agency engagement in environmental reviews**

''(a) IN GENERAL.—

''(1) REQUESTS TO PROVIDE FUNDS.—A public entity receiving financial assistance from the Department of Transportation for 1 or more projects, or for a program of projects, for a public purpose may request that the Secretary allow the public entity to provide funds to Federal agencies, including the Department, State agencies, and Indian tribes participating in the environmental planning and review process for the project, projects, or program.

''(2) USE OF FUNDS.—The funds may be provided only to support activities that directly and meaningfully contribute to expediting and improving permitting and review processes, including planning, approval, and consultation processes for the project, projects, or program.

''(b) ACTIVITIES ELIGIBLE FOR FUNDING.—Activities for which funds may be provided under subsection (a) include transportation planning activities that precede the initiation of the environmental review process, activities directly related to the environmental review process, dedicated staffing, training of agency personnel, information gathering and mapping, and development of programmatic agreements.

''(c) AMOUNTS.—Requests under subsection (a) may be approved only for the additional amounts that the Secretary determines are necessary for the Federal agencies, State agencies, or Indian tribes participating in the environmental review process to timely conduct their review.

''(d) AGREEMENTS.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected Federal agency under subsection (a), the affected Federal agency and the requesting public entity shall enter into an agreement that establishes a process to identify projects or priorities to be addressed by the use of the funds.

''(e) RULEMAKING.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall initiate a rulemaking to implement this section.

''(2) FACTORS.—As part of the rulemaking carried out under paragraph (1), the Secretary shall ensure—

''(A) to the maximum extent practicable, that expediting and improving the process of environmental review and permitting through the use of funds accepted and expended under this section does not adversely affect the timeline for review and permitting by Federal agencies, State agencies, or Indian tribes of other entities that have not contributed funds under this section;

''(B) that the use of funds accepted under this section will not impact impartial decisionmaking with respect to environmental reviews or permits, either substantively or procedurally; and

''(C) that the Secretary maintains, and makes publicly available, including on the Internet, a list of projects or programs for which such review or permits have been carried out using funds authorized under this section.

''(f) EXISTING AUTHORITY.—Nothing in this section may be construed to conflict with section 139(j) of title 23.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 306 the following:

''307. Improving State and Federal agency engagement in environmental reviews.''.

**SEC. 1316. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.**

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 304 the following:

**''§ 304a. Accelerated decisionmaking in environmental reviews**

''(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement, instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(1) cite the sources, authorities, and reasons that support the position of the agency; and

''(2) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(b) SINGLE DOCUMENT.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(2) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.

''(c) ADOPTION OF DOCUMENTS.—

''(1) AVOIDING DUPLICATION.—To prevent duplication of analyses and support expeditious and efficient decisions, the operating administrations of the Department of Transportation shall use adoption and incorporation

by reference in accordance with this paragraph.

''(2) ADOPTION OF DOCUMENTS OF OTHER OPERATING ADMINISTRATIONS.—An operating administration or a secretarial office within the Department of Transportation may adopt a draft environmental impact statement, an environmental assessment, or a final environmental impact statement of another operating administration for the adopting operating administration's use when preparing an environmental assessment or final environmental impact statement for a project without recirculating the document for public review, if—

''(A) the adopting operating administration certifies that its proposed action is substantially the same as the project considered in the document to be adopted;

''(B) the other operating administration concurs with such decision; and

''(C) such actions are consistent with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(3) INCORPORATION BY REFERENCE.—An operating administration or secretarial office within the Department of Transportation may incorporate by reference all or portions of a draft environmental impact statement, an environmental assessment, or a final environmental impact statement for the adopting operating administration's use when preparing an environmental assessment or final environmental impact statement for a project if—

''(A) the incorporated material is cited in the environmental assessment or final environmental impact statement and the contents of the incorporated material is briefly described;

''(B) the incorporated material is reasonably available for inspection by potentially interested persons within the time allowed for review and comment; and

''(C) the incorporated material does not include proprietary data that is not available for review and comment.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 304 the following:

''304a. Accelerated decisionmaking in environmental reviews.''.

**SEC. 1317. ALIGNING FEDERAL ENVIRONMENTAL REVIEWS.**

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 309 the following:

**''§ 310. Aligning Federal environmental reviews**

''(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year after the date of enactment of this section, the Department of Transportation, in coordination with the heads of Federal agencies likely to have substantive review or approval responsibilities under Federal law, shall develop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.; in this section referred to as 'NEPA').

''(b) CONTENTS.—The coordinated and concurrent environmental review and permitting process shall—

''(1) ensure that the Department and agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project's purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely on for concurrent environmental reviews and permitting decisions required for the proposed project;

''(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation's statement of a project's purpose and need, and during development of the environmental impact statement on the range of alternatives for analysis, that the lead agency and agencies of jurisdiction will rely on for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction's obligations under a statute or Executive order; and

''(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency's environmental or permitting review in order to meet an agency of jurisdiction's obligations under a statute or Executive order.

''(c) ENVIRONMENTAL CHECKLIST.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project.

''(2) PURPOSE.—The purpose of the checklist shall be to—

''(A) identify agencies of jurisdiction and cooperating agencies;

''(B) develop the information needed for the purpose and need and alternatives for analysis; and

''(C) improve interagency collaboration to help expedite the permitting process for the lead agency and agencies of jurisdiction.

''(d) INTERAGENCY COLLABORATION.—

''(1) IN GENERAL.—Consistent with Federal environmental statutes, the Secretary shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management.

''(2) PURPOSE OF COLLABORATION SESSIONS.—The interagency collaboration sessions shall ensure that agency staff is—

''(A) fully engaged;

''(B) utilizing the flexibility of existing regulations, policies, and guidance; and

''(C) identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions.

''(3) FOCUS OF COLLABORATION SESSIONS.—The interagency collaboration sessions, and the interagency collaborations generated by the sessions, shall focus on methods to—

''(A) work with State and local transportation entities to improve project planning, siting, and application quality; and

''(B) consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.

''(e) PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of this section, the Secretary, in coordination with relevant Federal agencies, shall establish a program to measure and report on progress towards aligning Federal reviews as outlined in this section.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 309 the following:

''310. Aligning Federal environmental reviews.''.

**Subtitle D—Miscellaneous**

**SEC. 1401. TOLLING; HOV FACILITIES; INTERSTATE RECONSTRUCTION AND REHABILITATION.**

(a) TOLLING.—Section 129(a) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B) by striking '', bridge, or tunnel'' each place it appears;

(B) in subparagraph (C) by striking '', bridge, or tunnel'' each place it appears;

(C) by striking subparagraph (G);

(D) by redesignating subparagraphs (H) and (I) as subparagraphs (G) and (H); and

(E) in subparagraph (G) as redesignated—

(i) by inserting ''(HOV)'' after ''high occupancy vehicle''; and

(ii) by inserting ''under section 166 of this title'' after ''facility'';

(2) in paragraph (3)(A)—

(A) by striking ''shall use'' and inserting ''shall ensure that''; and

(B) by inserting ''are used'' after ''toll facility'' the second place it appears; and

(3) by striking paragraph (4) and redesignating paragraphs (5) through (10) as paragraphs (4) through (9), respectively.

(b) HOV FACILITIES.—Section 166 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking the paragraph heading and inserting ''**AUTHORITY OF PUBLIC AUTHORITIES**''; and

(B) by striking ''State agency'' and inserting ''public authority'';

(2) in subsection (b)—

(A) by striking ''State agency'' each place it appears and inserting ''public authority'';

(B) in paragraph (3)—

(i) by striking ''and'' at the end of subparagraph (A);

(ii) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(iii) by inserting at the end the following:

''(C) provides equal access for all public transportation vehicles and over-the-road buses.''; and

(C) in paragraph (5)—

(i) in subparagraph (A) by striking ''2017'' and inserting ''2021''; and

(ii) in subparagraph (B) by striking ''2017'' and inserting ''2021'';

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Notwithstanding section 301, tolls may be charged under paragraphs (4) and (5) of subsection (b), subject to the requirements of section 129.'';

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(C) by inserting after paragraph (2), as redesignated, the following:

''(3) EXEMPTION FROM TOLLS.—In levying tolls on a facility under this section, a public authority may designate classes of vehicles that are exempt from the tolls or charge different toll rates for different classes of vehicles, if equal rates are charged for all public transportation vehicles and over-the-road buses, whether publicly or privately owned.'';

(4) in subsection (d)—

(A) by striking ''State agency'' each place it appears and inserting ''public authority'';

(B) in paragraph (1)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

''(D) CONSULTATION OF MPO.—If the facility is on the Interstate System and located in a metropolitan planning area established in accordance with section 134, consulting with the metropolitan planning organization for the area concerning the placement and amount of tolls on the facility.''; and

(iii) in subparagraph (F), as redesignated—

(I) by striking ''State'' the first place it appears and inserting ''public authority''; and

(II) by striking ''subparagraph (D)'' and inserting ''subparagraph (E)''; and

(5) in subsection (f)—

(A) in paragraph (4)(B)(iii) by striking ''State agency'' and inserting ''public authority''; and

(B) by striking paragraph (5) and inserting after paragraph (4) the following:

''(5) OVER-THE-ROAD BUS.—The term 'over-the-road bus' means a vehicle as defined in section 301(5) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181(5)).

''(6) PUBLIC AUTHORITY.—The term 'public authority' as used with respect to a HOV facility, means a State, interstate compact of States, public entity designated by a State, or local government having jurisdiction over the operation of the facility.''.

(c) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105–178) is amended—

(1) in paragraph (4)—

(A) in subparagraph (D) by striking ''and'' at the end;

(B) in subparagraph (E) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(F) the State has approved enabling legislation required for the project to proceed.'';

(2) by redesignating paragraphs (6) through (8) as paragraphs (8) through (10), respectively; and

(3) by inserting after paragraph (5) the following:

''(6) REQUIREMENTS FOR PROJECT COMPLETION.—

''(A) GENERAL TERM FOR EXPIRATION OF PROVISIONAL APPLICATION.—An application provisionally approved by the Secretary under this subsection shall expire 3 years after the date on which the application was provisionally approved if the State has not—

''(i) submitted a complete application to the Secretary that fully satisfies the eligibility criteria under paragraph (3) and the selection criteria under paragraph (4);

''(ii) completed the environmental review and permitting process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the pilot project; and

''(iii) executed a toll agreement with the Secretary.

''(B) EXCEPTIONS TO EXPIRATION.—Notwithstanding subparagraph (A), the Secretary may extend the provisional approval for not more than 1 additional year if the State demonstrates material progress toward implementation of the project as evidenced by—

''(i) substantial progress in completing the environmental review and permitting process for the pilot project under the National Environmental Policy Act of 1969;

''(ii) funding and financing commitments for the pilot project;

''(iii) expressions of support for the pilot project from State and local governments, community interests, and the public; and

''(iv) submission of a facility management plan pursuant to paragraph (3)(D).

''(C) CONDITIONS FOR PREVIOUSLY PROVISIONALLY APPROVED APPLICATIONS.—A State with a provisionally approved application for a pilot project as of the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015 shall have 1 year after such date of enactment to meet the requirements of subparagraph (A) or receive an extension from the Secretary under subparagraph (B), or the application will expire.

''(7) DEFINITION.—In this subsection, the term 'provisional approval' or 'provisionally approved' means the approval by the Secretary of a partial application under this subsection, including the reservation of a slot in the pilot program.''.

(d) APPROVAL OF APPLICATIONS.—The Secretary may approve an application submitted under section 1604(c) of SAFETEA–LU (Public Law 109–59; 119 Stat. 1253) if the application, or any part of the application, was submitted before the deadline specified in section 1604(c)(8) of that Act.

**SEC. 1402. PROHIBITION ON THE USE OF FUNDS FOR AUTOMATED TRAFFIC ENFORCEMENT.**

(a) PROHIBITION.—Except as provided in subsection (b), for fiscal years 2016 through 2021, funds apportioned to a State under section 104(b)(3) of title 23, United States Code, may not be used to purchase, operate, or maintain an automated traffic enforcement system.

(b) EXCEPTION.—Subsection (a) does not apply to an automated traffic enforcement system located in a school zone.

(c) AUTOMATED TRAFFIC ENFORCEMENT SYSTEM DEFINED.—In this section, the term ''automated traffic enforcement system'' means any camera that captures an image of a vehicle for the purposes of traffic law enforcement.

**SEC. 1403. MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED OR DRIVING UNDER THE INFLUENCE.**

(a) IN GENERAL.—Section 164(a)(4) of title 23, United States Code, is amended—

(1) in the matter preceding subparagraph (A) by inserting '', or a combination of State laws,'' after ''a State law''; and

(2) by striking subparagraph (A) and inserting the following:

''(A) receive, for not less than 1 year—

''(i) a suspension of all driving privileges;

''(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock system installed (allowing for limited exceptions for circumstances when the individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual); or

''(iii) a combination of both clauses (i) and (ii);''.

(b) APPLICATION.—The amendments made by this section shall apply with respect to fiscal years beginning after the date of enactment of this Act.

**SEC. 1404. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.**

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORTS.—

''(1) COMPILATION OF DATA.—The Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway funds made available under this title.

''(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public Internet Web site of the Department and can be searched and downloaded by users of the Web site.

''(3) CONTENTS OF REPORTS.—

''(A) APPORTIONED AND ALLOCATED PROGRAMS.—On a semiannual basis, the Secretary shall make available a report on funding apportioned and allocated to the States under this title that describes—

''(i) the amount of funding obligated by each State, year-to-date, for the current fiscal year;

''(ii) the amount of funds remaining available for obligation by each State;

''(iii) changes in the obligated, unexpended balance for each State, year-to-date, during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures;

''(iv) the amount and program category of unobligated funding, year-to-date, available for expenditure at the discretion of the Secretary;

''(v) the rates of obligation on and off the National Highway System, year-to-date, for the current fiscal year of funds apportioned, allocated, or set aside under this section, according to—

''(I) program;

''(II) funding category or subcategory;

''(III) type of improvement;

''(IV) State; and

''(V) sub-State geographical area, including urbanized and rural areas, on the basis of the population of each such area; and

''(vi) the amount of funds transferred by each State, year-to-date, for the current fiscal year between programs under section 126.

''(B) PROJECT DATA.—On an annual basis, the Secretary shall make available a report that, to the maximum extent possible, provides project-specific data describing—

''(i) for all projects funded under this title (excluding projects for which funds are transferred to agencies other than the Federal Highway Administration)—

''(I) the specific location of the project;

''(II) the total cost of the project;

''(III) the amount of Federal funding obligated for the project;

''(IV) the program or programs from which Federal funds have been obligated for the project;

''(V) the type of improvement being made; and

''(VI) the ownership of the highway or bridge; and

''(ii) for any project funded under this title (excluding projects for which funds are transferred to agencies other than the Federal Highway Administration) with an estimated total cost as of the start of construction in excess of $100,000,000, the data specified under clause (i) and additional data describing—

''(I) whether the project is located in an area of the State with a population of—

''(aa) less than 5,000 individuals;

''(bb) 5,000 or more individuals but less than 50,000 individuals;

''(cc) 50,000 or more individuals but less than 200,000 individuals; or

''(dd) 200,000 or more individuals;

''(II) the estimated cost of the project as of the start of project construction, or the revised cost estimate based on a description of revisions to the scope of work or other factors affecting project cost other than cost overruns; and

''(III) the amount of non-Federal funds obligated for the project.''.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended by striking subsection (c).

**SEC. 1405. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.**

(a) IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended—

(1) by striking paragraph (13) and inserting the following:

''(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston, and Elizabeth City, North Carolina, to Norfolk, Virginia.'';

(2) in paragraph (18)(D)—

(A) in clause (ii) by striking ''and'' at the end;

(B) in clause (iii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iv) include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358.'';

(3) by striking paragraph (68) and inserting the following:

''(68) The Washoe County Corridor and the Intermountain West Corridor, which shall generally follow—

''(A) for the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A from Reno, Nevada, to Las Vegas, Nevada; and

''(B) for the Intermountain West Corridor, from the vicinity of Las Vegas, Nevada, north along United States Route 95 terminating at Interstate Route 80.''; and

(4) by adding at the end the following:

''(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.

''(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.

''(83) The Sonoran Corridor along State Route 410 connecting Interstate Route 19 and Interstate Route 10 south of the Tucson International Airport.

''(84) The Central Texas Corridor commencing at the logical terminus of Interstate Route 10, generally following portions of United States Route 190 eastward, passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, and Woodville, to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.

''(85) Interstate Route 81 in New York from its intersection with Interstate Route 86 to the United States-Canadian border.''.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended—

(1) by inserting ''subsection (c)(13),'' after ''subsection (c)(9),'';

(2) by striking ''subsections (c)(18)'' and all that follows through ''subsection (c)(36)'' and inserting ''subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36)''; and

(3) by striking ''and subsection (c)(57)'' and inserting ''subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), subsection (c)(82), and subsection (c)(83)''.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by striking the final sentence and inserting the following: ''The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I–11.''.

(d) FUTURE INTERSTATE DESIGNATION.—Section 119(a) of the SAFETEA–LU Technical Corrections Act of 2008 is amended by striking ''and, as a future Interstate Route 66 Spur, the Natcher Parkway in Owensboro, Kentucky'' and inserting ''between Henderson, Kentucky, and Owensboro, Kentucky, and, as a future Interstate Route 65 and 66 Spur, the William H. Natcher Parkway between Bowling Green, Kentucky, and Owensboro, Kentucky''.

**SEC. 1406. FLEXIBILITY FOR PROJECTS.**

(a) AUTHORITY.—With respect to projects eligible for funding under title 23, United States Code, subject to subsection (b) and on request by a State, the Secretary may—

(1) exercise all existing flexibilities under and exceptions to—

(A) the requirements of title 23, United States Code; and

(B) other requirements administered by the Secretary, in whole or part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).

(b) MAINTAINING PROTECTIONS.—Nothing in this section—

(1) waives the requirements of section 113 or 138 of title 23, United States Code;

(2) supersedes, amends, or modifies—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(B) any requirement of title 23 or title 49, United States Code; or

(3) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this subsection.

**SEC. 1407. PRODUCTIVE AND TIMELY EXPENDITURE OF FUNDS.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop guidance that encourages the use of programmatic approaches to project delivery, expedited and prudent procurement techniques, and other best practices to facilitate productive, effective, and timely expenditure of funds for projects eligible for funding under title 23, United States Code.

(b) IMPLEMENTATION.—The Secretary shall work with States to ensure that any guidance developed under subsection (a) is consistently implemented by States and the Federal Highway Administration to—

(1) avoid unnecessary delays in completing projects;

(2) minimize cost overruns; and

(3) ensure the effective use of Federal funding.

**SEC. 1408. CONSOLIDATION OF PROGRAMS.**

Section 1519(a) of MAP–21 (126 Stat. 574) is amended by striking ''From administrative funds'' and all that follows through ''shall be made available'' and inserting ''For each of fiscal years 2016 through 2021, before making an apportionment under section 104(b)(3) of title 23, United States Code, the Secretary shall set aside, from amounts made available to carry out the highway safety improvement program under section 148 of such title for the fiscal year, $3,500,000''.

**SEC. 1409. FEDERAL SHARE PAYABLE.**

(a) INNOVATIVE PROJECT DELIVERY METHODS.—Section 120(c)(3)(A)(ii) of title 23, United States Code, is amended by inserting ''engineering or design approaches,'' after ''technologies,''.

(b) EMERGENCY RELIEF.—Section 120(e)(2) of title 23, United States Code, is amended by striking ''Federal land access transportation facilities,'' and inserting ''other federally owned roads that are open to public travel,''.

**SEC. 1410. ELIMINATION OR MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.**

(a) FUNDAMENTAL PROPERTIES OF ASPHALTS REPORT.—Section 6016(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2183) is repealed.

(b) EXPRESS LANES DEMONSTRATION PROGRAM REPORTS.—Section 1604(b)(7)(B) of SAFETEA–LU (23 U.S.C. 129 note) is repealed.

**SEC. 1411. TECHNICAL CORRECTIONS.**

(a) TITLE 23.—Title 23, United States Code, is amended as follows:

(1) Section 150(c)(3)(B) is amended by striking the semicolon at the end and inserting a period.

(2) Section 154(c) is amended—

(A) in paragraph (3)(A) by striking ''transferred'' and inserting ''reserved''; and

(B) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by inserting ''or released'' after ''transferred''; and

(ii) in subparagraph (A) by striking ''under section 104(b)(1)'' and inserting ''under section 104(b)(1)''.

(3) Section 164(b) is amended—

(A) in paragraph (3)(A) by striking ''transferred'' and inserting ''reserved''; and

(B) in paragraph (5) by inserting ''or released'' after ''transferred''.

(b) MAP–21.—Effective as of July 6, 2012, and as if included therein as enacted, MAP–21 (Public Law 112–141) is amended as follows:

(1) Section 1109(a)(2) (126 Stat. 444) is amended by striking ''fourth'' and inserting ''fifth''.

(2) Section 1203 (126 Stat. 524) is amended—

(A) in subsection (a) by striking ''Section 150 of title 23, United States Code, is amended to read as follows'' and inserting ''Title 23, United States Code, is amended by inserting after section 149 the following''; and

(B) in subsection (b) by striking ''by striking the item relating to section 150 and inserting'' and inserting ''by inserting after the item relating to section 149''.

(3) Section 1313(a)(1) (126 Stat. 545) is amended to read as follows:

''(1) in the section heading by striking '**pilot**'; and''.

(4) Section 1314(b) (126 Stat. 549) is amended—

(A) by inserting ''chapter 3 of'' after ''analysis for''; and

(B) by inserting a period at the end of the matter proposed to be inserted.

(5) Section 1519(c) (126 Stat. 575) is amended—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (4) through (12) as paragraphs (3) through (11), respectively;

(C) in paragraph (7), as redesignated by subparagraph (B) of this paragraph—

(i) by striking the period at the end of the matter proposed to be struck; and

(ii) by adding a period at the end; and

(D) in paragraph (8)(A)(i)(I), as redesignated by subparagraph (B) of this paragraph, by striking ''than rail'' in the matter proposed to be struck and inserting ''than on rail''.

(6) Section 1528 is amended—

(A) in subsection (b) by inserting ''(or a lower percentage if so requested by a State with respect to a project)'' after ''100 percent''; and

(B) in subsection (c) by inserting ''(or a lower percentage if so requested by a State with respect to a project)'' after ''100 percent''.

**SEC. 1412. SAFETY FOR USERS.**

(a) IN GENERAL.—The Secretary shall encourage each State and metropolitan planning organization to adopt standards for the design of Federal surface transportation projects that provide for the safe and adequate accommodation (as determined by the State) in all phases of project planning, development, and operation, of all users of the surface transportation network, including motorized and nonmotorized users.

(b) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall make available to the public a report cataloging examples of State law or State transportation policy that provides for the safe and adequate accommodation, in all phases of project planning, development, and operation of all users of the surface transportation network.

(c) BEST PRACTICES.—Based on the report required under subsection (b), the Secretary shall identify and disseminate examples of best practices where States have adopted measures that have successfully provided for the safe and adequate accommodation of all users of the transportation network in all phases of project development and operation.

**SEC. 1413. DESIGN STANDARDS.**

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''may take into account'' and inserting ''shall consider'';

(ii) in subparagraph (B) by striking ''and'' at the end;

(iii) by redesignating subparagraph (C) as subparagraph (D); and

(iv) by inserting after subparagraph (B) the following:

''(C) cost savings by utilizing flexibility that exists in current design guidance and regulations; and''; and

(B) in paragraph (2)—

(i) in subparagraph (C) by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

''(D) the publication entitled 'Highway Safety Manual' of the American Association of State Highway and Transportation Officials;

''(E) the publication entitled 'Urban Street Design Guide' of the National Association of City Transportation Officials; and''; and

(2) in subsection (f) by inserting ''pedestrian walkways,'' after ''bikeways,''.

(b) DESIGN STANDARD FLEXIBILITY.—Notwithstanding section 109(o) of title 23, United States Code, a State may allow a local jurisdiction to use a roadway design publication that is different from the roadway design publication used by the State in which the local jurisdiction is located for the design of a project on a roadway under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is a direct recipient of Federal funds for the project;

(2) the roadway design publication—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

**SEC. 1414. RESERVE FUND.**

(a) LIMITATION.—

(1) IN GENERAL.—Notwithstanding funding, authorizations of appropriations, and contract authority described in sections 1101, 1102, 3017, 4001, 5101, and 6002 of this Act, including the amendments made by such sections, sections 125 and 147 of title 23, United States Code, and section 5338(a) of title 49, United States Code, no funding, authorization of appropriations, and contract authority described in those sections for fiscal years 2019 through 2021 shall exist unless and only to the extent that a subsequent Act of Congress causes additional monies to be deposited in the Highway Trust Fund.

(2) ADMINISTRATIVE EXPENSES.—The limitation on funds provided in paragraph (1) shall not apply to—

(A) administrative expenses of the Federal Highway Administration under sections 104(a) and 608(a)(6) of title 23, United States Code;

(B) administrative expenses of the National Highway Traffic Safety Administration under section 4001(a)(6) of this Act;

(C) administrative expenses of the Federal Motor Carrier Safety Administration under section 5103 of this Act; and

(D) administrative expenses of the Federal Transit Administration under section 5338(h) of title 49, United States Code.

(b) ADJUSTMENTS TO CONTRACT AUTHORITY.—

(1) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 104 the following:

**''§ 105. Adjustments to contract authority**

''(a) CALCULATION.—

''(1) IN GENERAL.—The President shall include in each of the fiscal year 2017 through 2021 budget submissions to Congress under section 1105(a) of title 31, for each of the Highway Account and the Mass Transit Account, a calculation of the difference between—

''(A) the actual level of monies deposited in that account for the most recently completed fiscal year; and

''(B) the estimated level of receipts for that account for the most recently completed fiscal year, as specified in paragraph (2).

''(2) ESTIMATE.—The estimated level of receipts specified in this paragraph are—

''(A) for the Highway Account—

''(i) for fiscal year 2015, $35,740,259,248;

''(ii) for fiscal year 2016, $35,498,000,000;

''(iii) for fiscal year 2017, $35,879,000,000;

''(iv) for fiscal year 2018, $36,084,000,000; and

''(v) for fiscal year 2019, $36,117,000,000; and

''(B) for the Mass Transit Account—

''(i) for fiscal year 2015, $5,048,527,972;

''(ii) for fiscal year 2016, $5,020,000,000;

''(iii) for fiscal year 2017, $5,024,000,000;

''(iv) for fiscal year 2018, $5,011,000,000; and

''(v) for fiscal year 2019, $4,981,000,000.

''(3) TECHNICAL CORRECTION.—For purposes of paragraph (1)(A), the term 'actual level of monies deposited in that account' shall not include funding of the Highway Trust Fund provided by section 2002 of Public Law 114–41.

''(b) ADJUSTMENTS TO CONTRACT AUTHORITY.—

''(1) ADDITIONAL AMOUNTS.—If the difference determined in a budget submission under subsection (a) for a fiscal year for the Highway Account or the Mass Transit Account is greater than zero, the Secretary shall on October 1 of the budget year of that submission—

''(A) make available for programs authorized from such account for the budget year a total amount equal to—

''(i) the amount otherwise authorized to be appropriated for such programs for such budget year; plus

''(ii) an amount equal to such difference; and

''(B) distribute the additional amount under subparagraph (A)(ii) to each of such programs in accordance with subsection (c).

''(2) REDUCTION.—If the difference determined in a budget submission under subsection (a) for a fiscal year for the Highway Account or the Mass Transit Account is less than zero, the Secretary shall on October 1 of the budget year of that submission—

''(A) make available for programs authorized from such account for the budget year a total amount equal to—

''(i) the amount otherwise authorized to be appropriated for such programs for such budget year; minus

''(ii) an amount equal to such difference; and

''(B) apply the total adjustment under subparagraph (A)(ii) to each of such programs in accordance with subsection (c).

''(c) DISTRIBUTION OF ADJUSTMENT AMONG PROGRAMS.—

''(1) IN GENERAL.—In making an adjustment for the Highway Account or the Mass Transit Account for a budget year under subsection (b), the Secretary shall—

''(A) determine the ratio that—

''(i) the amount authorized to be appropriated for a program from the account for the budget year; bears to

''(ii) the total amount authorized to be appropriated for such budget year for all programs under such account;

''(B) multiply the ratio determined under subparagraph (A) by the applicable difference calculated under subsection (a); and

''(C) adjust the amount that the Secretary would otherwise have allocated for the program for such budget year by the amount calculated under subparagraph (B).

''(2) FORMULA PROGRAMS.—For a program for which funds are distributed by formula, the Secretary shall add or subtract the adjustment to the amount authorized for the program but for this section and make available the adjusted program amount for such program in accordance with such formula.

''(3) AVAILABILITY FOR OBLIGATION.—Adjusted amounts under this subsection shall be available for obligation and administered in the same manner as other amounts made available for the program for which the amount is adjusted.

''(d) EXCLUSION OF EMERGENCY RELIEF PROGRAM AND COVERED ADMINISTRATIVE EXPENSES.—The Secretary shall exclude the emergency relief program under section 125 and covered administrative expenses from—

''(1) an adjustment of funding under subsection (c)(1); and

''(2) any calculation under subsection (b) or (c) related to such an adjustment.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the appropriate account or accounts of the Highway Trust Fund an amount equal to the amounts calculated under subsection (a) for each of fiscal years 2017 through 2021.

''(f) REVISION TO OBLIGATION LIMITATIONS.—

''(1) IN GENERAL.—If the Secretary makes an adjustment under subsection (b) for a fiscal year to an amount subject to a limitation on obligations imposed by section 1102 or 3017 of the Surface Transportation Reauthorization and Reform Act of 2015—

''(A) such limitation on obligations for such fiscal year shall be revised by an amount equal to such adjustment; and

''(B) the Secretary shall distribute such limitation on obligations, as revised under subparagraph (A), in accordance with such sections.

''(2) EXCLUSION OF COVERED ADMINISTRATIVE EXPENSES.—The Secretary shall exclude covered administrative expenses from—

''(A) any calculation relating to a revision of a limitation on obligations under paragraph (1)(A); and

''(B) any distribution of a revised limitation on obligations under paragraph (1)(B).

''(g) DEFINITIONS.—In this section, the following definitions apply:

''(1) BUDGET YEAR.—The term 'budget year' means the fiscal year for which a budget submission referenced in subsection (a)(1) is submitted.

''(2) COVERED ADMINISTRATIVE EXPENSES.—The term 'covered administrative expenses' means the administrative expenses of—

''(A) the Federal Highway Administration, as authorized under section 104(a);

''(B) the National Highway Traffic Safety Administration, as authorized under section 4001(a)(6) of the Surface Transportation Reauthorization and Reform Act of 2015; and

''(C) the Federal Motor Carrier Safety Administration, as authorized under section 31110 of title 49.

''(3) HIGHWAY ACCOUNT.—The term 'Highway Account' means the portion of the Highway Trust Fund that is not the Mass Transit Account.

''(4) MASS TRANSIT ACCOUNT.—The term 'Mass Transit Account' means the Mass Transit Account of the Highway Trust Fund established under section 9503(e)(1) of the Internal Revenue Code of 1986.''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 104 the following:

''105. Adjustments to contract authority.''.

**SEC. 1415. ADJUSTMENTS.**

(a) IN GENERAL.—On July 1, 2018, of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of $6,000,000,000 is permanently rescinded.

(b) EXCLUSIONS FROM RESCISSION.—The rescission under subsection (a) shall not apply to funds distributed in accordance with—

(1) sections 104(b)(3) and 130(f) of title 23, United States Code;

(2) sections 133(d)(1)(A) of such title;

(3) the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141);

(4) sections 133(d)(1) and 163 of such title, as in effect on the day before the date of en-

actment of SAFETEA–LU (Public Law 109–59); and

(5) section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141).

(c) DISTRIBUTION AMONG STATES.—The amount to be rescinded under this section from a State shall be determined by multiplying the total amount of the rescission in subsection (a) by the ratio that—

(1) the unobligated balances subject to the rescission as of September 30, 2017, for the State; bears to

(2) the unobligated balances subject to the rescission as of September 30, 2017, for all States.

(d) DISTRIBUTION WITHIN EACH STATE.—The amount to be rescinded under this section from each program to which the rescission applies within a State shall be determined by multiplying the required rescission amount calculated under subsection (c) for such State by the ratio that—

(1) the unobligated balance as of September 30, 2017, for such program in such State; bears to

(2) the unobligated balances as of September 30, 2017, for all programs to which the rescission applies in such State.

**SEC. 1416. NATIONAL ELECTRIC VEHICLE CHARGING, HYDROGEN, AND NATURAL GAS FUELING CORRIDORS.**

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:

**''§ 151. National electric vehicle charging, hydrogen, and natural gas fueling corridors**

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall designate national electric vehicle charging, hydrogen, and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure, hydrogen infrastructure, and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric, hydrogen fuel cell, and natural gas fueling technologies across the United States.

''(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

''(1) solicit nominations from State and local officials for facilities to be included in the corridors;

''(2) incorporate existing electric vehicle charging, hydrogen fueling stations, and natural gas fueling corridors designated by a State or group of States; and

''(3) consider the demand for, and location of, existing electric vehicle charging, hydrogen fueling stations, and natural gas fueling infrastructure.

''(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

''(1) the heads of other Federal agencies;

''(2) State and local officials;

''(3) representatives of—

''(A) energy utilities;

''(B) the electric, fuel cell electric, and natural gas vehicle industries;

''(C) the freight and shipping industry;

''(D) clean technology firms;

''(E) the hospitality industry;

''(F) the restaurant industry;

''(G) highway rest stop vendors; and

''(H) industrial gas and hydrogen manufacturers; and

''(4) such other stakeholders as the Secretary determines to be necessary.

''(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

''(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

''(1) identifies electric vehicle charging, hydrogen infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

''(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging, hydrogen infrastructure, and natural gas fueling infrastructure in those corridors by the end of fiscal year 2021.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 150 the following:

''151. National electric vehicle charging, hydrogen, and natural gas fueling corridors.''.

**SEC. 1417. FERRIES.**

Section 147 of title 23, United States Code, is amended by adding at the end the following:

''(h) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

''(1) withdraw amounts allocated to eligible entities under this section that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

''(2) in the fiscal year beginning after a fiscal year in which a withdrawal is made under paragraph (1), redistribute the funds withdrawn, in accordance with the formula specified under subsection (d), among eligible entities with respect to which no amounts were withdrawn under paragraph (1).''.

**SEC. 1418. STUDY ON PERFORMANCE OF BRIDGES.**

(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that are at least 15 years old and received funding under the innovative bridge research and construction program (in this section referred to as the ''program'') under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(c) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) DATA FROM STATES.—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) DEADLINE.—The Administrator shall submit to Congress a report on the results of the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.

**SEC. 1419. RELINQUISHMENT OF PARK-AND-RIDE LOT FACILITIES.**

A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law if the agreement providing for the relinquishment provides that—

(1) rights-of-way on the Interstate System will remain available for future highway improvements; and

(2) modifications to the facilities that could impair the highway or interfere with the free and safe flow of traffic are subject to the approval of the Secretary.

**SEC. 1420. PILOT PROGRAM.**

(a) IN GENERAL.—The Secretary may establish a pilot program that allows a State to utilize innovative approaches to maintain the right-of-way of Federal-aid highways within such State.

(b) LIMITATION.—A pilot program established under subsection (a) shall—

(1) terminate after not more than 6 years;

(2) include not more than 5 States; and

(3) be subject to guidelines published by the Secretary.

(c) REPORT.—If the Secretary establishes a pilot program under subsection (a), the Secretary shall, not more than 1 year after the completion of the pilot program, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the pilot program.

**SEC. 1421. INNOVATIVE PROJECT DELIVERY EXAMPLES.**

Section 120(c)(3)(B) of title 23, United States Code, is amended—

(1) in clause (iv) by striking ''or'' at the end;

(2) by redesignating clause (v) as clause (vi); and

(3) by inserting after clause (iv) the following:

''(v) innovative pavement materials that have a demonstrated life cycle of 75 or more years, are manufactured with reduced greenhouse gas emissions, and reduce construc-

tion-related congestion by rapidly curing; or''.

**SEC. 1422. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.**

(a) IN GENERAL.—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a) by inserting ''(including the enhancement of habitat and forage for pollinators)'' before ''adjacent''; and

(2) by adding at the end the following:

''(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

''(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and

''(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.''.

(b) PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.—Section 329(a)(1) of title 23, United States Code, is amended by inserting ''provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,'' before ''and aesthetic enhancement''.

**SEC. 1423. MILK PRODUCTS.**

Section 127(a) of title 23, United States Code, is amended by adding at the end the following:

''(13) MILK PRODUCTS.—A vehicle carrying fluid milk products shall be considered a load that cannot be easily dismantled or divided.''.

**SEC. 1424. INTERSTATE WEIGHT LIMITS FOR EMERGENCY VEHICLES.**

Section 127(a) of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(14) EMERGENCY VEHICLES.—

''(A) IN GENERAL.—With respect to an emergency vehicle, the following weight limits shall apply in lieu of the maximum and minimum weight limits specified in this subsection:

''(i) 24,000 pounds on a single steering axle.

''(ii) 33,500 pounds on a single drive axle.

''(iii) 62,000 pounds on a tandem axle.

''(iv) A maximum gross vehicle weight of 86,000 pounds.

''(B) EMERGENCY VEHICLE DEFINED.—In this paragraph, the term 'emergency vehicle' means a vehicle designed—

''(i) to be used under emergency conditions to transport personnel and equipment; and

''(ii) to support the suppression of fires and mitigation of other hazardous situations.''.

**SEC. 1425. VEHICLE WEIGHT LIMITATIONS—INTERSTATE SYSTEM.**

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLES.—

''(1) IN GENERAL.—The vehicle weight limitations set forth in this section do not apply to a covered heavy-duty tow and recovery vehicle.

''(2) COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLE DEFINED.—In this subsection, the term 'covered heavy-duty tow and recovery vehicle' means a vehicle that—

''(A) is transporting a disabled vehicle from the place where the vehicle became disabled to the nearest appropriate repair facility; and

''(B) has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.''.

**SEC. 1426. NEW NATIONAL GOAL, PERFORMANCE MEASURE, AND PERFORMANCE TARGET.**

(a) NATIONAL GOAL.—Section 150(b) of title 23, United States Code, is amended by adding at the end the following:

''(8) INTEGRATED ECONOMIC DEVELOPMENT.—To improve road conditions in economically distressed urban communities and increase access to jobs, markets, and economic opportunities for people who live in such communities.''.

(b) PERFORMANCE MEASURE.—Section 150(c) of such title is amended by adding at the end the following:

''(7) INTEGRATED ECONOMIC DEVELOPMENT.—The Secretary shall establish measures for States to use to assess the conditions, accessibility, and reliability of roads in economically distressed urban communities.''.

(c) PERFORMANCE TARGET.—Section 150(d)(1) of such title is amended by striking ''and (6)'' and inserting ''(6), and (7)''.

**SEC. 1427. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.**

Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), a State may allow the maintenance of a sign of a service club, charitable association, or religious service that was erected as of the date of enactment of this Act and the area of which is less than or equal to 32 square feet, if the State notifies the Federal Highway Administration.

**SEC. 1428. WORK ZONE AND GUARD RAIL SAFETY TRAINING.**

(a) IN GENERAL.—Section 1409 of SAFETEA–LU (23 U.S.C. 401 note) is amended—

(1) by striking the section heading and inserting ''**WORK ZONE AND GUARD RAIL SAFETY TRAINING**''; and

(2) in subsection (b) by adding at the end the following:

''(4) Development, updating, and delivery of training courses on guard rail installation, maintenance, and inspection.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 1409 and inserting the following:

''Sec. 1409. Work zone and guard rail safety training.''.

**SEC. 1429. MOTORCYCLIST ADVISORY COUNCIL.**

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Federal Highway Administration, and in consultation with the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, shall appoint a Motorcyclist Advisory Council to coordinate with and advise the Administrator on infrastructure issues of concern to motorcyclists, including—

(1) barrier design;

(2) road design, construction, and maintenance practices; and

(3) the architecture and implementation of intelligent transportation system technologies.

(b) COMPOSITION.—The Council shall consist of not more than 10 members of the motorcycling community with professional expertise in national motorcyclist safety advocacy, including—

(1) at least—

(A) 1 member recommended by a national motorcyclist association;

(B) 1 member recommended by a national motorcycle riders foundation;

(C) 1 representative of the National Association of State Motorcycle Safety Administrators;

(D) 2 members of State motorcyclists' organizations;

(E) 1 member recommended by a national organization that represents the builders of highway infrastructure;

(F) 1 member recommended by a national association that represents the traffic safety systems industry; and

(G) 1 member of a national safety organization; and

(2) at least 1, but not more than 2, motorcyclists who are traffic system design engineers or State transportation department officials.

**SEC. 1430. HIGHWAY WORK ZONES.**

It is the sense of the House of Representatives that the Federal Highway Administration should—

(1) do all within its power to protect workers in highway work zones; and

(2) move rapidly to finalize regulations, as directed in section 1405 of MAP–21 (126 Stat. 560), to protect the lives and safety of construction workers in highway work zones from vehicle intrusions.

## TITLE II—INNOVATIVE PROJECT FINANCE

**SEC. 2001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.**

(a) DEFINITIONS.—

(1) MASTER CREDIT AGREEMENT.—Section 601(a)(10) of title 23, United States Code, is amended to read as follows:

''(10) MASTER CREDIT AGREEMENT.—The term 'master credit agreement' means a conditional agreement to extend credit assistance for a program of related projects secured by a common security pledge (which shall receive an investment grade rating from a rating agency prior to the Secretary entering into such master credit agreement) under section 602(b)(2)(A), or for a single project covered under section 602(b)(2)(B) that does not provide for a current obligation of Federal funds, and that would—

''(A) make contingent commitments of 1 or more secured loans or other Federal credit instruments at future dates, subject to the availability of future funds being made available to carry out this chapter and subject to the satisfaction of all the conditions for the provision of credit assistance under this chapter, including section 603(b)(1);

''(B) establish the maximum amounts and general terms and conditions of the secured loans or other Federal credit instruments;

''(C) identify the 1 or more dedicated non-Federal revenue sources that will secure the repayment of the secured loans or secured Federal credit instruments;

''(D) provide for the obligation of funds for the secured loans or secured Federal credit instruments after all requirements have been met for the projects subject to the master credit agreement, including—

''(i) completion of an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) compliance with such other requirements as are specified in this chapter, including sections 602(c) and 603(b)(1); and

''(iii) the availability of funds to carry out this chapter; and

''(E) require that contingent commitments result in a financial close and obligation of credit assistance not later than 3 years after the date of entry into the master credit agreement, or release of the commitment, unless otherwise extended by the Secretary.''.

(2) RURAL INFRASTRUCTURE PROJECT.—Section 601(a)(15) of title 23, United States Code, is amended to read as follows:

''(15) RURAL INFRASTRUCTURE PROJECT.—The term 'rural infrastructure project'

means a surface transportation infrastructure project located outside of a Census-Bureau-defined urbanized area.''.

(b) MASTER CREDIT AGREEMENTS.—Section 602(b)(2) of title 23, United States Code is amended to read as follows:

''(2) MASTER CREDIT AGREEMENTS.—

''(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

''(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects in a fiscal year, and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year during which additional funds are available to receive credit assistance.''.

(c) ELIGIBLE PROJECT COSTS.—Section 602(a)(5) of title 23, United States Code, is amended—

(1) in subparagraph (A) by inserting ''and (C)'' after ''(B)''; and

(2) by adding at the end the following:

''(C) LOCAL INFRASTRUCTURE PROJECTS.—Eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000 in the case of a project or program of projects—

''(i) in which the applicant is a local government, public authority, or instrumentality of local government;

''(ii) located on a facility owned by a local government; or

''(iii) for which the Secretary determines that a local government is substantially involved in the development of the project.''.

(d) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—Section 603(a)(2) of title 23, United States Code, is amended to read as follows:

''(2) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—A loan under paragraph (1) shall not refinance interim construction financing under paragraph (1)(B)—

''(A) if the maturity of such interim construction financing is later than 1 year after the substantial completion of the project; and

''(B) later than 1 year after the date of substantial completion of the project.''.

(e) FUNDING.—Section 608(a) of title 23, United States Code, is amended—

(1) in paragraph (4)—

(A) in subparagraph (A) by striking ''Beginning in fiscal year 2014, on April 1 of each fiscal year'' and inserting ''Beginning in fiscal year 2016, on August 1 of each fiscal year''; and

(B) by adding at the end the following:

''(D) LIMITATIONS.—The Secretary may not carry out a redistribution under this paragraph—

''(i) for any fiscal year in which such redistribution would adversely impact the receipt of credit assistance by a qualified project within such fiscal year; or

''(ii) if the budget authority determined to be necessary to cover all requests for credit assistance pending before the Department of Transportation on August 1 would reduce the uncommitted balance of funds below the threshold established in subparagraph (A).''; and

(2) by striking paragraph (6) and inserting the following:

''(6) ADMINISTRATIVE COSTS.—Of the amounts made available to carry out this chapter, the Secretary may use not more than $5,000,000 for fiscal year 2016, $5,150,000 for fiscal year 2017, $5,304,500 for fiscal year 2018, $5,463,500 for fiscal year 2019, $5,627,500 for fiscal year 2020, and $5,760,500 for fiscal year 2021 for the administration of this chapter.''.

**SEC. 2002. STATE INFRASTRUCTURE BANK PROGRAM.**

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking subparagraph (A) and inserting the following:

''(A) 10 percent of the funds apportioned to the State for each of fiscal years 2016 through 2021 under each of sections 104(b)(1) and 104(b)(2); and'';

(B) in paragraph (2) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2021'';

(C) in paragraph (3) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2021''; and

(D) in paragraph (5) by striking ''section 133(d)(3)'' and inserting ''section 133(d)(1)(A)(i)''; and

(2) in subsection (k) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2021''.

**SEC. 2003. AVAILABILITY PAYMENT CONCESSION MODEL.**

(a) PAYMENT TO STATES FOR CONSTRUCTION.—Section 121(a) of title 23, United States Code, is amended by inserting ''(including payments made pursuant to a long-term concession agreement, such as availability payments)'' after ''a project''.

(b) PROJECT APPROVAL AND OVERSIGHT.—Section 106(b)(1) of title 23, United States Code, is amended by inserting ''(including payments made pursuant to a long-term concession agreement, such as availability payments)'' after ''construction of the project''.

## TITLE III—PUBLIC TRANSPORTATION

**SEC. 3001. SHORT TITLE.**

This title may be cited as the ''Federal Public Transportation Act of 2015''.

**SEC. 3002. DEFINITIONS.**

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)(C) by striking ''landscaping and''; and

(2) by adding at the end the following:

''(24) VALUE CAPTURE.—The term 'value capture' means recovering the increased property value to property located near public transportation resulting from investments in public transportation.

''(25) BASE-MODEL BUS.—The term 'base-model bus' means a heavy-duty public transportation bus manufactured to meet, but not exceed, transit-specific minimum performance criteria developed by the Secretary.''.

**SEC. 3003. METROPOLITAN AND STATEWIDE TRANSPORTATION PLANNING.**

(a) IN GENERAL.—Section 5303 of title 49, United States Code, is amended—

(1) in subsection (c)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities'';

(2) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).''; and

(C) in paragraph (5), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(3) in subsection (e)(4)(B) by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(4) in subsection (g)(3)(A) by inserting ''tourism, natural disaster risk reduction,'' after ''economic development,'';

(5) in subsection (h)(1)—

(A) in subparagraph (G) by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.'';

(6) in subsection (i)—

(A) in paragraph (2)(A)(i) by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and

(C) in paragraph (8) by striking ''paragraph (2)(C)'' each place it appears and inserting ''paragraph (2)(E)'';

(7) in subsection (k)(3)—

(A) in subparagraph (A) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), job access projects,'' after ''reduction''; and

(B) by adding at the end the following:

''(C) CONGESTION MANAGEMENT PLAN.—A metropolitan planning organization with a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

''(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

''(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

''(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

''(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and non-profit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.'';

(8) in subsection (l)—

(A) by adding a period at the end of paragraph (1); and

(B) in paragraph (2)(D) by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less''; and

(9) in subsection (p) by striking ''Funds set aside under section 104(f)'' and inserting ''Funds apportioned under section 104(b)(5)''.

(b) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G) by striking ''and'' at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii) by striking ''urbanized''; and

(ii) in subparagraph (C) by striking ''urbanized''; and

(3) in subsection (f)(3)(A)(ii)—

(A) by inserting ''public ports,'' before ''freight shippers,''; and

(B) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''.

**SEC. 3004. URBANIZED AREA FORMULA GRANTS.**

Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(B) by inserting before paragraph (2) (as so redesignated) the following:

''(1) RECIPIENT DEFINED.—In this section, the term 'recipient' means a designated recipient, State, or local governmental authority that receives a grant under this section directly from the Government.'';

(C) in paragraph (3) (as so redesignated) by inserting ''or general public demand response service'' before ''during'' each place it appears; and

(D) by adding at the end the following:

''(4) EXCEPTION TO THE SPECIAL RULE.—Notwithstanding paragraph (3), if a public transportation system described in such paragraph executes a written agreement with 1 or more other public transportation systems to allocate funds under this subsection, other than by measuring vehicle revenue hours, each of the public transportation systems to the agreement may follow the terms of such agreement without regard to the percentages or the measured vehicle revenue hours referred to in such paragraph.''; and

(2) in subsection (c)(1)(K)(i) by striking ''1 percent'' and inserting ''one-half of 1 percent''.

**SEC. 3005. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.**

Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)(6)—

(A) in subparagraph (A) by inserting '', small start projects,'' after ''new fixed guideway capital projects''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.'';

(2) in subsection (h)(6)—

(A) by striking ''In carrying out'' and inserting the following:

''(A) IN GENERAL.—In carrying out''; and

(B) by adding at the end the following:

''(B) OPTIONAL EARLY RATING.—At the request of the project sponsor, the Secretary shall evaluate and rate the project in accordance with paragraphs (4) and (5) and subparagraph (A) of this paragraph upon completion of the analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).'';

(3) in subsection (i)—

(A) in paragraph (1) by striking ''subsection (d) or (e)'' and inserting ''subsection (d), (e), or (h)'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by inserting ''new fixed guideway capital project or core capacity improvement'' after ''federally funded'';

(ii) by striking subparagraph (D) and inserting the following:

''(D) the program of interrelated projects, when evaluated as a whole—

''(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—

''(I) new fixed guideway capital projects;

''(II) core capacity improvement projects; or

''(III) small start projects; or

''(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway projects, small start projects, and core capacity improvement projects.'';

(C) by striking paragraph (3)(A) and inserting the following:

''(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

''(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or

''(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.'';

(4) in subsection (l)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net capital project cost. A grant for a new fixed guideway project shall not exceed 50 percent of the net capital project cost. A grant for a core capacity project shall not exceed 80 percent of the net capital project cost of the incremental cost of increasing the capacity in the corridor. A grant for a small start project shall not exceed 80 percent.''; and

(B) by striking paragraph (4) and inserting the following:

''(4) REMAINING COSTS.—The remainder of the net project costs shall be provided—

''(A) in cash from non-Government sources other than revenues from providing public transportation services;

''(B) from revenues from the sale of advertising and concessions;

''(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

''(D) from amounts appropriated or otherwise made available to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation.'';

(5) by striking subsection (n) and redesignating subsection (o) as subsection (n); and

(6) by adding at the end the following:

''(o) SPECIAL RULE.—For the purposes of calculating the cost effectiveness of a project described in subsection (d) or (e), the Secretary shall not reduce or eliminate the capital costs of art and landscaping elements from the annualized capital cost calculation.''.

**SEC. 3006. FORMULA GRANTS FOR ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.**

Section 5310 of title 49, United States Code, is amended by adding at the end the following:

''(i) BEST PRACTICES.—The Secretary shall collect from, review, and disseminate to public transit agencies innovative practices, program models, new service delivery options, findings from activities under subsection (h), and transit cooperative research program reports.''.

**SEC. 3007. FORMULA GRANTS FOR RURAL AREAS.**

Section 5311(g)(3) of title 49, United States Code, is amended—

(1) by redesignating subparagraphs (A) through (D) as subparagraphs (C) through (F), respectively;

(2) by inserting before subparagraph (C) (as so redesignated) the following:

''(A) may be provided in cash from non-Government sources other than revenues from providing public transportation services;

''(B) may be provided from revenues from the sale of advertising and concessions;''; and

(3) in subparagraph (F) (as so redesignated) by inserting '', including all operating and capital costs of such service whether or not offset by revenue from such service,'' after ''the costs of a private operator for the unsubsidized segment of intercity bus service''.

**SEC. 3008. PUBLIC TRANSPORTATION INNOVATION.**

(a) CONSOLIDATION OF PROGRAMS.—Section 5312 of title 49, United States Code, is amended—

(1) by striking the section designation and heading and inserting the following:

**''§ 5312. Public transportation innovation'';**

(2) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(3) by inserting before subsection (b) (as so redesignated) the following:

''(a) IN GENERAL.—The Secretary shall provide assistance for projects and activities to advance innovative public transportation research and development in accordance with the requirements of this section.'';

(4) in subsection (e)(5) (as so redesignated)—

(A) in subparagraph (A) by striking clause (vi) and redesignating clause (vii) as clause (vi);

(B) in subparagraph (B) by striking ''recipients'' and inserting ''participants'';

(C) in subparagraph (C) by striking clause (ii) and inserting the following:

''(ii) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—A grant for a project carried out under this paragraph shall be 80 percent of the net project cost of the project unless the grant recipient requests a lower grant percentage.''; and

(D) by striking subparagraph (G);

(5) in subsection (f) (as so redesignated)—

(A) by striking ''(f)'' and all that follows before paragraph (1) and inserting the following:

''(f) ANNUAL REPORT ON RESEARCH.—Not later than the first Monday in February of each year, the Secretary shall make available to the public on the Web site of the Department of Transportation, a report that includes—'';

(B) in paragraph (1) by adding ''and'' at the end;

(C) in paragraph (2) by striking ''; and'' and inserting a period; and

(D) by striking paragraph (3); and

(6) by adding at the end the following:

''(h) TRANSIT COOPERATIVE RESEARCH PROGRAM.—

''(1) IN GENERAL.—The amounts made available under section 5338(b) are available for a public transportation cooperative research program.

''(2) INDEPENDENT GOVERNING BOARD.—

''(A) ESTABLISHMENT.—The Secretary shall establish an independent governing board for the program under this subsection.

''(B) RECOMMENDATIONS.—The board shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

''(3) FEDERAL ASSISTANCE.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary considers appropriate.

''(4) GOVERNMENT'S SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this subsection, the Secretary shall establish a Government share consistent with that benefit.

''(5) LIMITATION ON APPLICABILITY.—Subsections (f) and (g) shall not apply to activities carried out under this subsection.''.

(b) CONFORMING AMENDMENTS.—Section 5312 of such title (as amended by subsection (a) of this section) is further amended—

(1) in subsection (c)(1) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)'';

(2) in subsection (d)—

(A) in paragraph (1) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)''; and

(B) in paragraph (2)(A) by striking ''subsection (b)'' and inserting ''subsection (c)'';

(3) in subsection (e)(2) in each of subparagraphs (A) and (B) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)''; and

(4) in subsection (f)(2) by striking ''subsection (d)(4)'' and inserting ''subsection (e)(4)''.

(c) REPEAL.—Section 5313 of such title, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.

(d) CLERICAL AMENDMENT.—The analysis for chapter 53 of such title is amended by striking the item relating to section 5312 and inserting the following:

''5312. Public transportation innovation.''.

**SEC. 3009. TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.**

(a) IN GENERAL.—Section 5314 of title 49, United States Code, is amended to read as follows:

**''§ 5314. Technical assistance and workforce development**

''(a) TECHNICAL ASSISTANCE AND STANDARDS.—

''(1) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—

''(A) IN GENERAL.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the Government) to carry out activities that the Secretary determines will assist recipients of assistance under this chapter to—

''(i) more effectively and efficiently provide public transportation service;

''(ii) administer funds received under this chapter in compliance with Federal law; and

''(iii) improve public transportation.

''(B) ELIGIBLE ACTIVITIES.—The activities carried out under subparagraph (A) may include—

''(i) technical assistance; and

''(ii) the development of voluntary and consensus-based standards and best practices by the public transportation industry, including standards and best practices for safety, fare collection, intelligent transportation systems, accessibility, procurement, security, asset management to maintain a state of good repair, operations, maintenance, vehicle propulsion, communications, and vehicle electronics.

''(2) TECHNICAL ASSISTANCE.—The Secretary, through a competitive bid process, may enter into contracts, cooperative agreements, and other agreements with national nonprofit organizations that have the appropriate demonstrated capacity to provide public-transportation-related technical assistance under this subsection. The Secretary may enter into such contracts, cooperative agreements, and other agreements to assist providers of public transportation to—

''(A) comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) through technical assistance, demonstration programs, research, public education, and other activities related to complying with such Act;

''(B) comply with human services transportation coordination requirements and to enhance the coordination of Federal resources for human services transportation with those of the Department of Transportation through technical assistance, training, and support services related to complying with such requirements;

''(C) meet the transportation needs of elderly individuals;

''(D) increase transit ridership in coordination with metropolitan planning organizations and other entities through development around public transportation stations through technical assistance and the development of tools, guidance, and analysis related to market-based development around transit stations;

''(E) address transportation equity with regard to the effect that transportation planning, investment, and operations have for low-income and minority individuals;

''(F) facilitate best practices to promote bus driver safety;

''(G) meet the requirements of sections 5323(j) and 5323(m);

''(H) assist with the development and deployment of zero emission transit technologies; and

''(I) any other technical assistance activity that the Secretary determines is necessary to advance the interests of public transportation.

''(3) ANNUAL REPORT ON TECHNICAL ASSISTANCE.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives a report that includes—

''(A) a description of each project that received assistance under this subsection during the preceding fiscal year;

''(B) an evaluation of the activities carried out by each organization that received assistance under this subsection during the preceding fiscal year;

''(C) a proposal for allocations of amounts for assistance under this subsection for the subsequent fiscal year; and

''(D) measurable outcomes and impacts of the programs funded under subsections (b) and (c).

''(4) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Government share of the cost of an activity carried out using a grant under this subsection may not exceed 80 percent.

''(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an activity carried out using a grant under this subsection may be derived from in-kind contributions.

''(b) HUMAN RESOURCES AND TRAINING.—

''(1) IN GENERAL.—The Secretary may undertake, or make grants and contracts for, programs that address human resource needs as they apply to public transportation activities. A program may include—

''(A) an employment training program;

''(B) an outreach program to increase veteran, minority, and female employment in public transportation activities;

''(C) research on public transportation personnel and training needs;

''(D) training and assistance for veteran and minority business opportunities; and

''(E) consensus-based national training standards and certifications in partnership with industry stakeholders.

''(2) INNOVATIVE PUBLIC TRANSPORTATION FRONTLINE WORKFORCE DEVELOPMENT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish a competitive grant program to assist the development of innovative activities eligible for assistance under subparagraph (1).

''(B) ELIGIBLE PROGRAMS.—A program eligible for assistance under subsection (a) shall—

''(i) develop apprenticeships for transit maintenance and operations occupations, including hands-on, peer trainer, classroom and on-the-job training as well as training for instructors and on-the-job mentors;

''(ii) build local, regional, and statewide transit training partnerships in coordination with entities such as local employers, local public transportation operators, labor union organizations, workforce development boards, State workforce agencies, State apprenticeship agencies (where applicable), and community colleges and university transportation centers, to identify and address workforce skill gaps and develop skills needed for delivering quality transit service and supporting employee career advancement;

''(iii) provide improved capacity for safety, security, and emergency preparedness in local transit systems through—

''(I) developing the role of the frontline workforce in building and sustaining safety culture and safety systems in the industry and in individual public transportation systems;

''(II) specific training, in coordination with the National Transit Institute, on security and emergency preparedness, including protocols for coordinating with first responders and working with the broader community to address natural disasters or other threats to transit systems; and

''(III) training to address frontline worker roles in promoting health and safety for transit workers and the riding public, and improving communication during emergencies between the frontline workforce and the riding public;

''(iv) address current or projected workforce shortages by developing career pathway partnerships with high schools, community colleges, and other community organizations for recruiting and training underrepresented populations, including minorities, women, individuals with disabilities, veterans, and low-income populations as successful transit employees who can develop careers in the transit industry; or

''(v) address youth unemployment by directing the Secretary to award grants to local entities for work-based training and other work-related and educational strategies and activities of demonstrated effectiveness to provide unemployed, low-income young adults and low-income youth with skills that will lead to employment.

''(C) SELECTION OF RECIPIENTS.—To the maximum extent feasible, the Secretary shall select recipients that—

''(i) are geographically diverse;

''(ii) address the workforce and human resources needs of large public transportation providers;

''(iii) address the workforce and human resources needs of small public transportation providers;

''(iv) address the workforce and human resources needs of urban public transportation providers;

''(v) address the workforce and human resources needs of rural public transportation providers;

''(vi) advance training related to maintenance of alternative energy, energy efficiency, or zero emission vehicles and facilities used in public transportation;

''(vii) target areas with high rates of unemployment;

''(viii) address current or projected workforce shortages in areas that require technical expertise; and

''(ix) advance opportunities for minorities, women, veterans, individuals with disabilities, low-income populations, and other underserved populations.

''(D) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

''(i) the impact on reducing public transportation workforce shortages in the area served;

''(ii) the diversity of training participants; and

''(iii) the number of participants obtaining certifications or credentials required for specific types of employment.

''(3) GOVERNMENT'S SHARE OF COSTS.—The Government share of the cost of a project carried out using a grant under paragraph (1) or (2) shall be 50 percent.

''(4) USE FOR TECHNICAL ASSISTANCE.—The Secretary may use not more than 1 percent of amounts made available to carry out this section to provide technical assistance for activities and programs developed, conducted, and overseen under paragraphs (1) and (2).

''(c) NATIONAL TRANSIT INSTITUTE.—

''(1) ESTABLISHMENT.—The Secretary shall establish a national transit institute and award grants to a public, 4-year institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), in order to carry out the duties of the institute.

''(2) DUTIES.—

''(A) IN GENERAL.—In cooperation with the Federal Transit Administration, State transportation departments, public transportation authorities, and national and international entities, the institute established under paragraph (1) shall develop and conduct training and educational programs for Federal, State, and local transportation employees, United States citizens, and foreign nationals engaged or to be engaged in Government-aid public transportation work.

''(B) TRAINING AND EDUCATIONAL PROGRAMS.—The training and educational programs developed under subparagraph (A) may include courses in recent developments, techniques, and procedures related to—

''(i) intermodal and public transportation planning;

''(ii) management;

''(iii) environmental factors;

''(iv) acquisition and joint-use rights-of-way;

''(v) engineering and architectural design;

''(vi) procurement strategies for public transportation systems;

''(vii) turnkey approaches to delivering public transportation systems;

''(viii) new technologies;

''(ix) emission reduction technologies;

''(x) ways to make public transportation accessible to individuals with disabilities;

''(xi) construction, construction management, insurance, and risk management;

''(xii) maintenance;

''(xiii) contract administration;

''(xiv) inspection;

''(xv) innovative finance;

''(xvi) workplace safety; and

''(xvii) public transportation security.

''(3) PROVIDING EDUCATION AND TRAINING.—Education and training of Government, State, and local transportation employees under this subsection shall be provided—

''(A) by the Secretary at no cost to the States and local governments for subjects that are a Government program responsibility; or

''(B) when the education and training are paid under paragraph (4), by the State, with the approval of the Secretary, through grants and contracts with public and private agencies, other institutions, individuals, and the institute.

''(4) AVAILABILITY OF AMOUNTS.—Not more than 0.5 percent of the amounts made available for a fiscal year beginning after September 30, 1991, to a State or public transportation authority in the State to carry out sections 5307 and 5309 is available for expenditure by the State and public transportation authorities in the State, with the approval of the Secretary, to pay not more than 80 percent of the cost of tuition and direct educational expenses related to educating and training State and local transportation employees under this subsection.''.

(b) REPEAL.—Section 5322 of such title, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.

(c) CLERICAL AMENDMENT.—The analysis for chapter 53 of such title is amended by striking the item relating to section 5314 and inserting the following:

''5314. Technical assistance and workforce development.''.

**SEC. 3010. BICYCLE FACILITIES.**

Section 5319 of title 49, United States Code, is amended—

(1) by striking ''90 percent'' and inserting ''80 percent''; and

(2) by striking ''95 percent'' and inserting ''80 percent''.

**SEC. 3011. GENERAL PROVISIONS.**

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (h)—

(A) in paragraph (1) by striking ''or'' at the end;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) pay incremental costs of incorporating art or landscaping into facilities, including the costs of an artist on the design team; or'';

(2) in subsection (i) by adding at the end the following:

''(3) ACQUISITION OF BASE-MODEL BUSES.—A grant for the acquisition of a base-model bus for use in public transportation may be not more than 85 percent of the net project cost.'';

(3) in subsection (j)(2) by striking subparagraph (C) and inserting the following:

''(C) when procuring rolling stock (including train control, communication, and traction power equipment) under this chapter—

''(i) the cost of components and subcomponents produced in the United States—

''(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

''(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

''(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

''(ii) final assembly of the rolling stock has occurred in the United States; or''; and

(4) by adding at the end the following:

''(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—A recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.

''(t) SPECIAL CONDITION ON CHARTER BUS TRANSPORTATION SERVICE.—If, in a fiscal year, the Secretary is prohibited by law from enforcing regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with such part 604, and then was subsequently granted an exception from such part—

''(1) the transit agency shall be precluded from receiving its allocation of urbanized area formula grant funds for that fiscal year; and

''(2) any amounts withheld pursuant to paragraph (1) shall be added to the amount that the Secretary may apportion under section 5336 in the following fiscal year.''.

**SEC. 3012. PUBLIC TRANSPORTATION SAFETY PROGRAM.**

Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C) by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) minimum safety standards to ensure the safe operation of public transportation systems that—

''(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and

''(ii) to the extent practicable, take into consideration—

''(I) relevant recommendations of the National Transportation Safety Board;

''(II) best practices standards developed by the public transportation industry;

''(III) any minimum safety standards or performance criteria being implemented across the public transportation industry;

''(IV) relevant recommendations from the report under section 3018 of the Surface Transportation Reauthorization and Reform Act of 2015; and

''(V) any additional information that the Secretary determines necessary and appropriate;'';

(2) by striking subsection (f) and inserting the following:

''(f) AUTHORITY OF SECRETARY.—

''(1) IN GENERAL.—In carrying out this section, the Secretary may—

''(A) conduct inspections, investigations, audits, examinations, and testing of the equipment, facilities, rolling stock, and operations of the public transportation system of a recipient;

''(B) make reports and issue directives with respect to the safety of the public transportation system of a recipient or the public transportation industry generally;

''(C) in conjunction with an accident investigation or an investigation into a pattern or practice of conduct that negatively affects public safety, issue a subpoena to, and take the deposition of, any employee of a recipient or a State safety oversight agency, if—

''(i) before the issuance of the subpoena, the Secretary requests a determination by the Attorney General as to whether the subpoena will interfere with an ongoing criminal investigation; and

''(ii) the Attorney General—

''(I) determines that the subpoena will not interfere with an ongoing criminal investigation; or

''(II) fails to make a determination under clause (i) before the date that is 30 days after the date on which the Secretary makes a request under clause (i);

''(D) require the production of documents by, and prescribe recordkeeping and reporting requirements for, a recipient or a State safety oversight agency;

''(E) investigate public transportation accidents and incidents and provide guidance to recipients regarding prevention of accidents and incidents;

''(F) at reasonable times and in a reasonable manner, enter and inspect relevant records of the public transportation system of a recipient; and

''(G) issue rules to carry out this section.

''(2) ADDITIONAL AUTHORITY.—

''(A) ADMINISTRATION OF STATE SAFETY OVERSIGHT ACTIVITIES.—If the Secretary finds that a State safety oversight agency that oversees a rail fixed guideway system operating in more than 2 States has become incapable of providing adequate safety oversight of such system, the Secretary may administer State safety oversight activities for such rail fixed guideway system until the States develop a State safety oversight program certified by the Secretary in accordance with subsection (e).

''(B) FUNDING.—To carry out administrative and oversight activities authorized by this paragraph, the Secretary may use grant funds apportioned to an eligible State under subsection (e)(6) to develop or carry out a State safety oversight program.'';

(3) in subsection (g)(1)—

(A) in the matter preceding subparagraph (A) by striking ''an eligible State, as defined in subsection (e),'' and inserting ''a recipient'';

(B) in subparagraph (C) by striking ''and'' at the end;

(C) in subparagraph (D) by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following:

''(E) withholding not more than 25 percent of financial assistance under section 5307.''; and

(4) in subsection (g)(2)—

(A) in subparagraph (A)—

(i) by inserting after ''funds'' the following: ''or withhold funds''; and

(ii) by inserting ''or (1)(E)'' after ''paragraph (1)(D)'';

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

''(B) LIMITATION.—The Secretary may only withhold funds in accordance with paragraph (1)(E), if enforcement actions under subparagraph (A), (B), (C), or (D) did not bring the recipient into compliance.''.

**SEC. 3013. APPORTIONMENTS.**

Section 5336 of title 49, United States Code, is amended—

(1) in subsection (a) in the matter preceding paragraph (1) by striking ''subsection (h)(4)'' and inserting ''subsection (g)(5)'';

(2) in subsection (b)(2)(E) by striking ''22.27 percent'' and inserting ''27 percent'';

(3) by striking subsection (g) and redesignating subsections (h), (i), and (j) as subsections (g), (h), and (i), respectively;

(4) in subsection (g) (as so redesignated)—

(A) in paragraph (2) by striking ''subsection (j)'' and inserting ''subsection (i)''; and

(B) by striking paragraph (3) and inserting the following:

''(3) of amounts not apportioned under paragraphs (1) and (2)—

''(A) for fiscal years 2016 through 2018, 1.5 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (h); and

''(B) for fiscal years 2019 through 2021, 2 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (h);'';

(5) in subsection (h)(2)(A) (as so redesignated) by striking ''subsection (h)(3)'' and inserting ''subsection (g)(3)''; and

(6) in subsection (i) (as so redesignated) by striking ''subsection (h)(2)'' and inserting ''subsection (g)(2)''.

**SEC. 3014. STATE OF GOOD REPAIR GRANTS.**

Section 5337 of title 49, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking ''on a facility with access for other high-occupancy vehicles'' and inserting ''on high-occupancy vehicle lanes during peak hours'';

(B) in paragraph (2) by inserting ''vehicle'' after ''motorbus''; and

(C) by adding at the end the following:

''(5) USE OF FUNDS.—A recipient in an urbanized area may use any portion of the amount apportioned to the recipient under this subsection for high intensity fixed guideway state of good repair projects under subsection (c) if the recipient demonstrates to the satisfaction of the Secretary that the high intensity motorbus public transportation vehicles in the urbanized area are in a state of good repair.''; and

(2) by adding at the end the following:

''(e) GOVERNMENT SHARE OF COSTS.—

''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.

''(2) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(A) in cash from non-Government sources other than revenues from providing public transportation services;

''(B) from revenues derived from the sale of advertising and concessions;

''(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

''(D) from amounts appropriated or otherwise made available to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation.''.

**SEC. 3015. AUTHORIZATIONS.**

Section 5338 of title 49, United States Code, is amended to read as follows:

**''§ 5338. Authorizations**

''(a) FORMULA GRANTS.—

''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5314(c), 5318, 5335, 5337, 5339, and 5340, and section 20005(b) of the Federal Public Transportation Act of 2012—

''(A) $8,723,925,000 for fiscal year 2016;

''(B) $8,879,211,000 for fiscal year 2017;

''(C) $9,059,459,000 for fiscal year 2018;

''(D) $9,240,648,000 for fiscal year 2019;

''(E) $9,429,000,000 for fiscal year 2020; and

''(F) $9,617,580,000 for fiscal year 2021.

''(2) ALLOCATION OF FUNDS.—

''(A) SECTION 5305.—Of the amounts made available under paragraph (1), there shall be available to carry out section 5305—

''(i) $128,800,000 for fiscal year 2016;

''(ii) $128,800,000 for fiscal year 2017;

''(iii) $131,415,000 for fiscal year 2018;

''(iv) $134,043,000 for fiscal year 2019;

''(v) $136,775,000 for fiscal year 2020; and

''(vi) $139,511,000 for fiscal year 2021.

''(B) PILOT PROGRAM.—$10,000,000 for each of fiscal years 2016 through 2021, shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

''(C) SECTION 5307.—Of the amounts made available under paragraph (1), there shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307—

''(i) $4,458,650,000 for fiscal year 2016;

''(ii) $4,458,650,000 for fiscal year 2017;

''(iii) $4,549,161,000 for fiscal year 2018;

''(iv) $4,640,144,000 for fiscal year 2019;

''(v) $4,734,724,000 for fiscal year 2020; and

''(vi) $4,829,418,000 for fiscal year 2021.

''(D) SECTION 5310.—Of the amounts made available under paragraph (1), there shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310—

''(i) $262,175,000 for fiscal year 2016;

''(ii) $266,841,000 for fiscal year 2017;

''(iii) $272,258,000 for fiscal year 2018;

''(iv) $277,703,000 for fiscal year 2019;

''(v) $283,364,000 for fiscal year 2020; and

''(vi) $289,031,000 for fiscal year 2021.

''(E) SECTION 5311.—

''(i) IN GENERAL.—Of the amounts made available under paragraph (1), there shall be available to provide financial assistance for rural areas under section 5311—

''(I) $607,800,000 for fiscal year 2016;

''(II) $607,800,000 for fiscal year 2017;

''(III) $620,138,000 for fiscal year 2018;

''(IV) $632,541,000 for fiscal year 2019;

''(V) $645,434,000 for fiscal year 2020; and

''(VI) $658,343,000 for fiscal year 2021.

''(ii) SUBALLOCATION.—Of the amounts made available under clause (i)—

''(I) there shall be available to carry out section 5311(c)(1) not less than $30,000,000 for each of fiscal years 2016 through 2021; and

''(II) there shall be available to carry out section 5311(c)(2) not less than $20,000,000 for each of fiscal years 2016 through 2021.

''(F) SECTION 5314(c).—Of the amounts made available under paragraph (1), there shall be available for the national transit institute under section 5314(c) $5,000,000 for each of fiscal years 2016 through 2021.

''(G) SECTION 5318.—Of the amounts made available under paragraph (1), there shall be available for bus testing under section 5318 $3,000,000 for each of fiscal years 2016 through 2021.

''(H) SECTION 5335.—Of the amounts made available under paragraph (1), there shall be available to carry out section 5335 $3,850,000 for each of fiscal years 2016 through 2021.

''(I) SECTION 5337.—Of the amounts made available under paragraph (1), there shall be available to carry out section 5337—

''(i) $2,198,389,000 for fiscal year 2016;

''(ii) $2,237,520,000 for fiscal year 2017;

''(iii) $2,282,941,000 for fiscal year 2018;

''(iv) $2,328,600,000 for fiscal year 2019;

''(v) $2,376,064,000 for fiscal year 2020; and

''(vi) $2,423,585,000 for fiscal year 2021.

''(J) SECTION 5339(c).—Of the amounts made available under paragraph (1), there shall be available for bus and bus facilities programs under section 5339(c)—

''(i) $430,000,000 for fiscal year 2016;

''(ii) $431,850,000 for fiscal year 2017;

''(iii) $445,120,000 for fiscal year 2018;

''(iv) $458,459,000 for fiscal year 2019;

''(v) $472,326,000 for fiscal year 2020; and

''(vi) $486,210,000 for fiscal year 2021.

''(K) SECTION 5339(d).—Of the amounts made available under paragraph (1), there shall be available for bus and bus facilities competitive grants under 5339(d)—

''(i) $90,000,000 for fiscal year 2016; and

''(ii) $200,000,000 for each of fiscal years 2017 through 2021.

''(L) SECTION 5340.—Of the amounts made available under paragraph (1), there shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311—

''(i) $525,900,000 for fiscal year 2016;

''(ii) $525,900,000 for fiscal year 2017;

''(iii) $536,576,000 for fiscal year 2018;

''(iv) $547,307,000 for fiscal year 2019;
''(v) $558,463,000 for fiscal year 2020; and
''(vi) $569,632,000 for fiscal year 2021.
''(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—There are authorized to be appropriated to carry out section 5312—
''(1) $33,495,000 for fiscal year 2016;
''(2) $34,091,000 for fiscal year 2017;
''(3) $34,783,000 for fiscal year 2018;
''(4) $35,479,000 for fiscal year 2019;
''(5) $36,202,000 for fiscal year 2020; and
''(6) $36,926,000 for fiscal year 2021.
''(c) TECHNICAL ASSISTANCE, STANDARDS, AND WORKFORCE DEVELOPMENT.—There are authorized to be appropriated to carry out section 5314—
''(1) $6,156,000 for fiscal year 2016;
''(2) $8,152,000 for fiscal year 2017;
''(3) $10,468,000 for fiscal year 2018;
''(4) $12,796,000 for fiscal year 2019;
''(5) $15,216,000 for fiscal year 2020; and
''(6) $17,639,000 for fiscal year 2021.
''(d) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309—
''(1) $2,029,000,000 for fiscal year 2016;
''(2) $2,065,000,000 for fiscal year 2017;
''(3) $2,106,000,000 for fiscal year 2018;
''(4) $2,149,000,000 for fiscal year 2019;
''(5) $2,193,000,000 for fiscal year 2020; and
''(6) $2,237,000,000 for fiscal year 2021.
''(e) ADMINISTRATION.—
''(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, $105,933,000 for fiscal years 2016 through 2021.
''(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than $4,500,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5329.
''(3) SECTION 5326.—Of the amounts made available under paragraph (1), not less than $1,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5326.
''(f) PERIOD OF AVAILABILITY.—Amounts made available by or appropriated under this section shall remain available for obligation for a period of 3 years after the last day of the fiscal year for which the funds are authorized.
''(g) GRANTS AS CONTRACTUAL OBLIGATIONS.—
''(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.
''(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the general fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.
''(h) OVERSIGHT.—
''(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):
''(A) 0.5 percent of amounts made available to carry out section 5305.
''(B) 0.75 percent of amounts made available to carry out section 5307.
''(C) 1 percent of amounts made available to carry out section 5309.
''(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4968).
''(E) 0.5 percent of amounts made available to carry out section 5310.
''(F) 0.5 percent of amounts made available to carry out section 5311.
''(G) 0.75 percent of amounts made available to carry out section 5337(c), of which not less than 0.25 percent shall be available to carry out section 5329.
''(H) 0.75 percent of amounts made available to carry out section 5339.
''(2) ACTIVITIES.—The activities described in this paragraph are as follows:
''(A) Activities to oversee the construction of a major capital project.
''(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.
''(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.
''(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.
''(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.''.

**SEC. 3016. BUS AND BUS FACILITY GRANTS.**

(a) IN GENERAL.—Section 5339 of title 49, United States Code, is amended to read as follows:

**''§ 5339. Bus and bus facility grants**

''(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to assist eligible recipients described in subsection (b)(1) in financing capital projects—
''(1) to replace, rehabilitate, and purchase buses and related equipment; and
''(2) to construct bus-related facilities.
''(b) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—
''(1) RECIPIENTS.—Eligible recipients under this section are designated recipients that operate fixed route bus service or that allocate funding to fixed route bus operators.
''(2) SUBRECIPIENTS.—A designated recipient that receives a grant under this section may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.
''(c) FORMULA GRANT DISTRIBUTION OF FUNDS.—
''(1) IN GENERAL.—Funds made available for making grants under this subsection shall be distributed as follows:
''(A) NATIONAL DISTRIBUTION.—$65,500,000 for each of fiscal years 2016 through 2021 shall be allocated to all States and territories, with each State receiving $1,250,000, and each territory receiving $500,000, for each such fiscal year.
''(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under paragraph (1) shall be allocated pursuant to the formula set forth in section 5336 (other than subsection (b) of that section).
''(2) TRANSFERS OF APPORTIONMENTS.—
''(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under subparagraph (A) to supplement—
''(i) amounts apportioned to the State under section 5311(c); or
''(ii) amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336.
''(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (1)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.
''(3) PERIOD OF AVAILABILITY TO RECIPIENTS.—
''(A) IN GENERAL.—Amounts made available under this subsection may be obligated by a recipient for 3 years after the fiscal year in which the amount is apportioned.
''(B) REAPPORTIONMENT OF UNOBLIGATED AMOUNTS.—Not later than 30 days after the end of the 3-year period described in subparagraph (A), any amount that is not obligated on the last day of that period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.
''(4) PILOT PROGRAM FOR COST-EFFECTIVE CAPITAL INVESTMENT.—
''(A) IN GENERAL.—For each of fiscal years 2016 through 2021, the Secretary shall carry out a pilot program under which an eligible designated recipient (as described in subsection (c)(1)) in an urbanized area with population of not less than 200,000 and not more than 999,999 may elect to participate in a State pool in accordance with this paragraph.
''(B) PURPOSE OF STATE POOLS.—The purpose of a State pool shall be to allow for transfers of formula grant funds made available under this subsection among the designated recipients participating in the State pool in a manner that supports the transit asset management plans of the designated recipients under section 5326.
''(C) REQUESTS FOR PARTICIPATION.—A State, and designated recipients in the State described in subparagraph (A), may submit to the Secretary a request for participation in the program under procedures to be established by the Secretary. A designated recipient for a multistate area may participate in only 1 State pool.
''(D) ALLOCATIONS TO PARTICIPATING STATES.—For each fiscal year, the Secretary shall allocate to each State participating in the program the total amount of funds that otherwise would be allocated to the urbanized areas of the designated recipients participating in the State's pool for that fiscal year pursuant to the formula referred to in paragraph (1).
''(E) ALLOCATIONS TO DESIGNATED RECIPIENTS IN STATE POOLS.—A State shall distribute the amount that is allocated to the State for a fiscal year under subparagraph (D) among the designated recipients participating in the State's pool in a manner that supports the transit asset management plans of the recipients under section 5326.
''(F) ALLOCATION PLANS.—A State participating in the program shall develop an allocation plan for the period of fiscal years 2016 through 2021 to ensure that a designated recipient participating in the State's pool receives under the program an amount of funds that equals the amount of funds that would have otherwise been available to the designated recipient for that period pursuant to the formula referred to in paragraph (1).
''(G) GRANTS.—The Secretary shall make grants under this subsection for a fiscal year to a designated recipient participating in a State pool following notification by the State of the allocation amount determined under subparagraph (E).
''(d) COMPETITIVE GRANTS FOR BUS STATE OF GOOD REPAIR.—
''(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible recipients described in subsection (b)(1) to assist in financing capital projects described in subsection (a).
''(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities of an eligible recipient.

''(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients in an urbanized area in a State.

''(4) REQUIREMENTS FOR SECRETARY.—The Secretary shall—

''(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and

''(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.

''(5) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) following the period of availability shall be made available to be apportioned under subsection (c) for the following fiscal year.

''(6) LIMITATION.—Of the amounts made available under this subsection, not more than 15 percent in fiscal year 2016 and not more than 5 percent in each of fiscal years 2017 through 2021 may be awarded to a single recipient.

''(7) GRANT FLEXIBILITY.—If the Secretary determines that there are not sufficient grant applications that meet the metrics described in paragraph (4)(A) to utilize the full amount of funds made available to carry out this subsection for a fiscal year, the Secretary may use the remainder of the funds for making apportionments under sections 5307 and 5311.

''(e) GENERALLY APPLICABLE PROVISIONS.—

''(1) GRANT REQUIREMENTS.—A grant under this section shall be subject to the requirements of—

''(A) section 5307 for recipients of grants made in urbanized areas; and

''(B) section 5311 for recipients of grants made in rural areas.

''(2) GOVERNMENT'S SHARE OF COSTS.—

''(A) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this section may provide additional local matching amounts.

''(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(i) in cash from non-Government sources other than revenues from providing public transportation services;

''(ii) from revenues derived from the sale of advertising and concessions;

''(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

''(iv) from amounts received under a service agreement with a State or local social service agency or private social service organization.

''(f) DEFINITIONS.—In this section, the following definitions apply:

''(1) STATE.—The term 'State' means a State of the United States.

''(2) TERRITORY.—The term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:

''5339. Bus and bus facility grants.''.

**SEC. 3017. OBLIGATION CEILING.**

Notwithstanding any other provision of law, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by subsection (a) of section 5338 of title 49, United States Code, shall not exceed—

(1) $8,724,000,000 in fiscal year 2016;
(2) $8,879,000,000 in fiscal year 2017;
(3) $9,059,000,000 in fiscal year 2018;
(4) $9,240,000,000 in fiscal year 2019;
(5) $9,429,000,000 in fiscal year 2020; and
(6) $9,618,000,000 in fiscal year 2021.

**SEC. 3018. INNOVATIVE PROCUREMENT.**

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) COOPERATIVE PROCUREMENT CONTRACT.—The term ''cooperative procurement contract'' means a contract—

(A) entered into between a State government and 1 or more vendors; and

(B) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants.

(2) LEAD PROCUREMENT AGENCY.—The term ''lead procurement agency'' means a State government that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract.

(3) PARTICIPANT.—The term ''participant'' means a grantee that participates in a cooperative procurement contract.

(4) PARTICIPATE.—The term ''participate'' means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under chapter 53 of title 49, United States Code.

(5) GRANTEE.—The term ''grantee'' means a recipient and subrecipient of assistance under chapter 53 of title 49, United States Code.

(b) COOPERATIVE PROCUREMENT.—

(1) GENERAL RULES.—

(A) PROCUREMENT NOT LIMITED TO INTRASTATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

(B) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

(2) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if the vendors agree to provide an option to purchase rolling stock and related equipment to the lead procurement agency and any other participant.

(3) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a lead procurement agency shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to the extent that the policies and procedures are in conformance with applicable Federal law.

(c) JOINT PROCUREMENT CLEARINGHOUSE.—

(1) IN GENERAL.—The Secretary shall establish a clearinghouse for the purpose of allowing grantees to aggregate planned rolling stock purchases and identify joint procurement participants.

(2) INFORMATION ON PROCUREMENTS.—The clearinghouse may include information on bus size, engine type, floor type, and any other attributes necessary to identify joint procurement participants.

(3) LIMITATIONS.—

(A) ACCESS.—The clearinghouse shall only be accessible to the Federal Transit Administration and grantees.

(B) PARTICIPATION.—No grantees shall be required to submit procurement information to the database.

**SEC. 3019. REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.**

(1) REVIEW REQUIRED.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall begin a review of the safety standards and protocols used in public transportation systems in the United States that examines the efficacy of existing standards and protocols.

(B) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—

(i) minimum safety performance standards developed by the public transportation industry;

(ii) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—

(I) written emergency plans and procedures for passenger evacuations;

(II) training programs to ensure public transportation personnel compliance and readiness in emergency situations;

(III) coordination plans approved by recipients with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—

(aa) emergency preparedness training, drills, and familiarization programs for the first responders; and

(bb) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;

(IV) maintenance, testing, and inspection programs to ensure the proper functioning of—

(aa) tunnel, station, and vehicle ventilation systems;

(bb) signal and train control systems, track, mechanical systems, and other infrastructure; and

(cc) other systems as necessary;

(V) certification requirements for train and bus operators and control center employees;

(VI) consensus-based standards, practices, or protocols available to the public transportation industry; and

(VII) any other standards, practices, or protocols the Secretary determines appropriate; and

(iii) rail and bus safety standards, practices, or protocols in use by public transportation systems, regarding—

(I) rail and bus design and the workstation of rail and bus operators, as it relates to—

(aa) the reduction of blindspots that contribute to accidents involving pedestrians; and

(bb) protecting rail and bus operators from the risk of assault;

(II) scheduling fixed route rail and bus service with adequate time and access for operators to use restroom facilities;

(III) fatigue management; and

(IV) crash avoidance and worthiness.

(2) EVALUATION.—After conducting the review under paragraph (1), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish additional Federal minimum public transportation safety standards.

(3) REPORT.—After completing the review and evaluation required under paragraphs (1) and (2), but not later than 1 year after the date of enactment of this Act, the Secretary shall make available on a publicly accessible Web site, a report that includes—

(A) findings based on the review conducted under paragraph (1);

(B) the outcome of the evaluation conducted under paragraph (2);

(C) a comprehensive set of recommendations to improve the safety of the public transportation industry, including rec-

ommendations for statutory changes if applicable; and

(D) actions that the Secretary will take to address the recommendations provided under subparagraph (C), including, if necessary, the authorities under section 5329(b)(2)(D) of chapter 53 of title 49, United States Code.

**SEC. 3020. STUDY ON EVIDENTIARY PROTECTION FOR PUBLIC TRANSPORTATION SAFETY PROGRAM INFORMATION.**

(a) STUDY.—The Comptroller General shall complete a study to evaluate whether it is in the public interest, including public safety and the legal rights of persons injured in public transportation accidents, to withhold from discovery or admission into evidence in a Federal or State court proceeding any plan, report, data, or other information or portion thereof, submitted to, developed, produced, collected, or obtained by the Secretary or the Secretary's representative for purposes of complying with the requirements under section 5329 of chapter 53 of title 49, United States Code, including information related to a recipient's safety plan, safety risks, and mitigation measures.

(b) INPUT.—In conducting the study under subsection (a), the Comptroller General shall solicit input from the public transportation recipients, public transportation nonprofit employee labor organizations, and impacted members of the general public.

(c) REPORT.—Not later than 18 months after the date of enactment of this section, the Comptroller General shall issue a report, with the findings of the study under subsection (a), including any recommendations on statutory changes regarding evidentiary protections that will increase transit safety.

**SEC. 3021. MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.**

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ALLOCATED COST MODEL.—The term ''allocated cost model'' means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal laws.

(2) COUNCIL.—The term ''Council'' means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order 13330 (49 U.S.C. 101 note).

(b) STRATEGIC PLAN.—Not later than 1 year after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—

(1) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including nonemergency medical transportation;

(2) identifies a strategy to strengthen interagency collaboration;

(3) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order 13330, including—

(A) a cost-sharing policy endorsed by the Council; and

(B) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes;

(4) to the extent feasible, addresses recommendations by the Comptroller General of the United States concerning local coordination of transportation services;

(5) examines and proposes changes to Federal regulations that will eliminate Federal barriers to local transportation coordination, including non-emergency medical transportation; and

(6) recommends to Congress changes to Federal laws, except chapter 53 of title 49, United States Code, that will eliminate Federal barriers to local transportation coordination, including nonemergency medical transportation.

(c) DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL LAWS.—In establishing the cost-sharing policy required under subsection (b), the Council may consider, to the extent practicable—

(1) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund nonemergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal laws; and

(2) incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—

(A) eligibility requirements;

(B) service delivery requirements; and

(C) reimbursement requirements.

**SEC. 3022. IMPROVED TRANSIT SAFETY MEASURES.**

(a) REQUIREMENTS.—Not later than 90 days after publication of the report required in section 3019, the Secretary shall issue a notice of proposed rulemaking on protecting transit operators from the risk of assault.

(b) CONSIDERATION.—In the proposed rulemaking the Secretary shall consider—

(1) different safety needs of drivers of different modes;

(2) differences in operating environments;

(3) the use of technology to mitigate driver assault risks;

(4) existing experience, from both agencies and operators who already are using or testing driver assault mitigation infrastructure; and

(5) the impact of the rule on future rolling stock procurements and vehicles currently in revenue service.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Secretary from issuing different comprehensive worker protections, including standards for mitigating assaults.

**SEC. 3023. PARATRANSIT SYSTEM UNDER FTA APPROVED COORDINATED PLAN.**

Notwithstanding the provisions of part 37.131(c) of title 49, Code of Federal Regulations, any paratransit system currently coordinating complementary paratransit service for more than 40 fixed route agencies shall be permitted to continue using an existing tiered, distance-based coordinated paratransit fare system.

## TITLE IV—HIGHWAY SAFETY

**SEC. 4001. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—

(A) $260,274,200 for fiscal year 2016;
(B) $265,935,829 for fiscal year 2017;
(C) $271,787,002 for fiscal year 2018;
(D) $278,090,300 for fiscal year 2019;
(E) $284,874,829 for fiscal year 2020; and
(F) $291,195,558 for fiscal year 2021.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—

(A) $115,951,600 for fiscal year 2016;
(B) $118,398,179 for fiscal year 2017;
(C) $121,665,968 for fiscal year 2018;
(D) $124,926,616 for fiscal year 2019;
(E) $128,187,201 for fiscal year 2020; and
(F) $131,455,975 for fiscal year 2021.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—

(A) $275,862,400 for fiscal year 2016;
(B) $281,186,544 for fiscal year 2017;
(C) $286,500,970 for fiscal year 2018;
(D) $292,316,940 for fiscal year 2019;
(E) $298,601,754 for fiscal year 2020; and
(F) $304,394,628 for fiscal year 2021.

(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) $5,000,000 for fiscal year 2016;
(B) $5,000,000 for fiscal year 2017;
(C) $5,000,000 for fiscal year 2018;
(D) $5,000,000 for fiscal year 2019;
(E) $5,000,000 for fiscal year 2020; and
(F) $5,000,000 for fiscal year 2021.

(5) HIGH-VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 404 of title 23, United States Code—

(A) $29,411,800 for fiscal year 2016;
(B) $29,979,448 for fiscal year 2017;
(C) $30,546,059 for fiscal year 2018;
(D) $31,166,144 for fiscal year 2019;
(E) $31,836,216 for fiscal year 2020; and
(F) $32,453,839 for fiscal year 2021.

(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this title—

(A) $25,500,000 for fiscal year 2016;
(B) $25,500,000 for fiscal year 2017;
(C) $25,500,000 for fiscal year 2018;
(D) $25,500,000 for fiscal year 2019;
(E) $25,500,000 for fiscal year 2020; and
(F) $25,500,000 for fiscal year 2021.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapters—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, amounts made available under subsection (a) for fiscal years 2016 through 2021 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) STATE MATCHING REQUIREMENTS.—If a grant awarded under chapter 4 of title 23, United States Code, requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during a fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) that are in excess of the amount required under Federal law shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any other project carried out under chapter 4 of title 23, United States Code (other than planning or administration), without regard to whether such expenditures were made in connection with such project.

(e) GRANT APPLICATION AND DEADLINE.—To receive a grant under chapter 4 of title 23, United States Code, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

**SEC. 4002. HIGHWAY SAFETY PROGRAMS.**

Section 402 of title 23, United States Code, is amended—

(1) in subsection (a)(2)(A)—

(A) in clause (vi) by striking ''and'' at the end;

(B) in clause (vii) by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(viii) to increase driver awareness of commercial motor vehicles to prevent crashes and reduce injuries and fatalities;'';

(2) in subsection (c)(4), by adding at the end the following:

''(C) SURVEY.—A State shall expend funds apportioned to that State under this section to conduct a biennial survey that the Secretary shall make publicly available through the Internet Web site of the Department of Transportation that includes—

''(i) a list of automated traffic enforcement systems in the State;

''(ii) adequate data to measure the transparency, accountability, and safety attributes of each automated traffic enforcement system; and

''(iii) a comparison of each automated traffic enforcement system with—

''(I) Speed Enforcement Camera Systems Operational Guidelines (DOT HS 810 916, March 2008); and

''(II) Red Light Camera Systems Operational Guidelines (FHWA–SA–05–002, January 2005).'';

(3) by striking subsection (g) and inserting the following:

''(g) RESTRICTION.—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).'';

(4) in subsection (k)—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(B) by inserting after paragraph (2) the following:

''(3) ELECTRONIC SUBMISSION.—The Secretary, in coordination with the Governors Highway Safety Association, shall develop procedures to allow States to submit highway safety plans under this subsection, including any attachments to the plans, in electronic form.''; and

(5) in subsection (m)(2)(A)—

(A) in clause (iv) by striking ''and'' at the end; and

(B) by adding at the end the following:

''(vi) increase driver awareness of commercial motor vehicles to prevent crashes and reduce injuries and fatalities; and''.

**SEC. 4003. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.**

Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (E) by striking ''and'' at the end;

(B) by redesignating subparagraph (F) as subparagraph (G);

(C) by inserting after subparagraph (E) the following:

''(F) the installation of ignition interlocks in the United States; and''; and

(D) in subparagraph (G), as so redesignated, by striking ''in subparagraphs (A) through (E)'' and inserting ''in subparagraphs (A) through (F)'';

(2) in subsection (h) by striking paragraph (2) and inserting the following:

''(2) FUNDING.—The Secretary shall obligate for each of fiscal years 2016 through 2021, from funds made available to carry out this section, except that the total obligated for the period covering fiscal years 2016 through 2021 may not exceed $32,000,000, to conduct the research described in paragraph (1).''; and

(3) by adding at the end the following:

''(i) LIMITATION ON DRUG AND ALCOHOL SURVEY DATA.—The Secretary shall establish procedures and guidelines to ensure that any person participating in a program or activity that collects data on drug or alcohol use by drivers of motor vehicles and is carried out under this section is informed that the program or activity is voluntary.

''(j) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out under this section may be not more than 100 percent.''.

**SEC. 4004. HIGH-VISIBILITY ENFORCEMENT PROGRAM.**

(a) IN GENERAL.—Section 404 of title 23, United States Code, is amended to read as follows:

**''§ 404. High visibility enforcement program**

''(a) IN GENERAL.—The Administrator of the National Highway Traffic Safety Administration shall establish and administer a program under which not less than 3 campaigns will be carried out in each of fiscal years 2016 through 2021.

''(b) PURPOSE.—The purpose of each campaign carried out under this section shall be to achieve outcomes related to not less than 1 of the following objectives:

''(1) Reduce alcohol-impaired or drug-impaired operation of motor vehicles.

''(2) Increase use of seatbelts by occupants of motor vehicles.

''(3) Reduce distracted driving of motor vehicles.

''(c) ADVERTISING.—The Administrator may use, or authorize the use of, funds available to carry out this section to pay for the development, production, and use of broadcast and print media advertising and Internet-based outreach in carrying out campaigns under this section. Consideration shall be given to advertising directed at non-English speaking populations, including those who listen to, read, or watch nontraditional media.

''(d) COORDINATION WITH STATES.—The Administrator shall coordinate with States in carrying out the campaigns under this section, including advertising funded under subsection (c), with consideration given to—

''(1) relying on States to provide law enforcement resources for the campaigns out of funding available under sections 402 and 405; and

''(2) providing out of National Highway Traffic Safety Administration resources most of the means necessary for national advertising and education efforts associated with the campaigns.

''(e) USE OF FUNDS.—Funds made available to carry out this section may only be used for activities described in subsection (c).

''(f) DEFINITIONS.—In this section, the following definitions apply:

''(1) CAMPAIGN.—The term 'campaign' means a high-visibility traffic safety law enforcement campaign.

''(2) STATE.—The term 'State' has the meaning such term has under section 401.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 4 of title 23, United States Code, is amended by striking the item relating to section 404 and inserting the following:

''404. High-visibility enforcement program.''.

**SEC. 4005. NATIONAL PRIORITY SAFETY PROGRAMS.**

(a) GENERAL AUTHORITY.—Section 405(a) of title 23, United States Code, is amended to read as follows:

''(a) GENERAL AUTHORITY.—Subject to the requirements of this section, the Secretary of Transportation shall manage programs to address national priorities for reducing highway deaths and injuries. Funds shall be allocated according to the following:

''(1) OCCUPANT PROTECTION.—In each fiscal year, 13 percent of the funds provided under this section shall be allocated among States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles (as described in subsection (b)).

''(2) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—In each fiscal year, 14.5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to State traffic safety information system improvements (as described in subsection (c)).

''(3) IMPAIRED DRIVING COUNTERMEASURES.—In each fiscal year, 52.5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to impaired driving countermeasures (as described in subsection (d)).

''(4) DISTRACTED DRIVING.—In each fiscal year, 8.5 percent of the funds provided under this section shall be allocated among States that adopt and implement effective laws to reduce distracted driving (as described in subsection (e)).

''(5) MOTORCYCLIST SAFETY.—In each fiscal year, 1.5 percent of the funds provided under this section shall be allocated among States that implement motorcyclist safety programs (as described in subsection (f)).

''(6) STATE GRADUATED DRIVER LICENSING LAWS.—In each fiscal year, 5 percent of the funds provided under this section shall be allocated among States that adopt and implement graduated driver licensing laws (as described in subsection (g)).

''(7) NONMOTORIZED SAFETY.—In each fiscal year, 5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to nonmotorized safety (as described in subsection (h)).

''(8) TRANSFERS.—Notwithstanding paragraphs (1) through (7), the Secretary may reallocate, before the last day of any fiscal year, any amounts remaining available to carry out any of the activities described in subsections (b) through (h) to increase the amount made available under section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.

''(9) MAINTENANCE OF EFFORT.—

''(A) REQUIREMENTS.—No grant may be made to a State in any fiscal year under subsection (b), (c), or (d) unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all State and local sources for programs described in those subsections at or above the average level of such expenditures in the 2 fiscal years preceding the date of enactment of this paragraph.

''(B) WAIVER.—Upon the request of a State, the Secretary may waive or modify the requirements under subparagraph (A) for not more than 1 fiscal year if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances.''.

(b) HIGH SEATBELT USE RATE.—Section 405(b)(4)(B) of title 23, United States Code, is amended by striking ''75 percent'' and inserting ''100 percent''.

(c) IMPAIRED DRIVING COUNTERMEASURES.—Section 405(d) of title 23, United States Code, is amended—

(1) by striking paragraph (4) and inserting the following:

''(4) USE OF GRANT AMOUNTS.—

''(A) REQUIRED PROGRAMS.—High-range States shall use grant funds for—

''(i) high-visibility enforcement efforts; and

''(ii) any of the activities described in subparagraph (B) if—

''(I) the activity is described in the statewide plan; and

''(II) the Secretary approves the use of funding for such activity.

''(B) AUTHORIZED PROGRAMS.—Medium-range and low-range States may use grant funds for—

''(i) any of the purposes described in subparagraph (A);

''(ii) hiring a full-time or part-time impaired driving coordinator of the State's activities to address the enforcement and adjudication of laws regarding driving while impaired by alcohol, drugs, or the combination of alcohol and drugs;

''(iii) court support of high-visibility enforcement efforts, training and education of criminal justice professionals (including law enforcement, prosecutors, judges, and probation officers) to assist such professionals in handling impaired driving cases, hiring traffic safety resource prosecutors, hiring judicial outreach liaisons, and establishing driving while intoxicated courts;

''(iv) alcohol ignition interlock programs;

''(v) improving blood-alcohol concentration testing and reporting;

''(vi) paid and earned media in support of high-visibility enforcement efforts, conducting standardized field sobriety training, advanced roadside impaired driving evaluation training, and drug recognition expert training for law enforcement, and equipment and related expenditures used in connection with impaired driving enforcement in accordance with criteria established by the National Highway Traffic Safety Administration;

''(vii) training on the use of alcohol and drug screening and brief intervention;

''(viii) training for and implementation of impaired driving assessment programs or other tools designed to increase the probability of identifying the recidivism risk of a person convicted of driving under the influence of alcohol, drugs, or a combination of alcohol and drugs and to determine the most effective mental health or substance abuse treatment or sanction that will reduce such risk;

''(ix) developing impaired driving information systems; and

''(x) costs associated with a 24–7 sobriety program.

''(C) OTHER PROGRAMS.—Low-range States may use grant funds for any expenditure designed to reduce impaired driving based on problem identification and may use not more than 50 percent of funds made available under this subsection for any project or activity eligible for funding under section 402. Medium- and high-range States may use funds for any expenditure designed to reduce impaired driving based on problem identification upon approval by the Secretary.''; and

(2) by striking paragraph (6)(A) and inserting the following:

''(A) IN GENERAL.—The Secretary shall make a separate grant under this subsection to each State that adopts and is enforcing a law that requires any individual convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock installed. Such law may provide limited exceptions for circumstances when—

''(i) a State-certified ignition interlock provider is not available within 100 miles of the individual's residence;

''(ii) the individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual; or

''(iii) the individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''.

(d) DISTRACTED DRIVING GRANTS.—Section 405(e) of title 23, United States Code, is amended to read as follows:

''(e) DISTRACTED DRIVING GRANTS.—

''(1) IN GENERAL.—The Secretary shall award a grant under this subsection to any State that includes distracted driving awareness as part of the State's driver's license examination, and enacts and enforces a law that meets the requirements set forth in paragraphs (2) and (3).

''(2) PROHIBITION ON TEXTING WHILE DRIVING OR STOPPED IN TRAFFIC.—A State law meets the requirements set forth in this paragraph if the law—

''(A) prohibits a driver from texting through a personal wireless communications device while driving or stopped in traffic;

''(B) makes violation of the law a primary offense; and

''(C) establishes a minimum fine for a violation of the law.

''(3) PROHIBITION ON YOUTH CELL PHONE USE WHILE DRIVING OR STOPPED IN TRAFFIC.—A State law meets the requirements set forth in this paragraph if the law—

''(A) prohibits a driver from using a personal wireless communications device while driving or stopped in traffic—

''(i) younger than 18 years of age; or

''(ii) in the learner's permit and intermediate license stages set forth in subsection (g)(2)(B);

''(B) makes violation of the law a primary offense; and

''(C) establishes a minimum fine for a first violation of the law.

''(4) PERMITTED EXCEPTIONS.—A law that meets the requirements set forth in paragraph (2) or (3) may provide exceptions for—

''(A) a driver who uses a personal wireless communications device to contact emergency services;

''(B) emergency services personnel who use a personal wireless communications device while—

''(i) operating an emergency services vehicle; and

''(ii) engaged in the performance of their duties as emergency services personnel;

''(C) an individual employed as a commercial motor vehicle driver or a school bus driver who uses a personal wireless communications device within the scope of such individual's employment if such use is permitted under the regulations promulgated pursuant to section 31136 of title 49; and

''(D) any additional exceptions determined by the Secretary through a rulemaking process.

''(5) USE OF GRANT FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts received by a State under this subsection shall be used—

''(i) to educate the public through advertising containing information about the dangers of texting or using a cell phone while driving;

''(ii) for traffic signs that notify drivers about the distracted driving law of the State; or

''(iii) for law enforcement costs related to the enforcement of the distracted driving law.

''(B) FLEXIBILITY.—

''(i) Not more than 50 percent of amounts received by a State under this subsection may be used for any eligible project or activity under section 402.

''(ii) Not more than 75 percent of amounts received by a State under this subsection may be used for any eligible project or activity under section 402 if the State has conformed its distracted driving data to the most recent Model Minimum Uniform Crash Criteria published by the Secretary.

''(6) ALLOCATION TO SUPPORT STATE DISTRACTED DRIVING LAWS.—Of the amounts available under this subsection in a fiscal year for distracted driving grants, the Secretary may expend not more than $5,000,000 for the development and placement of broadcast media to reduce distracted driving of motor vehicles, including to support campaigns related to distracted driving that are funded under section 404.

''(7) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.

''(8) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) DRIVING.—The term 'driving'—

''(i) means operating a motor vehicle on a public road, including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise; and

''(ii) does not include operating a motor vehicle when the vehicle has pulled over to the side of, or off, an active roadway and has stopped in a location where it can safely remain stationary.

''(B) PERSONAL WIRELESS COMMUNICATIONS DEVICE.—The term 'personal wireless communications device'—

''(i) means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted; and

''(ii) does not include a global navigation satellite system receiver used for positioning, emergency notification, or navigation purposes.

''(C) PRIMARY OFFENSE.—The term 'primary offense' means an offense for which a law enforcement officer may stop a vehicle solely for the purpose of issuing a citation in the absence of evidence of another offense.

''(D) PUBLIC ROAD.—The term 'public road' has the meaning given such term in section 402(c).

''(E) TEXTING.—The term 'texting' means reading from or manually entering data into a personal wireless communications device, including doing so for the purpose of SMS texting, emailing, instant messaging, or engaging in any other form of electronic data retrieval or electronic data communication.''.

(e) MOTORCYCLIST SAFETY.—Section 405(f) of title 23, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009, except that the amount of a grant awarded to a State for a fiscal year may not exceed 25 percent of the amount apportioned to the State under such section for fiscal year 2009.'';

(2) in paragraph (4) by adding at the end the following:

''(C) FLEXIBILITY.—Not more than 50 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402 if the State is in the lowest 25 percent of all States for motorcycle deaths per 10,000 motorcycle registrations based on the most recent data that conforms with criteria established by the Secretary.''; and

(3) by adding at the end the following:

''(6) SHARE-THE-ROAD MODEL LANGUAGE.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall update and provide to the States model language for use in traffic safety education courses, driver's manuals, and other driver training materials that provides instruction for drivers of motor vehicles on the importance of sharing the road safely with motorcyclists.''.

(f) STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT.—Section 405(g) of title 23, United States Code, is amended to read as follows:

''(g) STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT.—

''(1) GRANTS AUTHORIZED.—Subject to the requirements under this subsection, the Secretary shall award grants to States that adopt and implement graduated driver licensing laws in accordance with the requirements set forth in paragraph (2).

''(2) MINIMUM REQUIREMENTS.—

''(A) IN GENERAL.—A State meets the requirements set forth in this paragraph if the State has a graduated driver licensing law that requires novice drivers younger than 18 years of age to comply with the 2-stage licensing process described in subparagraph (B) before receiving an unrestricted driver's license.

''(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State's driver's license laws comply with the additional requirements under subparagraph (C) and includes—

''(i) a learner's permit stage that—

''(I) is not less than 6 months in duration and remains in effect until the driver reaches not less than 16 years of age;

''(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under subsection (e)(4);

''(III) requires that the driver be accompanied and supervised at all times while operating a motor vehicle by a licensed driver who is—

''(aa) not less than 21 years of age;

''(bb) the driver's parent or guardian; or

''(cc) a State-certified driving instructor; and

''(IV) complies with the additional requirements for a learner's permit stage set forth in subparagraph (C)(i); and

''(ii) an intermediate stage that—

''(I) is not less than 6 months in duration;

''(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under subsection (e)(4);

''(III) for the first 6 months of such stage, restricts driving at night when not supervised by a licensed driver described in clause (i)(III), excluding transportation to work, school, or religious activities, or in the case of an emergency;

''(IV) for a period of not less than 6 months, prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger under 21 years of age unless a licensed driver described in clause (i)(III) is in the vehicle; and

''(V) complies with the additional requirements for an intermediate stage set forth in subparagraph (C)(ii).

''(C) ADDITIONAL REQUIREMENTS.—

''(i) LEARNER'S PERMIT STAGE.—In addition to the requirements of subparagraph (B)(i), a learner's permit stage shall include not less than 2 of the following requirements:

''(I) Passage of a vision and knowledge assessment by a learner's permit applicant prior to receiving a learner's permit.

''(II) The driver completes—

''(aa) a State-certified driver education or training course; or

''(bb) not less than 40 hours of behind-the-wheel training with a licensed driver described in subparagraph (B)(i)(III).

''(III) In addition to any other penalties imposed by State law, the grant of an unrestricted driver's license or advancement to an intermediate stage be automatically delayed for any individual who, during the learner's permit stage, is convicted of a driving-related offense, including—

''(aa) driving while intoxicated;

''(bb) misrepresentation of the individual's age;

''(cc) reckless driving;

''(dd) driving without wearing a seatbelt;

''(ee) speeding; or

''(ff) any other driving-related offense, as determined by the Secretary.

''(ii) INTERMEDIATE STAGE.—In addition to the requirements of subparagraph (B)(ii), an intermediate stage shall include not less than 2 of the following requirements:

''(I) Commencement of such stage after the successful completion of a driving skills test.

''(II) That such stage remain in effect until the driver reaches the age of not less than 17.

''(III) In addition to any other penalties imposed by State law, the grant of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit stage, is convicted of a driving-related offense, including those described in clause (i)(III).

''(3) EXCEPTION.—A State that otherwise meets the minimum requirements set forth in paragraph (2) shall be deemed by the Secretary to be in compliance with the requirement set forth in paragraph (2) if the State enacted a law before January 1, 2011, establishing a class of license that permits licensees or applicants younger than 18 years of age to drive a motor vehicle—

''(A) in connection with work performed on, or for the operation of, a farm owned by family members who are directly related to the applicant or licensee; or

''(B) if demonstrable hardship would result from the denial of a license to the licensees or applicants.

''(4) ALLOCATION.—Grant funds allocated to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.

''(5) USE OF FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), grant funds received by a State under this subsection shall be used for—

''(i) enforcing a 2-stage licensing process that complies with paragraph (2);

''(ii) training for law enforcement personnel and other relevant State agency personnel relating to the enforcement described in clause (i);

''(iii) publishing relevant educational materials that pertain directly or indirectly to the State graduated driver licensing law;

''(iv) carrying out other administrative activities that the Secretary considers relevant to the State's 2-stage licensing process; or

''(v) carrying out a teen traffic safety program described in section 402(m).

''(B) FLEXIBILITY.—

''(i) Not more than 75 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402.

''(ii) Not more than 100 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402, if the State is in the lowest 25 percent of all States for the number of drivers under age 18 involved in fatal crashes in the State per the total number of drivers under age 18 in the State based on the most recent data that conforms with criteria established by the Secretary.''.

(g) NONMOTORIZED SAFETY.—Section 405 of title 23, United States Code, is amended by adding at the end the following:

''(h) NONMOTORIZED SAFETY.—

''(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary shall award grants to States for the purpose of decreasing pedestrian and bicycle fatalities and injuries that result from crashes involving a motor vehicle.

''(2) FEDERAL SHARE.—The Federal share of the cost of a project carried out by a State using amounts from a grant awarded under this subsection may not exceed 80 percent.

''(3) ELIGIBILITY.—A State shall receive a grant under this subsection in a fiscal year if the annual combined pedestrian and bicycle fatalities in the State exceed 15 percent of the total annual crash fatalities in the State, based on the most recently reported final data from the Fatality Analysis Reporting System.

''(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection may be used for—

''(A) training of law enforcement officials on State laws applicable to pedestrian and bicycle safety;

''(B) enforcement mobilizations and campaigns designed to enforce State traffic laws applicable to pedestrian and bicycle safety; and

''(C) public education and awareness programs designed to inform motorists, pedestrians, and bicyclists of State traffic laws applicable to pedestrian and bicycle safety.

''(5) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.''.

**SEC. 4006. PROHIBITION ON FUNDS TO CHECK HELMET USAGE OR CREATE RELATED CHECKPOINTS FOR A MOTORCYCLE DRIVER OR PASSENGER.**

The Secretary may not provide a grant or otherwise make available funding to a State, Indian tribe, county, municipality, or other local government to be used for a program or activity to check helmet usage, including checkpoints related to helmet usage, with respect to a motorcycle driver or passenger.

**SEC. 4007. MARIJUANA-IMPAIRED DRIVING.**

(a) STUDY.—The Secretary, in consultation with the heads of other Federal agencies as appropriate, shall conduct a study on marijuana-impaired driving.

(b) ISSUES TO BE EXAMINED.—In conducting the study, the Secretary shall examine, at a minimum, the following:

(1) Methods to detect marijuana-impaired driving, including devices capable of measuring marijuana levels in motor vehicle operators.

(2) A review of impairment standard research for driving under the influence of marijuana.

(3) Methods to differentiate the cause of a driving impairment between alcohol and marijuana.

(4) State-based policies on marijuana-impaired driving.

(5) The role and extent of marijuana impairment in motor vehicle accidents.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with other Federal agencies as appropriate, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(2) CONTENTS.—The report shall include, at a minimum, the following:

(A) FINDINGS.—The findings of the Secretary based on the study, including, at a minimum, the following:

(i) An assessment of methodologies and technologies for measuring driver impairment resulting from the use of marijuana, including the use of marijuana in combination with alcohol.

(ii) A description and assessment of the role of marijuana as a causal factor in traffic crashes and the extent of the problem of marijuana-impaired driving.

(iii) A description and assessment of current State laws relating to marijuana-impaired driving.

(iv) A determination whether an impairment standard for drivers under the influ-

ence of marijuana is feasible and could reduce vehicle accidents and save lives.

(B) RECOMMENDATIONS.—The recommendations of the Secretary based on the study, including, at a minimum, the following:

(i) Effective and efficient methods for training law enforcement personnel, including drug recognition experts, to detect or measure the level of impairment of a motor vehicle operator who is under the influence of marijuana by the use of technology or otherwise.

(ii) If feasible, an impairment standard for driving under the influence of marijuana.

(iii) Methodologies for increased data collection regarding the prevalence and effects of marijuana-impaired driving.

(d) MARIJUANA DEFINED.—In this section, the term ''marijuana'' includes all substances containing tetrahydrocannabinol.

**SEC. 4008. NATIONAL PRIORITY SAFETY PROGRAM GRANT ELIGIBILITY.**

Not later than 60 days after the date on which the Secretary of Transportation awards grants under section 405 of title 23, United States Code, the Secretary shall make available on a publicly available Internet Web site of the Department of Transportation—

(1) an identification of—

(A) the States that were awarded grants under such section;

(B) the States that applied and were not awarded grants under such section; and

(C) the States that did not apply for a grant under such section; and

(2) a list of deficiencies that made a State ineligible for a grant under such section for each State under paragraph (1)(B).

**SEC. 4009. DATA COLLECTION.**

Section 1906 of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(1) in subsection (a)(1)—

(A) by striking ''(A) has enacted'' and all that follows through ''(B) is maintaining'' and inserting ''is maintaining''; and

(B) by striking ''and any passengers'';

(2) by striking subsection (b) and inserting the following:

''(b) USE OF GRANT FUNDS.—A grant received by a State under subsection (a) shall be used by the State for the costs of—

''(1) collecting and maintaining data on traffic stops; and

''(2) evaluating the results of the data.'';

(3) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively;

(4) in subsection (c)(2), as so redesignated, by striking ''A State'' and inserting ''On or after October 1, 2015, a State''; and

(5) in subsection (d), as so redesignated—

(A) in the subsection heading by striking ''AUTHORIZATION OF APPROPRIATIONS'' and inserting ''FUNDING'';

(B) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—From funds made available under section 403 of title 23, United States Code, the Secretary shall set aside $7,500,000 for each of the fiscal years 2016 through 2021 to carry out this section.''; and

(C) in paragraph (2)—

(i) by striking ''authorized by'' and inserting ''made available under''; and

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

**SEC. 4010. TECHNICAL CORRECTIONS.**

Title 23, United States Code, is amended as follows:

(1) Section 402 is amended—

(A) in subsection (b)(1)—

(i) in subparagraph (C) by striking ''paragraph (3)'' and inserting ''paragraph (2)''; and

(ii) in subparagraph (E)—

(I) by striking ''in which'' and inserting ''for which''; and

(II) by striking ''under subsection (f)'' and inserting ''under subsection (k)''; and

(B) in subsection (k)(5), as redesignated by this Act, by striking ''under paragraph (2)(A)'' and inserting ''under paragraph (3)(A)''.

(2) Section 403(e) is amended by striking ''chapter 301'' and inserting ''chapter 301 of title 49''.

(3) Section 405 is amended—

(A) in subsection (d)—

(i) in paragraph (5) by striking ''under section 402(c)'' and inserting ''under section 402''; and

(ii) in paragraph (6)(C) by striking ''on the basis of the apportionment formula set forth in section 402(c)'' and inserting ''in proportion to the State's apportionment under section 402 for fiscal year 2009''; and

(B) in subsection (f)(4)(A)(iv)—

(i) by striking ''such as the'' and inserting ''including''; and

(ii) by striking ''developed under subsection (g)''.

## TITLE V—MOTOR CARRIER SAFETY

### Subtitle A—Motor Carrier Safety Grant Consolidation

**SEC. 5101. GRANTS TO STATES.**

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31102 of title 49, United States Code, is amended to read as follows:

**''§ 31102. Motor carrier safety assistance program**

''(a) IN GENERAL.—The Secretary of Transportation shall administer a motor carrier safety assistance program funded under section 31104.

''(b) GOAL.—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system by—

''(1) making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;

''(2) investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and in fatalities resulting from such crashes;

''(3) adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

''(4) assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.

''(c) STATE PLANS.—

''(1) IN GENERAL.—In carrying out the program, the Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety by adopting and enforcing State regulations, standards, and orders that are compatible with the regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.

''(2) CONTENTS.—The Secretary shall approve a State plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—

''(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;

''(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;

''(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;

''(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforcement of the regulations, standards, and orders;

''(E) provides a right of entry and inspection to carry out the plan;

''(F) provides that all reports required under this section be available to the Secretary on request;

''(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;

''(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;

''(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally accepted system that allows ready identification of previously inspected commercial motor vehicles;

''(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);

''(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;

''(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving motor carrier safety assistance program funding;

''(M) ensures that information is exchanged among the States in a timely manner;

''(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;

''(O) provides satisfactory assurances that the State will address national priorities and performance goals, including—

''(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;

''(ii) activities aimed at providing an appropriate level of training to State motor carrier safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and

''(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regu-

lations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;

''(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—

''(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and

''(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;

''(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 and regulations issued under those sections;

''(R) ensures consistent, effective, and reasonable sanctions;

''(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;

''(T) provides that the State will include in the training manuals for the licensing examination to drive noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;

''(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;

''(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;

''(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, or other location where a motor carrier may make a planned stop (excluding a weigh station);

''(X) ensures that the State will transmit to its roadside inspectors notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49, Code of Federal Regulations, and provided to the State by the Secretary, including the name of the person that received the exemption and any terms and conditions that apply to the exemption;

''(Y) except as provided in subsection (d), provides that the State—

''(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g); and

''(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;

''(Z) provides that the State agrees to fully participate in the performance and registration information systems management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section, or demonstrates to the Secretary an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety;

''(AA) in the case of a State that shares a land border with another country, provides that the State—

''(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or

''(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and

''(BB) in the case of a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (l)(3), provides that the State may fund operation and maintenance costs associated with innovative technology deployment under subsection (l)(3) with motor carrier safety assistance program funds authorized under section 31104(a)(1).

''(3) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved State multiple-year plan, and each annual update thereto, on a publically accessible Internet Web site of the Department of Transportation not later than 30 days after the date the Secretary approves the plan or update.

''(B) LIMITATION.—Before publishing an approved State multiple-year plan or annual update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—

''(i) would reasonably be expected to interfere with enforcement proceedings; or

''(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.

''(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.

''(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.

''(f) MAINTENANCE OF EFFORT.—

''(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 5106 of the Surface Transportation Reauthorization and Reform Act of 2015, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year that is at least equal to—

''(A) the average level of that expenditure for fiscal years 2004 and 2005; or

''(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 5106 of the Surface Transportation Reauthorization and Reform Act of 2015.

''(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 5106 of the Surface Transportation Reauthorization and Reform Act of 2015, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).

''(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for a total of 1 fiscal year if the Secretary determines that the waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.

''(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of a State's expenditures under paragraph (1), the Secretary—

''(A) may allow the State to exclude State expenditures for federally sponsored demonstration and pilot programs and strike forces;

''(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and

''(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.

''(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 or maintenance of effort required by subsection (f).

''(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved as part of a State's plan under subsection (c), the State may use motor carrier safety assistance program funds received under this section—

''(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

''(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed-weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

''(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle; and

''(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

''(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and

''(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety.

''(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—

''(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary may allocate the amounts made available under section 31104(a)(1) among the States.

''(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.

''(j) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).

''(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available under section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria prescribed under paragraph (1).

''(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 5106 of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).

''(k) PLAN MONITORING.—

''(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering a State plan approved under this section and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.

''(2) WITHHOLDING OF FUNDS.—

''(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that a State plan previously approved under this section is not being followed or has become inadequate to ensure enforcement of State regulations, standards, or orders described in subsection (c)(1), or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the State plan and notify the State. Upon the receipt of such notice, the State plan shall no longer be in effect and the Secretary shall withhold all funding to the State under this section.

''(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of a State plan under subparagraph (A), the Secretary may, after providing notice to the State and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—

''(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;

''(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;

''(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and

''(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.

''(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding of funds under paragraph (2)(B), the State may retain jurisdiction in an administrative or a judicial proceeding that commenced before the notice of disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.

''(l) HIGH PRIORITY PROGRAM.—

''(1) IN GENERAL.—The Secretary shall administer a high priority program funded under section 31104 for the purposes described in paragraphs (2) and (3).

''(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The Secretary may make discretionary grants to and enter into cooperative agreements with States, local governments, federally recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

''(A) increase public awareness and education on commercial motor vehicle safety;

''(B) target unsafe driving of commercial motor vehicles and noncommercial motor vehicles in areas identified as high risk crash corridors;

''(C) improve the safe and secure movement of hazardous materials;

''(D) improve safe transportation of goods and persons in foreign commerce;

''(E) demonstrate new technologies to improve commercial motor vehicle safety;

''(F) support participation in performance and registration information systems management under section 31106(b)—

''(i) for entities not responsible for submitting the plan under subsection (c); or

''(ii) for entities responsible for submitting the plan under subsection (c)—

''(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

''(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

''(G) conduct safety data improvement projects—

''(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

''(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and

''(H) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

''(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants funded under section 31104(a)(2) to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.

''(B) PURPOSES.—The purposes of the program shall be—

''(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and

''(ii) to support and maintain commercial motor vehicle information systems and networks—

''(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;

''(II) to improve the safety and productivity of commercial motor vehicles and drivers; and

''(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial motor vehicle regulatory requirements.

''(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—

''(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;

''(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—

''(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and

''(II) promote interoperability and efficiency to the extent practicable; and

''(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.

''(D) USE OF FUNDS.—Grant funds received under this paragraph may be used—

''(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;

''(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and

''(iii) for the operation and maintenance costs associated with innovative technology.

''(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation and maintenance costs associated with innovative technology deployment with funds made available under sections 31104(a)(1) and 31104(a)(2).''.

(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 of title 49, United States Code, is amended to read as follows:

**''§ 31103. Commercial motor vehicle operators grant program**

''(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

''(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).

''(c) VETERANS.—In administering grants under this section, the Secretary shall award priority to grant applications for programs to train former members of the armed forces (as defined in section 101 of title 10) in the safe operation of such vehicles.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 of title 49, United States Code, as amended by this Act, is further amended on the effective date set forth in subsection (f) to read as follows:

**''§ 31104. Authorization of appropriations**

''(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

''(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) and subsection (c), to carry out section 31102—

''(A) $278,242,684 for fiscal year 2017;

''(B) $293,685,550 for fiscal year 2018;

''(C) $308,351,227 for fiscal year 2019;

''(D) $323,798,553 for fiscal year 2020; and

''(E) $339,244,023 for fiscal year 2021.

''(2) HIGH PRIORITY ACTIVITIES PROGRAM.—Subject to subsection (c), to make grants and cooperative agreements under section 31102(l), the Secretary may set aside from amounts made available under paragraph (1) up to—

''(A) $40,798,780 for fiscal year 2017;

''(B) $41,684,114 for fiscal year 2018;
''(C) $42,442,764 for fiscal year 2019;
''(D) $43,325,574 for fiscal year 2020; and
''(E) $44,209,416 for fiscal year 2021.
''(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—
''(A) $1,000,000 for fiscal year 2017;
''(B) $1,000,000 for fiscal year 2018;
''(C) $1,000,000 for fiscal year 2019;
''(D) $1,000,000 for fiscal year 2020; and
''(E) $1,000,000 for fiscal year 2021.
''(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION PROGRAM.—Subject to subsection (c), to carry out section 31313—
''(A) $30,958,536 for fiscal year 2017;
''(B) $31,630,336 for fiscal year 2018;
''(C) $32,206,008 for fiscal year 2019;
''(D) $32,875,893 for fiscal year 2020; and
''(E) $33,546,562 for fiscal year 2021.
''(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—
''(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.
''(2) REIMBURSEMENT AMOUNTS.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31313, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under such sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.
''(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under sections 31102, 31103, and 31313.
''(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out such programs.
''(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31313 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.
''(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.
''(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—The period of availability for a recipient to expend funds under a grant or cooperative agreement authorized under subsection (a) is as follows:
''(1) For grants made for carrying out section 31102, other than section 31102(l), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next fiscal year.
''(2) For grants made or cooperative agreements entered into for carrying out section 31102(l)(2), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 2 fiscal years.
''(3) For grants made for carrying out section 31102(l)(3), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 4 fiscal years.
''(4) For grants made for carrying out section 31103, for the fiscal year in which the Secretary approves the financial assistance agreement and for the next fiscal year.
''(5) For grants made or cooperative agreements entered into for carrying out section 31313, for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 4 fiscal years.
''(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.
''(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.''.
(d) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

''31102. Motor carrier safety assistance program.
''31103. Commercial motor vehicle operators grant program.
''31104. Authorization of appropriations.''.

(e) CONFORMING AMENDMENTS.—
(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) of title 49, United States Code, is amended by striking paragraph (5).
(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) of title 49, United States Code, is amended by striking paragraph (4).
(3) BORDER ENFORCEMENT GRANTS.—Section 31107 of title 49, United States Code, and the item relating to that section in the analysis for chapter 311 of that title, are repealed.
(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 of title 49, United States Code, and the item relating to that section in the analysis for chapter 311 of that title, are repealed.
(5) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section 4126 of SAFETEA–LU (49 U.S.C. 31106 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.
(6) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA–LU (49 U.S.C. 31100 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.
(7) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA–LU (49 U.S.C. 31301 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.
(8) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.
(9) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.
(10) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—
(A) in paragraph (1) by striking ''section 31104(f)(2)(B) of title 49, United States Code'' and inserting ''section 31104(a)(1) of title 49, United States Code''; and
(B) by striking paragraph (3).
(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.
(g) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, 31104 of title 49, United States Code, and any sections repealed under subsection (e), as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

**SEC. 5102. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.**

Section 31106(b) of title 49, United States Code, is amended in the subheading by striking ''PROGRAM'' and inserting ''SYSTEMS MANAGEMENT''.

**SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—Subchapter I of chapter 311 of title 49, United States Code, is amended by adding at the end the following:

**''§ 31110. Authorization of appropriations**

''(a) ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—
''(1) $259,000,000 for fiscal year 2016;
''(2) $259,000,000 for fiscal year 2017;
''(3) $259,000,000 for fiscal year 2018;
''(4) $259,000,000 for fiscal year 2019;
''(5) $259,000,000 for fiscal year 2020; and
''(6) $259,000,000 for fiscal year 2021.
''(b) USE OF FUNDS.—The funds authorized by this section shall be used for—
''(1) personnel costs;
''(2) administrative infrastructure;
''(3) rent;
''(4) information technology;
''(5) programs for research and technology, information management, regulatory development, and the administration of performance and registration information systems management under section 31106(b);
''(6) programs for outreach and education under subsection (c);
''(7) other operating expenses;
''(8) conducting safety reviews of new operators; and
''(9) such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.
''(c) OUTREACH AND EDUCATION PROGRAM.—
''(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, and other activities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration.
''(2) FEDERAL SHARE.—The Federal share of an outreach and education project for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the project.
''(3) FUNDING.—From amounts made available under subsection (a), the Secretary shall make available not more than $4,000,000 each fiscal year.
''(d) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.
''(e) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

''(f) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by adding at the end of the items relating to subchapter I the following:

''31110. Authorization of appropriations.''.

(c) CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 of title 49, United States Code, is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) as subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (i).—Section 4116(d) of SAFETEA–LU (49 U.S.C. 31104 note) is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(3) INTERNAL COOPERATION.—Section 31161 of title 49, United States Code, is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(4) SAFETEA–LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA–LU (119 Stat. 1741; Public Law 109–59), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

**SEC. 5104. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.**

(a) IN GENERAL.—Section 31313 of title 49, United States Code, is amended to read as follows:

**''§ 31313. Commercial driver's license program implementation financial assistance program**

''(a) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2).

''(1) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—In carrying out the program, the Secretary may make a grant to a State agency in a fiscal year—

''(A) to assist the State in complying with the requirements of section 31311;

''(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve the State's implementation of its commercial driver's license program, including expenses—

''(i) for computer hardware and software;

''(ii) for publications, testing, personnel, training, and quality control;

''(iii) for commercial driver's license program coordinators; and

''(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

''(2) PRIORITY ACTIVITIES.—The Secretary may make a grant to or enter into a cooperative agreement with a State agency, local government, or any person in a fiscal year for research, development and testing, demonstration projects, public education, and other special activities and projects relating to commercial drivers licensing and motor vehicle safety that—

''(A) benefit all jurisdictions of the United States;

''(B) address national safety concerns and circumstances;

''(C) address emerging issues relating to commercial driver's license improvements;

''(D) support innovative ideas and solutions to commercial driver's license program issues; or

''(E) address other commercial driver's license issues, as determined by the Secretary.

''(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

''(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

''(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a recipient described in subsection (a)(2) according to criteria prescribed by the Secretary.

''(e) FUNDING.—For fiscal years beginning after September 30, 2016, this section shall be funded under section 31104.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 313 of title 49, United States Code, is amended by striking the item relating to section 31313 and inserting the following:

''31313. Commercial driver's license program implementation financial assistance program.''.

**SEC. 5105. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.**

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) of title 49, United States Code, is amended by striking paragraphs (10) and (11) and inserting the following:

''(10) $218,000,000 for fiscal year 2015; and

''(11) $241,480,000 for fiscal year 2016.''.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) of SAFETEA–LU (119 Stat. 1715; Public Law 109–59) is amended to read as follows:

''(c) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

''(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, $30,480,000 for fiscal year 2016.

''(2) BORDER ENFORCEMENT GRANTS.—For border enforcement grants under section 31107 of that title $32,512,000 for fiscal year 2016.

''(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAM.—For the performance and registration information systems management grant program under section 31109 of that title $5,080,000 for fiscal year 2016.

''(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act $25,400,000 for fiscal year 2016.

''(5) SAFETY DATA IMPROVEMENT GRANTS.—For safety data improvement grants under section 4128 of this Act $3,048,000 for fiscal year 2016.''.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2) of title 49, United States Code, as redesignated by this subtitle, is amended by striking ''2015'' the first place it appears and inserting ''2016''.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended to read as follows:

''(B) SET ASIDE.—The Secretary shall set aside from amounts made available under section 31104(a) up to $32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.''.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended to read as follows:

''(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, $1,000,000 for fiscal year 2016 to carry out this section.''.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA–LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109–59) is amended—

(A) in subsection (c)—

(i) in paragraph (2) by adding at the end the following: ''Funds deobligated by the Secretary from previous year grants shall not be counted toward the $2,500,000 maximum aggregate amount for core deployment.''; and

(ii) in paragraph (3) by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''; and

(B) in subsection (d)(4) by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA–LU (119 Stat. 1738; Public Law 109–59) may also be referred to as the innovative technology deployment program.

**SEC. 5106. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.**

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working group (in this section referred to as the ''working group'').

(2) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) COMPOSITION.—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) NEW ALLOCATION FORMULA.—The working group shall analyze requirements and factors for the establishment of a new allocation formula for the motor carrier assistance program under section 31102 of title 49, United States Code.

(4) RECOMMENDATION.—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new allocation formula for the motor carrier assistance program.

(5) EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) PUBLICATION.—The Administrator of the Federal Motor Carrier Safety Administration shall publish on a publicly accessible Internet Web site of the Federal Motor Carrier Safety Administration—

(A) summaries of the meetings of the working group; and

(B) the final recommendation of the working group provided to the Secretary.

(b) NOTICE OF PROPOSED RULEMAKING.—After receiving the recommendation of the working group under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on the establishment of a new allocation formula for the motor carrier safety assistance program.

(c) BASIS FOR FORMULA.—The Secretary shall ensure that the new allocation formula for the motor carrier assistance program is based on factors that reflect, at a minimum—

(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;

(2) the relative administrative capacities of and challenges faced by States in complying with that section;

(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;

(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and

(5) any other factors the Secretary considers appropriate.

(d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF NEW ALLOCATION FORMULA.—

(1) INTERIM FORMULA.—Prior to the development of the new allocation formula for the motor carrier assistance program, the Secretary may calculate the interim funding amounts for that program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by this subtitle, by using the following methodology:

(A) The Secretary shall calculate the funding amount to a State using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 31102 of title 49, United States Code.

(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for—

(i) border enforcement grants under section 31107 of title 49, United States Code; and

(ii) new entrant audit grants under section 31144(g)(5) of that title.

(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).

(2) ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—

(A) motor carrier safety assistance program funds awarded to the State under section 31102 of title 49, United States Code;

(B) border enforcement grants awarded to the State under section 31107 of title 49, United States Code; and

(C) new entrant audit grants awarded to the State under section 31144(g)(5) of title 49, United States Code.

(3) IMMEDIATE RELIEF.—In developing the new allocation formula, the Secretary shall terminate the withholding of motor carrier assistance program funds from a State for at least 3 fiscal years if the State was subject to the withholding of such funds for matters of noncompliance immediately prior to the date of enactment of this Act.

(4) FUTURE WITHHOLDINGS.—Beginning on the date that the new allocation formula for the motor carrier assistance program is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by this subtitle.

(e) TERMINATION OF WORKING GROUP.—The working group established under subsection (a) shall terminate on the date of the implementation of a new allocation formula for the motor carrier safety assistance program.

**SEC. 5107. MAINTENANCE OF EFFORT CALCULATION.**

(a) BEFORE NEW ALLOCATION FORMULA.—

(1) FISCAL YEAR 2017.—If a new allocation formula for the motor carrier safety assistance program has not been established under this subtitle for fiscal year 2017, the Secretary shall calculate for fiscal year 2017 the maintenance of effort baseline required under section 31102(f) of title 49, United States Code, as amended by this subtitle, by averaging the expenditures for fiscal years 2004 and 2005 required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(2) SUBSEQUENT FISCAL YEARS.—The Secretary may use the methodology for calculating the maintenance of effort baseline specified in paragraph (1) for fiscal year 2018 and subsequent fiscal years if a new allocation formula for the motor carrier safety assistance program has not been established for that fiscal year.

(b) BEGINNING WITH NEW ALLOCATION FORMATION.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula for the motor carrier safety assistance program is established under this subtitle, upon the request of a State, the Secretary may waive or modify the baseline maintenance of effort required of the State by section 31102(e) of title 49, United States Code, as amended by this subtitle, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

(A) is equitable due to reasonable circumstances;

(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by this subtitle, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures required under those sections for the 3 fiscal years prior to the date of enactment of this Act.

(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline referred to in paragraph (1) for the State according to the following methodology:

(A) The Secretary shall establish the maintenance of effort baseline for the State using the average baseline of fiscal years 2004 and 2005, as required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by this subtitle.

(D) The Secretary shall subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

(i) if the number is greater than 0, the Secretary shall subtract the number from the amount in subparagraph (A); or

(ii) if the number is not greater than 0, the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

(3) MAINTENANCE OF EFFORT AMOUNT.—

(A) IN GENERAL.—The Secretary shall use the amount calculated under paragraph (2) as the baseline maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by this subtitle.

(B) DEADLINE.—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements a new allocation formula for the motor carrier safety assistance program under this subtitle, the Secretary shall calculate the maintenance of effort using the methodology described in paragraph (2)(A).

(4) MAINTENANCE OF EFFORT DESCRIBED.—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by this subtitle.

(c) TERMINATION OF EFFECTIVENESS.—The authority of the Secretary under this section shall terminate effective on the date that a new maintenance of effort baseline is calculated based on a new allocation formula for the motor carrier safety assistance program implemented under section 31102 of title 49, United States Code.

## Subtitle B—Federal Motor Carrier Safety Administration Reform

### PART I—REGULATORY REFORM

**SEC. 5201. NOTICE OF CANCELLATION OF INSURANCE.**

Section 13906(e) of title 49, United States Code, is amended by inserting ''or suspend'' after ''revoke''.

**SEC. 5202. REGULATIONS.**

Section 31136 of title 49, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g) and transferring such subsection to appear at the end of section 31315 of such title; and

(2) by adding at the end the following:

''(f) REGULATORY IMPACT ANALYSIS.—Within each regulatory impact analysis of a proposed or final rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall, whenever practicable—

''(1) consider the effects of the proposed or final rule on different segments of the motor carrier industry;

''(2) formulate estimates and findings based on the best available science; and

''(3) utilize available data specific to the different types of motor carriers, including small and large carriers, and drivers that will be impacted by the proposed or final rule.

''(g) PUBLIC PARTICIPATION.—

''(1) IN GENERAL.—If a proposed rule promulgated under this part is likely to lead to the promulgation of a major rule, the Secretary, before promulgating such proposed rule, shall—

''(A) issue an advance notice of proposed rulemaking; or

''(B) proceed with a negotiated rulemaking.

''(2) REQUIREMENTS.—Each advance notice of proposed rulemaking issued under paragraph (1) shall—

''(A) identify the need for a potential regulatory action;

''(B) identify and request public comment on the best available science or technical information relevant to analyzing potential regulatory alternatives;

''(C) request public comment on the available data and costs with respect to regulatory alternatives reasonably likely to be considered as part of the rulemaking; and

''(D) request public comment on available alternatives to regulation.

''(3) WAIVER.—This subsection does not apply to a proposed rule if the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) that an advance notice of proposed rulemaking is impracticable, unnecessary, or contrary to the public interest.

''(h) REVIEW OF RULES.—

''(1) IN GENERAL.—Once every 5 years, the Secretary shall conduct a review of regulations issued under this part.

''(2) SCHEDULE.—At the beginning of each 5-year review period, the Secretary shall publish a schedule that sets forth the plan for completing the review under paragraph (1) within 5 years.

''(3) NOTIFICATION OF CHANGES.—During each review period, the Secretary shall address any changes to the schedule published under paragraph (2) and notify the public of such changes.

''(4) CONSIDERATION OF PETITIONS.—In conducting a review under paragraph (1), the Secretary shall consider petitions for regulatory action under this part received by the Administrator of the Federal Motor Carrier Safety Administration.

''(5) ASSESSMENT.—At the conclusion of each review under paragraph (1), the Secretary shall publish on a publicly accessible Internet Web site of the Department of Transportation an assessment that includes—

''(A) an inventory of the regulations issued during the 5-year period ending on the date on which the assessment is published;

''(B) a determination of whether the regulations are—

''(i) consistent and clear;

''(ii) current with the operational realities of the motor carrier industry; and

''(iii) uniformly enforced; and

''(C) an assessment of whether the regulations continue to be necessary.

''(6) RULEMAKING.—Not later than 2 years after the completion of each review under this subsection, the Secretary shall initiate a rulemaking to amend regulations as necessary to address the determinations made under paragraph (5)(B) and the results of the assessment under paragraph (5)(C).

''(i) RULE OF CONSTRUCTION.—Nothing in subsection (f) or (g) may be construed to limit the contents of an advance notice of proposed rulemaking.''.

**SEC. 5203. GUIDANCE.**

(a) IN GENERAL.—

(1) DATE OF ISSUANCE AND POINT OF CONTACT.—Each guidance document issued by the Federal Motor Carrier Safety Administration shall have a date of issuance or a date of revision, as applicable, and shall include the name and contact information of a point of contact at the Administration who can respond to questions regarding the guidance.

(2) PUBLIC ACCESSIBILITY.—

(A) IN GENERAL.—Each guidance document issued or revised by the Federal Motor Carrier Safety Administration shall be published on a publicly accessible Internet Web site of the Department on the date of issuance or revision.

(B) REDACTION.—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document published under subparagraph (A) any information that would reveal investigative techniques that would compromise Administration enforcement efforts.

(3) INCORPORATION INTO REGULATIONS.—Not later than 5 years after the date on which a guidance document is published under paragraph (2) or during an applicable review under subsection (c), whichever is earlier, the Secretary shall revise regulations to incorporate the guidance document to the extent practicable.

(4) REISSUANCE.—If a guidance document is not incorporated into regulations in accordance with paragraph (3), the Administrator shall—

(A) reissue an updated version of the guidance document; and

(B) review and reissue an updated version of the guidance document every 5 years until the date on which the guidance document is removed or incorporated into applicable regulations.

(b) INITIAL REVIEW.—Not later than 1 year after the date of enactment of this Act, the Administrator shall review all guidance documents published under subsection (a) to ensure that such documents are current, are readily accessible to the public, and meet the standards specified in subparagraphs (A), (B), and (C) of subsection (c)(1).

(c) REGULAR REVIEW.—

(1) IN GENERAL.—Subject to paragraph (2), not less than once every 5 years, the Administrator shall conduct a comprehensive review of the guidance documents issued by the Federal Motor Carrier Safety Administration to determine whether such documents are—

(A) consistent and clear;

(B) uniformly and consistently enforced; and

(C) still necessary.

(2) NOTICE AND COMMENT.—Prior to beginning a review under paragraph (1), the Administrator shall publish in the Federal Register a notice and request for comment that solicits input from stakeholders on which guidance documents should be updated or eliminated.

(3) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date on which a review under paragraph (1) is completed, the Administrator shall publish on a publicly accessible Internet Web site of the Department a report detailing the review and a full inventory of the guidance documents of the Administration.

(B) CONTENTS.—A report under subparagraph (A) shall include a summary of the response of the Administration to each comment received under paragraph (2).

(d) GUIDANCE DOCUMENT DEFINED.—In this section, the term ''guidance document'' means a document issued by the Federal Motor Carrier Safety Administration that—

(1) provides an interpretation of a regulation of the Administration; or

(2) includes an enforcement policy of the Administration.

**SEC. 5204. PETITIONS.**

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on a publicly accessible Internet Web site of the Department a summary of all petitions for regulatory action submitted to the Administration;

(2) prioritize the petitions submitted based on the likelihood of safety improvements resulting from the regulatory action requested;

(3) not later than 180 days after the date a summary of a petition is published under paragraph (1), formally respond to such petition by indicating whether the Administrator will accept, deny, or further review the petition;

(4) prioritize responses to petitions consistent with a response's potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt of a petition, publish on a publicly accessible Internet Web site of the Department an updated inventory of the petitions described in paragraph (1), including any applicable disposition information for those petitions.

(b) PETITION DEFINED.—In this section, the term ''petition'' means a request for a new regulation, a regulatory interpretation or clarification, or a review of a regulation to eliminate or modify an obsolete, ineffective, or overly burdensome regulation.

**PART II—COMPLIANCE, SAFETY, ACCOUNTABILITY REFORM**

**SEC. 5221. CORRELATION STUDY.**

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this part as the ''Administrator'') shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Compliance, Safety, Accountability program of the Federal Motor Carrier Safety Administration (referred to in this part as the ''CSA program''); and

(2) the Safety Measurement System utilized by the CSA program (referred to in this part as the ''SMS'').

(b) SCOPE OF STUDY.—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this part as ''BASIC'')—

(i) identify high risk carriers; and

(ii) predict or are correlated with future crash risk, crash severity, or other safety indicators for motor carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations and the tie between crash risk and specific regulatory violations, with respect to accurately identifying and predicting future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those gaps and problems on the efficacy of the CSA program;

(E) the accuracy of safety data, including the use of crash data from crashes in which a motor carrier was free from fault;

(F) whether BASIC percentiles for motor carriers of passengers should be calculated differently than for motor carriers of freight;

(G) the differences in the rates at which safety violations are reported to the Federal Motor Carrier Safety Administration for inclusion in the SMS by various enforcement authorities, including States, territories, and Federal inspectors; and

(H) how members of the public use the SMS and what effect making the SMS information public has had on reducing crashes and eliminating unsafe motor carriers from the industry; and

(2) shall consider—

(A) whether the SMS provides comparable precision and confidence, through SMS alerts and percentiles, for the relative crash risk of individual large and small motor carriers;

(B) whether alternatives to the SMS would identify high risk carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General of the Department, and independent review team reports, issued before the date of enactment of this Act.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report containing the results of the study commissioned pursuant to subsection (a) to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) the Inspector General of the Department.

(d) CORRECTIVE ACTION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the Administrator submits the report under subsection (c), if that report identifies a deficiency or opportunity for improvement in the CSA program or in any element of the SMS, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a corrective action plan that—

(A) responds to the deficiencies or opportunities identified by the report;

(B) identifies how the Federal Motor Carrier Safety Administration will address such deficiencies or opportunities; and

(C) provides an estimate of the cost, including with respect to changes in staffing, enforcement, and data collection, necessary to address such deficiencies or opportunities.

(2) PROGRAM REFORMS.—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—

(A) includes benchmarks;

(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and

(C) shall be considered in any rulemaking by the Department that relates to the CSA program, including the SMS.

(e) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Administrator submits a corrective action plan under subsection (d), the Inspector General of the Department shall—

(1) review the extent to which such plan implements—

(A) recommendations contained in the report submitted under subsection (c); and

(B) relevant recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).

**SEC. 5222. BEYOND COMPLIANCE.**

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall incorporate into the CSA program a methodology to allow recognition and an improved SMS score for—

(1) the installation of advanced safety equipment;

(2) the use of enhanced driver fitness measures;

(3) the adoption of fleet safety management tools, technologies, and programs; or

(4) other metrics as determined appropriate by the Administrator.

(b) QUALIFICATION.—The Administrator, after providing notice and an opportunity for comment, shall develop technical or other performance standards with respect to advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other metrics for purposes of subsection (a).

(c) REPORT.—Not later than 18 months after the incorporation of the methodology under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of motor carriers receiving recognition and improved scores under such methodology and the safety performance of such carriers.

**SEC. 5223. DATA CERTIFICATION.**

(a) IN GENERAL.—On and after the date that is 1 day after the date of enactment of this Act, no information regarding analysis of violations, crashes in which a determination is made that the motor carrier or the commercial motor vehicle driver is not at fault, alerts, or the relative percentile for each BASIC developed under the CSA program may be made available to the public (including through requests under section 552 of title 5, United States Code) until the Inspector General of the Department certifies that—

(1) the report required under section 5221(c) has been submitted in accordance with that section;

(2) any deficiencies identified in the report required under section 5221(c) have been addressed;

(3) if applicable, the corrective action plan under section 5221(d) has been implemented;

(4) the Administrator of the Federal Motor Carrier Safety Administration has fully implemented or satisfactorily addressed the issues raised in the report titled ''Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers'' of the Government Accountability Office and dated February 2014 (GAO–14–114); and

(5) the CSA program has been modified in accordance with section 5222.

(b) LIMITATION ON THE USE OF CSA ANALYSIS.—Information regarding alerts and the relative percentile for each BASIC developed under the CSA program may not be used for safety fitness determinations until the Inspector General of the Department makes the certification under subsection (a).

(c) CONTINUED PUBLIC AVAILABILITY OF DATA.—Notwithstanding any other provision of this section, inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials, out-of-service rates, and absolute measures shall remain available to the public.

(d) EXCEPTIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of this section—

(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization; and

(B) a motor carrier and a commercial motor vehicle driver may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively.

(2) RULE OF CONSTRUCTION.—Nothing in this section may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.

**SEC. 5224. INTERIM HIRING STANDARD.**

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ENTITY.—The term ''entity'' means a person acting as—

(A) a shipper, other than an individual shipper (as that term is defined in section 13102 of title 49, United States Code), or a consignee;

(B) a broker or a freight forwarder (as such terms are defined in section 13102 of title 49, United States Code);

(C) a non-vessel-operating common carrier, an ocean freight forwarder, or an ocean transportation intermediary (as such terms are defined in section 40102 of title 46, United States Code);

(D) an indirect air carrier authorized to operate under a Standard Security Program approved by the Transportation Security Administration;

(E) a customs broker licensed in accordance with section 111.2 of title 19, Code of Federal Regulations;

(F) an interchange motor carrier subject to paragraphs (1)(B) and (2) of section 13902(i) of title 49, United States Code; or

(G) a warehouse (as defined in section 7–102(13) of the Uniform Commercial Code).

(2) MOTOR CARRIER.—The term ''motor carrier'' means a motor carrier (as that term is defined in section 13102 of title 49, United States Code) that is subject to Federal motor carrier financial responsibility and safety regulations.

(b) HIRING STANDARD.—Subsection (c) shall only be applicable to entities who, before tendering a shipment, but not more than 35 days before the pickup of the shipment by the hired motor carrier, verify that the motor carrier, at the time of such verification—

(1) is registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a motor carrier, if applicable;

(2) has the minimum insurance coverage required by Federal law; and

(3) has a satisfactory safety fitness determination issued by the Federal Motor Carrier Safety Administration in force.

(c) INTERIM USE OF DATA.—

(1) IN GENERAL.—With respect to an entity who completed a verification under subsection (b), only information regarding the entity's compliance or noncompliance with subsection (b) may be admitted as evidence or otherwise used against the entity in a civil action for damages resulting from a claim of negligent selection or retention of a motor carrier.

(2) EXCLUDED EVIDENCE.—With respect to an entity who completed a verification under subsection (b), motor carrier data (other than the information described in paragraph (1)) created or maintained by the Federal Motor Carrier Safety Administration, including SMS data or analysis of such data, may not be admitted into evidence in a case or proceeding in which it is asserted or alleged that the entity's selection or retention of a motor carrier was negligent.

(d) SUNSET.—This section shall cease to be effective on the date on which the Inspector General of the Department makes the certification under section 5223(a).

**Subtitle C—Commercial Motor Vehicle Safety**

**SEC. 5301. IMPLEMENTING SAFETY REQUIREMENTS.**

(a) NATIONAL CLEARINGHOUSE FOR CONTROLLED SUBSTANCE AND ALCOHOL TEST RESULTS OF COMMERCIAL MOTOR VEHICLE OPERATORS.—If the deadline established under section 31306a(a)(1) of title 49, United States Code, has not been met, not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification that—

(1) explains why such deadline has not been met; and

(2) establishes a new deadline for completion of the requirements of such section.

(b) ELECTRONIC LOGGING DEVICES.—If the deadline established under section 31137(a) of title 49, United States Code, has not been met, not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification that—

(1) explains why such deadline has not been met; and

(2) establishes a new deadline for completion of the requirements of such section.

(c) STANDARDS FOR TRAINING.—If the deadline established under section 31305(c) of title

49, United States Code, has not been met, not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification that—

(1) explains why such deadline has not been met; and

(2) establishes a new deadline for completion of the requirements of such section.

(d) FURTHER RESPONSIBILITIES.—If the Secretary determines that a deadline established under subsection (a)(2), (b)(2), or (c)(2) cannot be met, not later than 30 days after the date on which such determination is made, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification that—

(1) explains why such deadline cannot be met; and

(2) establishes a new deadline for completion of the relevant requirements.

**SEC. 5302. WINDSHIELD MOUNTED SAFETY TECHNOLOGY.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue regulations to modify section 393.60(e)(1) of title 49, Code of Federal Regulations, to permanently allow the voluntary mounting on the inside of a vehicle's windshield, within the area swept by windshield wipers, of vehicle safety technologies, if the Secretary determines that such mounting is likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be achieved without such mounting.

(b) VEHICLE SAFETY TECHNOLOGY DEFINED.—In this section, the term ''vehicle safety technology'' includes lane departure warning systems, collision avoidance systems, on-board video event recording devices, and any other technology determined appropriate by the Secretary.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to alter the terms of a short-term exemption from section 393.60(e) of title 49, Code of Federal Regulations, granted and in effect as of the date of enactment of this Act.

**SEC. 5303. PRIORITIZING STATUTORY RULEMAKINGS.**

The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the completion of each outstanding rulemaking required by statute before beginning any other rulemaking, unless the Secretary determines that there is a significant need for such other rulemaking.

**SEC. 5304. SAFETY REPORTING SYSTEM.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the cost and feasibility of establishing a self-reporting system for commercial motor vehicle drivers or motor carriers with respect to en route equipment failures.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an analysis of—

(A) alternatives for the reporting of equipment failures in real time, including an Internet Web site or telephone hotline;

(B) the ability of a commercial motor vehicle driver or a motor carrier to provide to the Federal Motor Carrier Safety Administration proof of repair of a self-reported equipment failure;

(C) the ability of the Federal Motor Carrier Safety Administration to ensure that self-reported equipment failures proven to be repaired are not used in the calculation of Behavior Analysis and Safety Improvement Category scores;

(D) the ability of roadside inspectors to access self-reported equipment failures;

(E) the cost to establish and administer a self-reporting system;

(F) the ability for a self-reporting system to track individual commercial motor vehicles through unique identifiers; and

(G) whether a self-reporting system would yield demonstrable safety benefits;

(2) an identification of any regulatory or statutory impediments to the implementation of a self-reporting system; and

(3) recommendations on implementing a self-reporting system.

**SEC. 5305. NEW ENTRANT SAFETY REVIEW PROGRAM.**

(a) IN GENERAL.—The Secretary shall conduct an assessment of the new operator safety review program under section 31144(g) of title 49, United States Code, including the program's effectiveness in reducing crashes, fatalities, and injuries involving commercial motor vehicles and improving commercial motor vehicle safety.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish on a publicly accessible Internet Web site of the Department and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the assessment conducted under subsection (a), including any recommendations for improving the effectiveness of the program (including recommendations for legislative changes).

**SEC. 5306. READY MIXED CONCRETE TRUCKS.**

A driver of a ready mixed concrete mixer truck is exempt from section 3(a)(3)(ii) of part 395 of title 49, Code of Federal Regulations, if the driver is in compliance with clauses (i), (iii), (iv), and (v) of subsection (e)(1) of section 1 of part 395 of such title (regarding the 100 air-mile logging exemption).

**Subtitle D—Commercial Motor Vehicle Drivers**

**SEC. 5401. OPPORTUNITIES FOR VETERANS.**

(a) STANDARDS FOR TRAINING AND TESTING OF VETERAN OPERATORS.—Section 31305 of title 49, United States Code, is amended by adding at the end the following:

''(d) STANDARDS FOR TRAINING AND TESTING OF VETERAN OPERATORS.—

''(1) IN GENERAL.—Not later than December 31, 2016, the Secretary shall modify the regulations prescribed under subsections (a) and (c) to—

''(A) exempt a covered individual from all or a portion of a driving test if the covered individual had experience in the armed forces or reserve components driving vehicles similar to a commercial motor vehicle;

''(B) ensure that a covered individual may apply for an exemption under subparagraph (A) during, at least, the 1-year period beginning on the date on which such individual separates from service in the armed forces or reserve components; and

''(C) credit the training and knowledge a covered individual received in the armed forces or reserve components driving vehicles similar to a commercial motor vehicle for purposes of satisfying minimum standards for training and knowledge.

''(2) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) ARMED FORCES.—The term 'armed forces' has the meaning given that term in section 101(a)(4) of title 10.

''(B) COVERED INDIVIDUAL.—The term 'covered individual' means—

''(i) a former member of the armed forces; or

''(ii) a former member of the reserve components.

''(C) RESERVE COMPONENTS.—The term 'reserve components' means—

''(i) the Army National Guard of the United States;

''(ii) the Army Reserve;

''(iii) the Navy Reserve;

''(iv) the Marine Corps Reserve;

''(v) the Air National Guard of the United States;

''(vi) the Air Force Reserve; and

''(vii) the Coast Guard Reserve.''.

(b) IMPLEMENTATION OF THE MILITARY COMMERCIAL DRIVER'S LICENSE ACT.—Not later than December 31, 2015, the Secretary shall issue final regulations to implement the exemption to the domicile requirement under section 31311(a)(12)(C) of title 49, United States Code.

(c) CONFORMING AMENDMENT.—Section 31311(a)(12)(C)(ii) of title 49, United States Code, is amended to read as follows:

''(ii) is an active duty member of—

''(I) the armed forces (as that term is defined in section 101(a)(4) of title 10); or

''(II) the reserve components (as that term is defined in section 31305(d)(2)(C) of this title); and''.

**SEC. 5402. DRUG-FREE COMMERCIAL DRIVERS.**

(a) IN GENERAL.—Section 31306 of title 49, United States Code, is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) in subparagraph (A) by striking ''The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.''; and

(C) by inserting after subparagraph (A) the following:

''(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

''(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

''(ii) to use hair testing as an acceptable alternative to urine testing—

''(I) in conducting preemployment testing for the use of a controlled substance; and

''(II) in conducting random testing for the use of a controlled substance if the operator was subject to hair testing for preemployment testing.'';

(2) in subsection (b)(2)—

(A) in subparagraph (A) by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(C) shall provide an exemption from hair testing for commercial motor vehicle operators with established religious beliefs that prohibit the cutting or removal of hair.''; and

(3) in subsection (c)(2)—

(A) in the matter preceding subparagraph (A) by inserting ''for urine testing, and technical guidelines for hair testing,'' before ''including mandatory guidelines'';

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

(C) in subparagraph (C) by inserting ''and'' after the semicolon; and

(D) by adding at the end the following:

''(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance;''.

(b) GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code.

**SEC. 5403. CERTIFIED MEDICAL EXAMINERS.**

(a) IN GENERAL.—Section 31315(b)(1) of title 49, United States Code, is amended by striking ''or section 31136'' and inserting '', section 31136, or section 31149(d)(3)''.

(b) CONFORMING AMENDMENT.—Section 31149(d)(3) of title 49, United States Code, is amended by inserting '', unless the person issuing the certificate is the subject of an exemption issued under section 31315(b)(1)'' before the semicolon.

**SEC. 5404. GRADUATED COMMERCIAL DRIVER'S LICENSE PILOT PROGRAM.**

(a) TASK FORCE.—

(1) IN GENERAL.—The Secretary shall convene a task force to evaluate and make recommendations to the Secretary on elements for inclusion in a graduated commercial driver's license pilot program that would allow a novice licensed driver between the ages of 19 years and 6 months and 21 years to safely operate a commercial motor vehicle in a limited capacity in interstate commerce between States that enter into a bi-State agreement.

(2) MEMBERSHIP.—The task force convened under paragraph (1) shall include representatives of State motor vehicle administrators, motor carriers, labor organizations, safety advocates, and other stakeholders determined appropriate by the Secretary.

(3) CONSIDERATIONS.—The task force convened under paragraph (1) shall evaluate and make recommendations on the following elements for inclusion in a graduated commercial driver's license pilot program:

(A) A specified length of time for a learner's permit stage.

(B) A requirement that drivers under the age of 21 years be accompanied by experienced drivers over the age of 21 years.

(C) A restriction on travel distances.

(D) A restriction on maximum allowable driving hours.

(E) Mandatory driver training that exceeds the requirements for drivers over the age of 21 years issued by the Secretary under section 31305(c) of title 49, United States Code.

(F) Use of certain safety technologies in the vehicles of drivers under the age of 21 years.

(G) Any other element the task force considers appropriate.

(4) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the task force convened under paragraph (1) shall recommend to the Secretary the elements the task force has determined appropriate for inclusion in a graduated commercial driver's license pilot program.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after receiving the recommendations of the task force under subsection (a), the Secretary shall establish a graduated commercial driver's license pilot program in accordance with such recommendations and section 31315(c) of title 49, United States Code.

(2) PRE-ESTABLISHMENT REQUIREMENTS.—Prior to the establishment of the pilot program under paragraph (1), the Secretary shall—

(A) submit to Congress a report outlining the recommendations of the task force received under subsection (a); and

(B) publish in the Federal Register, and provide sufficient notice of and an opportunity for public comment on, the—

(i) proposed requirements for State and driver participation in the pilot program, based on the recommendations of the task force and consistent with paragraph (3);

(ii) measures the Secretary will utilize under the pilot program to ensure safety; and

(iii) standards the Secretary will use to evaluate the pilot program, including to determine any changes in the level of motor carrier safety as a result of the pilot program.

(3) PROGRAM ELEMENTS.—The pilot program established under paragraph (1)—

(A) may not allow an individual under the age of 19 years and 6 months to participate;

(B) may not allow a driver between the ages of 19 years and 6 months and 21 years to—

(i) operate a commercial motor vehicle in special configuration; or

(ii) transport hazardous cargo;

(C) shall be carried out in a State (including the District of Columbia) only if the Governor of the State (or the Mayor of the District of Columbia, if applicable) approves an agreement with a contiguous State to allow a licensed driver under the age of 21 years to operate a commercial motor vehicle across both States in accordance with the pilot program;

(D) may not recognize more than 6 agreements described in subparagraph (C);

(E) may not allow more than 10 motor carriers to participate in the pilot program under each agreement described in subparagraph (C);

(F) shall require each motor carrier participating in the pilot program under an agreement described in subparagraph (C) to—

(i) have in effect a satisfactory safety fitness determination that was issued by the Federal Motor Carrier Safety Administration during the 2-year period preceding the date of the Federal Register publication required under paragraph (2)(B); and

(ii) agree to have its safety performance monitored by the Secretary during participation in the pilot program;

(G) shall allow for the revocation of a motor carrier's participation in the pilot program if a State or the Secretary determines that the motor carrier violated the requirements, including safety requirements, of the pilot program; and

(H) shall ensure that a valid graduated commercial driver's license issued by a State that has entered into an agreement described in subparagraph (C) and is approved by the Secretary to participate in the pilot program is recognized as valid in both States that are participating in the agreement.

(c) INSPECTOR GENERAL REPORT.—

(1) MONITORING.—The Inspector General of the Department of Transportation shall monitor and review the implementation of the pilot program established under subsection (b).

(2) REPORT.—The Inspector General shall submit to Congress and the Secretary—

(A) not later than 1 year after the establishment of the pilot program under subsection (b), an interim report on the results of the review conducted under paragraph (1); and

(B) not later than 60 days after the conclusion of the pilot program, a final report on the results of the review conducted under paragraph (1).

(3) ADDITIONAL CONTENTS.—

(A) INTERIM REPORT.—The interim report required under paragraph (2)(A) shall address whether the Secretary has established sufficient mechanisms and generated sufficient data to determine if the pilot program is having any adverse effects on motor carrier safety.

(B) FINAL REPORT.—The final report required under paragraph (2)(B) shall address the impact of the pilot program on—

(i) safety; and

(ii) the number of commercial motor vehicle drivers available for employment.

**SEC. 5405. VETERANS EXPANDED TRUCKING OPPORTUNITIES.**

(a) IN GENERAL.—In the case of a physician-approved veteran operator, the qualified physician of such operator may, subject to the requirements of subsection (b), perform a medical examination and provide a medical certificate for purposes of compliance with the requirements of section 31149 of title 49, United States Code.

(b) CERTIFICATION.—The certification described under subsection (a) shall include—

(1) assurances that the physician performing the medical examination meets the requirements of a qualified physician under this section; and

(2) certification that the physical condition of the operator is adequate to enable such operator to operate a commercial motor vehicle safely.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) PHYSICIAN-APPROVED VETERAN OPERATOR.—The term ''physician-approved veteran operator'' means an operator of a commercial motor vehicle who—

(A) is a veteran who is enrolled in the health care system established under section 1705(a) of title 38, United States Code; and

(B) is required to have a current valid medical certificate pursuant to section 31149 of title 49, United States Code.

(2) QUALIFIED PHYSICIAN.—The term ''qualified physician'' means a physician who—

(A) is employed in the Department of Veterans Affairs;

(B) is familiar with the standards for, and physical requirements of, an operator certified pursuant to section 31149 of title 49, United States Code; and

(C) has never, with respect such section, been found to have acted fraudulently, including by fraudulently awarding a medical certificate.

(3) VETERAN.—The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

(d) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to change any statutory penalty associated with fraud or abuse.

**Subtitle E—General Provisions**

**SEC. 5501. MINIMUM FINANCIAL RESPONSIBILITY.**

(a) TRANSPORTING PROPERTY.—If the Secretary proceeds with a rulemaking to determine whether to increase the minimum levels of financial responsibility required under section 31139 of title 49, United States Code, the Secretary shall consider, prior to issuing a final rule—

(1) the rulemaking's potential impact on—

(A) the safety of motor vehicle transportation; and

(B) the motor carrier industry, including small and minority motor carriers and independent owner-operators;

(2) the ability of the insurance industry to provide the required amount of insurance;

(3) the extent to which current minimum levels of financial responsibility adequately cover—

(A) medical care;

(B) compensation;

(C) attorney fees; and

(D) other identifiable costs;

(4) the frequency with which insurance claims exceed current minimum levels of financial responsibility in fatal accidents; and

(5) the impact of increased levels on motor carrier safety and accident reduction.

(b) TRANSPORTING PASSENGERS.—

(1) IN GENERAL.—Prior to initiating a rulemaking to change the minimum levels of financial responsibility under section 31138 of title 49, United States Code, the Secretary shall complete a study specific to the minimum financial responsibility requirements for motor carriers of passengers.

(2) STUDY CONTENTS.—A study under paragraph (1) shall include—

(A) a review of accidents, injuries, and fatalities in the over-the-road bus and school bus industries;

(B) a review of insurance held by over-the-road bus and public and private school bus companies, including companies of various sizes, and an analysis of whether such insurance is adequate to cover claims;

(C) an analysis of whether and how insurance affects the behavior and safety record of motor carriers of passengers, including with respect to crash reduction; and

(D) an analysis of the anticipated impacts of an increase in financial responsibility on insurance premiums for passenger carriers and service availability.

(3) CONSULTATION.—In conducting a study under paragraph (1), the Secretary shall consult with—

(A) representatives of the over-the-road bus and private school bus transportation industries, including representatives of bus drivers; and

(B) insurers of motor carriers of passengers.

(4) REPORT.—If the Secretary undertakes a study under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

**SEC. 5502. DELAYS IN GOODS MOVEMENT.**

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the average length of time that operators of commercial motor vehicles are delayed before the loading and unloading of such vehicles and at other points in the pick-up and delivery process.

(2) CONTENTS.—The report under paragraph (1) shall include—

(A) an assessment of how delays impact—

(i) the economy;

(ii) the efficiency of the transportation system;

(iii) motor carrier safety, including the extent to which delays result in violations of motor carrier safety regulations; and

(iv) the livelihood of motor carrier drivers; and

(B) recommendations on how delays could be mitigated.

(b) COLLECTION OF DATA.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish by regulation a process to collect data on delays experienced by operators of commercial motor vehicles before the loading and unloading of such vehicles and at other points in the pick-up and delivery process.

**SEC. 5503. REPORT ON MOTOR CARRIER FINANCIAL RESPONSIBILITY.**

(a) IN GENERAL.—Not later than April 1, 2016, the Secretary shall publish on a publicly accessible Internet Web site of the Department a report on the minimum levels of financial responsibility required under section 31139 of title 49, United States Code.

(b) CONTENTS.—The report required under subsection (a) shall include an analysis of—

(1) the differences between State insurance requirements and Federal requirements;

(2) the extent to which current minimum levels of financial responsibility adequately cover—

(A) medical care;

(B) compensation;

(C) attorney fees; and

(D) other identifiable costs; and

(3) the frequency with which insurance claims exceed the current minimum levels of financial responsibility.

**SEC. 5504. EMERGENCY ROUTE WORKING GROUP.**

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) MEMBERS.—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) entities affected by special permit restrictions during emergency response and recovery efforts.

(b) CONSIDERATIONS.—In determining best practices under subsection (a), the working group shall consider whether—

(1) impediments currently exist that prevent expeditious State approval of special permits for vehicles involved in emergency response and recovery;

(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or emergency;

(3) a State could pre-designate an emergency route identified under paragraph (2) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during periods of declared emergency and recovery from such periods; and

(4) an online map could be created to identify each pre-designated emergency route under paragraph (3), including information on specific limitations, obligations, and notification requirements along that route.

(c) REPORT.—

(1) SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report on its findings under this section and any recommendations for the implementation of best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) PUBLICATION.—Not later than 30 days after the date the Secretary receives the report under paragraph (1), the Secretary shall publish the report on a publicly accessible Internet Web site of the Department.

(d) NOTIFICATION.—Not later than 6 months after the date the Secretary receives the report under subsection (c)(1), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the actions the Secretary and the States have taken to implement the recommendations included in the report.

(e) EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group.

(f) TERMINATION.—The working group shall terminate 1 year after the date the Secretary receives the report under subsection (c)(1).

**SEC. 5505. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.**

(a) WORKING GROUP.—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to inexperienced consumers the information such consumers need to know with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.

(b) MEMBERSHIP.—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.

(c) RECOMMENDATIONS.—

(1) CONTENTS.—The recommendations developed by the working group shall include recommendations on—

(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;

(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and

(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.

(2) DEADLINE.—Not later than 1 year after the date of enactment of this Act—

(A) the working group shall make the recommendations described in paragraph (1); and

(B) the Secretary shall publish the recommendations on a publicly accessible Internet Web site of the Department.

(d) REPORT.—Not later than 1 year after the date on which the working group makes its recommendations under subsection (c)(2), the Secretary shall issue a report to Congress on the implementation of such recommendations.

(e) EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group.

(f) TERMINATION.—The working group shall terminate 1 year after the date the working group makes its recommendations under subsection (c)(2).

**SEC. 5506. TECHNOLOGY IMPROVEMENTS.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a comprehensive analysis of the information technology and data collection and management systems of the Federal Motor Carrier Safety Administration.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall—

(1) evaluate the efficacy of the existing information technology, data collection, processing systems, data correction procedures, and data management systems and programs, including their interaction with each other and their efficacy in meeting user needs;

(2) identify any redundancies among the systems, procedures, and programs described in paragraph (1);

(3) explore the feasibility of consolidating data collection and processing systems;

(4) evaluate the ability of the systems, procedures, and programs described in paragraph (1) to meet the needs of—

(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State levels;

(B) the State agencies that implement the motor carrier safety assistance program under section 31102 of title 49, United States Code; and

(C) other users;

(5) evaluate the adaptability of the systems, procedures, and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost-efficient manner;

(6) investigate and make recommendations regarding—

(A) deficiencies in existing data sets impacting program effectiveness; and

(B) methods to improve user interfaces; and

(7) identify the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving

the efficacy of the systems, procedures, and programs described in paragraph (1).

**SEC. 5507. NOTIFICATION REGARDING MOTOR CARRIER REGISTRATION.**

Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification of the actions the Secretary is taking to ensure, to the greatest extent practicable, that each application for registration under section 13902 of title 49, United States Code, is processed not later than 30 days after the date on which the application is received by the Secretary.

**SEC. 5508. REPORT ON COMMERCIAL DRIVER'S LICENSE SKILLS TEST DELAYS.**

Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes, for each State, the status of skills testing for applicants for a commercial driver's license, including—

(A) the average wait time, by month and location, from the date an applicant requests to take a skills test to the date the applicant completes such test;

(B) the average wait time, by month and location, from the date an applicant, upon failure of a skills test, requests a retest to the date the applicant completes such retest;

(C) the actual number of qualified commercial driver's license examiners, by month and location, available to test applicants; and

(D) the number of testing sites available through the State department of motor vehicles and whether this number has increased or decreased from the previous year; and

(2) describes specific steps that the Administrator is taking to address skills testing delays in States that have average skills test or retest wait times of more than 7 days from the date an applicant requests to test or retest to the date the applicant completes such test or retest.

**SEC. 5509. COVERED FARM VEHICLES.**

Section 32934(b)(1) of MAP–21 (49 U.S.C. 31136 note) is amended by striking ''from'' and all that follows through the period at end and inserting the following: ''from—

''(A) a requirement described in subsection (a) or a compatible State requirement; or

''(B) any other minimum standard provided by a State relating to the operation of that vehicle.''.

**SEC. 5510. OPERATORS OF HI-RAIL VEHICLES.**

(a) IN GENERAL.—In the case of a commercial motor vehicle driver subject to the hours of service requirements in part 395 of title 49, Code of Federal Regulations, who is driving a hi-rail vehicle, the maximum on duty time under section 395.3 of such title for such driver shall not include time in transportation to or from a duty assignment if such time in transportation—

(1) does not exceed 2 hours per calendar day or a total of 30 hours per calendar month; and

(2) is fully and accurately accounted for in records to be maintained by the motor carrier and such records are made available upon request of the Federal Motor Carrier Safety Administration or the Federal Railroad Administration.

(b) EMERGENCY.—In the case of a train accident, an act of God, a train derailment, or a major equipment failure or track condition that prevents a train from advancing, a driver described in subsection (a) may complete a run without being in violation of the provisions of part 395 of title 49, Code of Federal Regulations.

(c) HI-RAIL VEHICLE DEFINED.—In this section, the term ''hi-rail vehicle'' has the meaning given the term in section 214.7 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

**SEC. 5511. ELECTRONIC LOGGING DEVICE REQUIREMENTS.**

Section 31137(b) of title 49, United States Code, is amended—

(1) in paragraph (1)(C) by striking ''apply to'' and inserting ''except as provided in paragraph (3), apply to''; and

(2) by adding at the end the following:

''(3) EXCEPTION.—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of the term 'driveaway-towaway operation' (as defined in section 390.5 of title 49, Code of Federal Regulations), may comply with the hours of service requirements by requiring each driver to use—

''(A) a paper record of duty status form; or

''(B) an electronic logging device.''.

**SEC. 5512. TECHNICAL CORRECTIONS.**

(a) TITLE 49.—Title 49, United States Code, is amended as follows:

(1) Section 13902(i)(2) is amended by inserting ''except as'' before ''described''.

(2) Section 13903(d) is amended by striking ''(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—'' and all that follows through ''(1) IN GENERAL.—A freight forwarder'' and inserting ''(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—A freight forwarder''.

(3) Section 13905(d)(2)(D) is amended—

(A) by striking ''the Secretary finds that—'' and all that follows through ''(i) the motor carrier,'' and inserting ''the Secretary finds that the motor carrier,''; and

(B) by adding a period at the end.

(4) Section 14901(h) is amended by striking ''HOUSEHOLD GOODS'' in the heading.

(5) Section 14916 is amended by striking the section designation and heading and inserting the following:

**''§ 14916. Unlawful brokerage activities''.**

(b) MAP–21.—Effective as of July 6, 2012, and as if included therein as enacted, MAP–21 (Public Law 112–141) is amended as follows:

(1) Section 32108(a)(4) (126 Stat. 782) is amended by inserting ''for'' before ''each additional day'' in the matter proposed to be struck.

(2) Section 32301(b)(3) (126 Stat. 786) is amended by striking ''by amending (a) to read as follows:'' and inserting ''by striking subsection (a) and inserting the following:''.

(3) Section 32302(c)(2)(B) (126 Stat. 789) is amended by striking ''section 32303(c)(1)'' and inserting ''section 32302(c)(1)''.

(4) Section 32921(b) (126 Stat. 828) is amended, in the matter to be inserted, by striking ''(A) In addition'' and inserting the following:

''(A) IN GENERAL.—In addition''.

(5) Section 32931(c) (126 Stat. 829) is amended—

(A) by striking ''Secretary'' and inserting ''Secretary of Transportation'' in the matter to be struck; and

(B) by striking ''Secretary'' and inserting ''Secretary of Transportation'' in the matter to be inserted.

(c) MOTOR CARRIER SAFETY IMPROVEMENT ACT OF 1999.—Section 229(a)(1) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended by inserting ''of title 49, United States Code,'' after ''sections 31136 and 31502''.

**SEC. 5513. AUTOMOBILE TRANSPORTER.**

Section 31111(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (E) by striking ''or'' at the end;

(2) in subparagraph (F) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(G) imposes a vehicle length limitation of less than 80 feet on a stinger-steered automobile transporter with a front overhang of less than 4 feet and a rear overhang of less than 6 feet.''.

**SEC. 5514. READY MIX CONCRETE DELIVERY VEHICLES.**

Section 31502 of title 49, United States Code, is amended by adding at the end the following:

''(f) READY MIXED CONCRETE DELIVERY VEHICLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, regulations issued under this section or section 31136 (including section 1(e)(1)(ii) of part 395 of title 49, Code of Federal Regulations) regarding reporting, recordkeeping, or documentation of duty status, shall not apply to any driver of a ready mixed concrete delivery vehicle if—

''(A) the driver operates within a 100 air-mile radius of the normal work reporting location;

''(B) the driver returns to the work reporting location and is released from work within 14 consecutive hours;

''(C) the driver has at least 10 consecutive hours off duty following each 14 hours on duty;

''(D) the driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty; and

''(E) the motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records that show—

''(i) the time the driver reports for duty each day;

''(ii) the total number of hours the driver is on duty each day;

''(iii) the time the driver is released from duty each day; and

''(iv) the total time for the preceding driving week the driver is used for the first time or intermittently.

''(2) DEFINITION.—In this section, the term 'driver of ready mixed concrete delivery vehicle' means a driver of a vehicle designed to deliver ready mixed concrete on a daily basis and is equipped with a mechanism under which the vehicle's propulsion engine provides the power to operate a mixer drum to agitate and mix the product en route to the delivery site.''.

## TITLE VI—INNOVATION

**SEC. 6001. SHORT TITLE.**

This title may be cited as the ''Transportation for Tomorrow Act of 2015''.

**SEC. 6002. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—The following amounts are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out section 503(b) of title 23, United States Code, $125,000,000 for each of fiscal years 2016 through 2021.

(2) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out section 503(c) of title 23, United States Code—

(A) $67,000,000 for fiscal year 2016;

(B) $67,500,000 for fiscal year 2017;

(C) $67,500,000 for fiscal year 2018;

(D) $67,500,000 for fiscal year 2019;

(E) $67,500,000 for fiscal year 2020; and

(F) $67,500,000 for fiscal year 2021.

(3) TRAINING AND EDUCATION.—To carry out section 504 of title 23, United States Code $24,000,000 for each of fiscal years 2016 through 2021.

(4) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out sections 512 through 518 of title 23, United States Code $100,000,000 for each of fiscal years 2016 through 2021.

(5) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out section 5505 of title 49, United States Code—

(A) $72,500,000 for fiscal year 2016;
(B) $75,000,000 for fiscal year 2017;
(C) $75,000,000 for fiscal year 2018;
(D) $77,500,000 for fiscal year 2019;
(E) $77,500,000 for fiscal year 2020; and
(F) $77,500,000 for fiscal year 2021.

(6) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code, $26,000,000 for each of fiscal years 2016 through 2021.

(b) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable, except as otherwise provided in this Act.

**SEC. 6003. ADVANCED TRANSPORTATION AND CONGESTION MANAGEMENT TECHNOLOGIES DEPLOYMENT.**

Section 503(c) of title 23, United States Code, is amended by adding at the end the following:

''(4) ADVANCED TRANSPORTATION TECHNOLOGIES DEPLOYMENT.—

''(A) IN GENERAL.—Not later than 6 months after the date of enactment of this paragraph, the Secretary shall establish an advanced transportation and congestion management technologies deployment initiative to provide grants to eligible entities to develop model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.

''(B) CRITERIA.—The Secretary shall develop criteria for selection of an eligible entity to receive a grant under this paragraph, including how the deployment of technology will—

''(i) reduce costs and improve return on investments, including through the enhanced use of existing transportation capacity;

''(ii) deliver environmental benefits that alleviate congestion and streamline traffic flow;

''(iii) measure and improve the operational performance of the applicable transportation network;

''(iv) reduce the number and severity of traffic crashes and increase driver, passenger, and pedestrian safety;

''(v) collect, disseminate, and use real-time traffic, transit, parking, and other transportation-related information to improve mobility, reduce congestion, and provide for more efficient and accessible transportation;

''(vi) monitor transportation assets to improve infrastructure management, reduce maintenance costs, prioritize investment decisions, and ensure a state of good repair;

''(vii) deliver economic benefits by reducing delays, improving system performance, and providing for the efficient and reliable movement of goods and services; or

''(viii) accelerate the deployment of vehicle-to-vehicle, vehicle-to-infrastructure, autonomous vehicles, and other technologies.

''(C) APPLICATIONS.—

''(i) REQUEST.—Not later than 6 months after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall request applications in accordance with clause (ii).

''(ii) CONTENTS.—An application submitted under this subparagraph shall include the following:

''(I) PLAN.—A plan to deploy and provide for the long-term operation and maintenance of advanced transportation and congestion management technologies to improve safety, efficiency, system performance, and return on investment.

''(II) OBJECTIVES.—Quantifiable system performance improvements, such as—

''(aa) reducing traffic-related crashes, congestion, and costs;

''(bb) optimizing system efficiency; and

''(cc) improving access to transportation services.

''(III) RESULTS.—Quantifiable safety, mobility, and environmental benefit projections such as data-driven estimates of how the project will improve the region's transportation system efficiency and reduce traffic congestion.

''(IV) PARTNERSHIPS.—A plan for partnering with the private sector or public agencies, including multimodal and multijurisdictional entities, research institutions, organizations representing transportation and technology leaders, or other transportation stakeholders.

''(V) LEVERAGING.—A plan to leverage and optimize existing local and regional advanced transportation technology investments.

''(D) GRANT SELECTION.—

''(i) GRANT AWARDS.—Not later than 1 year after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall award grants to not less than 5 and not more than 8 eligible entities.

''(ii) GEOGRAPHIC DIVERSITY.—In awarding a grant under this paragraph, the Secretary shall ensure, to the extent practicable, that grant recipients represent diverse geographic areas of the United States.

''(E) USE OF GRANT FUNDS.—A grant recipient may use funds awarded under this paragraph to deploy advanced transportation and congestion management technologies, including—

''(i) advanced traveler information systems;

''(ii) advanced transportation management technologies;

''(iii) infrastructure maintenance, monitoring, and condition assessment;

''(iv) advanced public transportation systems;

''(v) transportation system performance data collection, analysis, and dissemination systems;

''(vi) advanced safety systems, including vehicle-to-vehicle and vehicle-to-infrastructure communications, technologies associated with autonomous vehicles, and other collision avoidance technologies, including systems using cellular technology;

''(vii) integration of intelligent transportation systems with the Smart Grid and other energy distribution and charging systems;

''(viii) electronic pricing and payment systems; or

''(ix) advanced mobility and access technologies, such as dynamic ridesharing and information systems to support human services for elderly and disabled individuals.

''(F) REPORT TO SECRETARY.—Not later than 1 year after an eligible entity receives a grant under this paragraph, and each year thereafter, the entity shall submit a report to the Secretary that describes—

''(i) deployment and operational costs of the project compared to the benefits and savings the project provides; and

''(ii) how the project has met the original expectations projected in the deployment plan submitted with the application, such as—

''(I) data on how the project has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;

''(II) data on the effect of measuring and improving transportation system performance through the deployment of advanced technologies;

''(III) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public to make informed travel decisions; and

''(IV) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

''(G) REPORT.—Not later than 3 years after the date that the first grant is awarded under this paragraph, and each year thereafter, the Secretary shall make available to the public on an Internet Web site a report that describes the effectiveness of grant recipients in meeting their projected deployment plans, including data provided under subparagraph (F) on how the program has—

''(i) reduced traffic-related fatalities and injuries;

''(ii) reduced traffic congestion and improved travel time reliability;

''(iii) reduced transportation-related emissions;

''(iv) optimized multimodal system performance;

''(v) improved access to transportation alternatives;

''(vi) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

''(vii) provided cost savings to transportation agencies, businesses, and the traveling public; or

''(viii) provided other benefits to transportation users and the general public.

''(H) ADDITIONAL GRANTS.—The Secretary may cease to provide additional grant funds to a recipient of a grant under this paragraph if—

''(i) the Secretary determines from such recipient's report that the recipient is not carrying out the requirements of the grant; and

''(ii) the Secretary provides written notice 60 days prior to withholding funds to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

''(I) FUNDING.—

''(i) IN GENERAL.—From funds made available to carry out section 503(b), this subsection, and sections 512 through 518, the Secretary shall set aside for grants awarded under subparagraph (D) $75,000,000 for each of fiscal years 2016 through 2021.

''(ii) EXPENSES FOR THE SECRETARY.—Of the amounts set aside under clause (i), the Secretary may set aside $2,000,000 each fiscal year for program reporting, evaluation, and administrative costs related to this paragraph.

''(J) FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is awarded under this subsection shall not exceed 50 percent of the cost of the project.

''(K) GRANT LIMITATION.—The Secretary may not award more than 20 percent of the amount described under subparagraph (I) in a fiscal year to a single grant recipient.

''(L) EXPENSES FOR GRANT RECIPIENTS.—A grant recipient under this paragraph may use not more than 5 percent of the funds awarded each fiscal year to carry out planning and reporting requirements.

''(M) GRANT FLEXIBILITY.—

''(i) IN GENERAL.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements described in subparagraph (C) to carry out this section for a fiscal year, the Secretary shall transfer to the programs specified in clause (ii)—

''(I) any of the funds reserved for the fiscal year under subparagraph (I) that the Secretary has not yet awarded under this paragraph; and

''(II) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under subclause (I).

''(ii) PROGRAMS.—The programs referred to in clause (i) are—

''(I) the program under section 503(b);

''(II) the program under section 503(c); and

''(III) the programs under sections 512 through 518.

''(iii) DISTRIBUTION.—Any transfer of funds and obligation limitation under clause (i) shall be divided among the programs referred to in that clause in the same proportions as the Secretary originally reserved funding from the programs for the fiscal year under subparagraph (I).

''(N) DEFINITIONS.—In this paragraph, the following definitions apply:

''(i) ELIGIBLE ENTITY.—The term 'eligible entity' means a State or local government, a transit agency, metropolitan planning organization representing a population of over 200,000, or other political subdivision of a State or local government or a multijurisdictional group or a consortia of research institutions or academic institutions.

''(ii) ADVANCED AND CONGESTION MANAGEMENT TRANSPORTATION TECHNOLOGIES.—The term 'advanced transportation and congestion management technologies' means technologies that improve the efficiency, safety, or state of good repair of surface transportation systems, including intelligent transportation systems.

''(iii) MULTIJURISDICTIONAL GROUP.—The term 'multijurisdictional group' means a any combination of State governments, locals governments, metropolitan planning agencies, transit agencies, or other political subdivisions of a State for which each member of the group—

''(I) has signed a written agreement to implement the advanced transportation technologies deployment initiative across jurisdictional boundaries; and

''(II) is an eligible entity under this paragraph.''.

**SEC. 6004. TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.**

Section 503(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C) by striking ''2013 through 2014'' and inserting ''2016 through 2021''; and

(2) by adding at the end the following:

''(D) PUBLICATION.—The Secretary shall make available to the public on an Internet Web site on an annual basis a report on the cost and benefits from deployment of new technology and innovations that substantially and directly resulted from the program established under this paragraph. The report may include an analysis of—

''(i) Federal, State, and local cost savings;

''(ii) project delivery time improvements;

''(iii) reduced fatalities; and

''(iv) congestion impacts.''.

**SEC. 6005. INTELLIGENT TRANSPORTATION SYSTEM GOALS.**

Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (4) by striking ''and'' at the end;

(2) in paragraph (5) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) enhancement of the national freight system and support to national freight policy goals by conducting heavy duty vehicle demonstration activities and accelerating adoption of intelligent transportation system applications in freight operations.''.

**SEC. 6006. INTELLIGENT TRANSPORTATION SYSTEM PROGRAM REPORT.**

Section 515(h)(4) of title 23, United States Code, is amended—

(1) by striking ''February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012'' and inserting ''May 1 of each year''; and

(2) by striking ''submit to Congress'' and inserting ''make available to the public on a Department of Transportation Web site''.

**SEC. 6007. INTELLIGENT TRANSPORTATION SYSTEM NATIONAL ARCHITECTURE AND STANDARDS.**

Section 517(a)(3) of title 23, United States Code, is amended by striking ''memberships are comprised of, and represent,'' and inserting ''memberships include representatives of''.

**SEC. 6008. COMMUNICATION SYSTEMS DEPLOYMENT REPORT.**

Section 518(a) of title 23, United States Code, is amended by striking ''Not later than 3'' and all that follows through ''House of Representatives'' and inserting ''Not later than July 6, 2016, the Secretary shall make available to the public on a Department of Transportation Web site a report''.

**SEC. 6009. INFRASTRUCTURE DEVELOPMENT.**

(a) IN GENERAL.—Chapter 5 of title 23, United States Code, is amended by adding at the end the following:

**''§ 519. Infrastructure development**

''Funds made available to carry out this chapter for operational tests—

''(1) shall be used primarily for the development of intelligent transportation system infrastructure, equipment, and systems; and

''(2) to the maximum extent practicable, shall not be used for the construction of physical surface transportation infrastructure unless the construction is incidental and critically necessary to the implementation of an intelligent transportation system project.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by adding at the end the following new item:

''519. Infrastructure development.''.

(2) TECHNICAL AMENDMENT.—The item relating to section 512 in the analysis for chapter 5 of title 23, United States Code, is amended to read as follows:

''512. National ITS program plan.''.

**SEC. 6010. DEPARTMENTAL RESEARCH PROGRAMS.**

(a) ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY.—Section 102(e) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''5'' and inserting ''6''; and

(2) in paragraph (1)(A) by inserting ''an Assistant Secretary for Research and Technology,'' after ''Governmental Affairs,''.

(b) RESEARCH ACTIVITIES.—Section 330 of title 49, United States Code, is amended—

(1) in the section heading by striking ''**contracts**'' and inserting ''**activities**'';

(2) in subsection (a) by striking ''The Secretary of'' and inserting ''IN GENERAL.—The Secretary of'';

(3) in subsection (b) by striking ''In carrying'' and inserting ''RESPONSIBILITIES.—In carrying'';

(4) in subsection (c) by striking ''The Secretary'' and inserting ''PUBLICATIONS.—The Secretary''; and

(5) by adding at the end the following:

''(d) DUTIES.—The Secretary shall provide for the following:

''(1) Coordination, facilitation, and review of Department of Transportation research and development programs and activities.

''(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.

''(3) Comprehensive transportation statistics research, analysis, and reporting.

''(4) Education and training in transportation and transportation-related fields.

''(5) Activities of the Volpe National Transportation Systems Center.

''(6) Coordination in support of multimodal and multidisciplinary research activities.

''(e) ADDITIONAL AUTHORITIES.—The Secretary may—

''(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons to conduct research into transportation service and infrastructure assurance and to carry out other research activities of the Department of Transportation;

''(2) carry out, on a cost-shared basis, collaborative research and development to encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—

''(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

''(B) Federal laboratories; and

''(C) other Federal agencies; and

''(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Academies, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.

''(2) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

''(3) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in subsection (e)(3).

''(g) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2016 through 2021, the Secretary is authorized to expend not more than 1 and a half percent of the amounts authorized to be appropriated for the coordination, evaluation, and oversight of the programs administered by the Office of the Assistant Secretary for Research and Technology.

''(h) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

''(i) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.''.

(c) CLERICAL AMENDMENT.—The item relating to section 330 in the analysis of chapter 3 of title 49, United States Code, is amended to read as follows:

''330. Research activities.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 5 AMENDMENTS.—

(A) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by

striking ''The Under Secretary of Transportation for Security.''.

(B) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended in the undesignated item relating to Assistant Secretaries of Transportation by striking ''(4)'' and inserting ''(5)''.

(C) POSITIONS AT LEVEL V.—Section 5316 of title 5, United States Code, is amended by striking ''Associate Deputy Secretary, Department of Transportation.''.

(2) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302(a) of title 49, United States Code, is amended to read as follows:

''(a) IN GENERAL.—There shall be within the Department of Transportation the Bureau of Transportation Statistics.''.

**SEC. 6011. RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION.**

(a) REPEAL.—Section 112 of title 49, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 49, United States Code, is amended by striking the item relating to section 112.

**SEC. 6012. OFFICE OF INTERMODALISM.**

(a) REPEAL.—Section 5503 of title 49, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is amended by striking the item relating to section 5503.

**SEC. 6013. UNIVERSITY TRANSPORTATION CENTERS.**

Section 5505 of title 49, United States Code, is amended to read as follows:

**''§ 5505. University transportation centers program**

''(a) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—

''(1) ESTABLISHMENT AND OPERATION.—The Secretary shall make grants under this section to eligible nonprofit institutions of higher education to establish and operate university transportation centers.

''(2) ROLE OF CENTERS.—The role of each university transportation center referred to in paragraph (1) shall be—

''(A) to advance transportation expertise and technology in the varied disciplines that comprise the field of transportation through education, research, and technology transfer activities;

''(B) to provide for a critical transportation knowledge base outside of the Department of Transportation; and

''(C) to address critical workforce needs and educate the next generation of transportation leaders.

''(b) COMPETITIVE SELECTION PROCESS.—

''(1) APPLICATIONS.—To receive a grant under this section, a consortium of nonprofit institutions of higher education shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

''(2) LIMITATION.—A lead institution of a consortium of nonprofit institutions of higher education, as applicable, may only submit 1 grant application per fiscal year for each of the transportation centers described under paragraphs (2), (3), and (4) of subsection (c).

''(3) COORDINATION.—The Secretary shall solicit grant applications for national transportation centers, regional transportation centers, and Tier 1 university transportation centers with identical advertisement schedules and deadlines.

''(4) GENERAL SELECTION CRITERIA.—

''(A) IN GENERAL.—Except as otherwise provided by this section, the Secretary shall award grants under this section in nonexclusive candidate topic areas established by the Secretary that address the research priorities identified in section 503 of title 23.

''(B) CRITERIA.—The Secretary, in consultation with the Assistant Secretary for Research and Technology and the Administrator of the Federal Highway Administration, shall select each recipient of a grant under this section through a competitive process based on the assessment of the Secretary relating to—

''(i) the demonstrated ability of the recipient to address each specific topic area described in the research and strategic plans of the recipient;

''(ii) the demonstrated research, technology transfer, and education resources available to the recipient to carry out this section;

''(iii) the ability of the recipient to provide leadership in solving immediate and long-range national and regional transportation problems;

''(iv) the ability of the recipient to carry out research, education, and technology transfer activities that are multimodal and multidisciplinary in scope;

''(v) the demonstrated commitment of the recipient to carry out transportation workforce development programs through—

''(I) degree-granting programs or programs that provide other industry-recognized credentials; and

''(II) outreach activities to attract new entrants into the transportation field, including women and underrepresented populations;

''(vi) the demonstrated ability of the recipient to disseminate results and spur the implementation of transportation research and education programs through national or statewide continuing education programs;

''(vii) the demonstrated commitment of the recipient to the use of peer review principles and other research best practices in the selection, management, and dissemination of research projects;

''(viii) the strategic plan submitted by the recipient describing the proposed research to be carried out by the recipient and the performance metrics to be used in assessing the performance of the recipient in meeting the stated research, technology transfer, education, and outreach goals; and

''(ix) the ability of the recipient to implement the proposed program in a cost-efficient manner, such as through cost sharing and overall reduced overhead, facilities, and administrative costs.

''(5) TRANSPARENCY.—

''(A) IN GENERAL.—The Secretary shall provide to each applicant, upon request, any materials, including copies of reviews (with any information that would identify a reviewer redacted), used in the evaluation process of the proposal of the applicant.

''(B) REPORTS.—The Secretary shall submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the overall review process under paragraph (3) that includes—

''(i) specific criteria of evaluation used in the review;

''(ii) descriptions of the review process; and

''(iii) explanations of the selected awards.

''(6) OUTSIDE STAKEHOLDERS.—The Secretary shall, to the maximum extent practicable, consult external stakeholders such as the Transportation Research Board of the National Research Council of the National Academies to evaluate and competitively review all proposals.

''(c) GRANTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, Assistant Secretary for Research and Technology, and the Administrator of the Federal Highway Administration shall select grant recipients under subsection (b) and make grant amounts available to the selected recipients.

''(2) NATIONAL TRANSPORTATION CENTERS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall provide grants to 5 consortia that the Secretary determines best meet the criteria described in subsection (b)(4).

''(B) RESTRICTIONS.—

''(i) IN GENERAL.—For each fiscal year, a grant made available under this paragraph shall be not greater than $4,000,000 and not less than $2,000,000 per recipient.

''(ii) FOCUSED RESEARCH.—A consortium receiving a grant under this paragraph shall focus research on 1 of the transportation issue areas specified in section 508(a)(2) of title 23.

''(C) MATCHING REQUIREMENT.—

''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

''(I) section 504(b) of title 23; or

''(II) section 505 of title 23.

''(3) REGIONAL UNIVERSITY TRANSPORTATION CENTERS.—

''(A) LOCATION OF REGIONAL CENTERS.—One regional university transportation center shall be located in each of the 10 Federal regions that comprise the Standard Federal Regions established by the Office of Management and Budget in the document entitled 'Standard Federal Regions' and dated April 1974 (circular A–105).

''(B) SELECTION CRITERIA.—In conducting a competition under subsection (b), the Secretary shall provide grants to 10 consortia on the basis of—

''(i) the criteria described in subsection (b)(4);

''(ii) the location of the lead center within the Federal region to be served; and

''(iii) whether the consortium of institutions demonstrates that the consortium has a well-established, nationally recognized program in transportation research and education, as evidenced by—

''(I) recent expenditures by the institution in highway or public transportation research;

''(II) a historical track record of awarding graduate degrees in professional fields closely related to highways and public transportation; and

''(III) an experienced faculty who specialize in professional fields closely related to highways and public transportation.

''(C) RESTRICTIONS.—For each fiscal year, a grant made available under this paragraph shall be not greater than $3,000,000 and not less than $1,500,000 per recipient.

''(D) MATCHING REQUIREMENTS.—

''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

''(I) section 504(b) of title 23; or

''(II) section 505 of title 23.

''(E) FOCUSED RESEARCH.—The Secretary shall make a grant to 1 of the 10 regional university transportation centers established under this paragraph for the purpose of furthering the objectives described in subsection (a)(2) in the field of comprehensive transportation safety.

''(4) TIER 1 UNIVERSITY TRANSPORTATION CENTERS.—

''(A) IN GENERAL.—The Secretary shall provide grants of not greater than $2,000,000 and not less than $1,000,000 to not more than 20 recipients to carry out this paragraph.

''(B) MATCHING REQUIREMENT.—

''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant re-

cipient shall match 50 percent of the amounts made available under the grant.

''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

''(I) section 504(b) of title 23; or

''(II) section 505 of title 23.

''(C) FOCUSED RESEARCH.—In awarding grants under this section, consideration shall be given to minority institutions, as defined by section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k), or consortia that include such institutions that have demonstrated an ability in transportation-related research.

''(d) PROGRAM COORDINATION.—

''(1) IN GENERAL.—The Secretary shall—

''(A) coordinate the research, education, and technology transfer activities carried out by grant recipients under this section; and

''(B) disseminate the results of that research through the establishment and operation of a publicly accessible online information clearinghouse.

''(2) ANNUAL REVIEW AND EVALUATION.—Not less frequently than annually, and consistent with the plan developed under section 508 of title 23, the Secretary shall—

''(A) review and evaluate the programs carried out under this section by grant recipients; and

''(B) submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing that review and evaluation.

''(3) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2016 through 2021, the Secretary shall expend not more than 1 and a half percent of the amounts made available to the Secretary to carry out this section for any coordination, evaluation, and oversight activities of the Secretary under this section.

''(e) LIMITATION ON AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for obligation by the Secretary for a period of 3 years after the last day of the fiscal year for which the amounts are authorized.

''(f) INFORMATION COLLECTION.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out reporting requirements relating to any program assessment or evaluation activity under this section, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44.''.

**SEC. 6014. BUREAU OF TRANSPORTATION STATISTICS.**

(a) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302(b)(3)(B) of title 49, United States Code, is amended—

(1) in clause (vi)(III) by striking ''section 6310'' and inserting ''section 6309'';

(2) by redesignating clauses (vii), (viii), (ix), and (x) as clauses (x), (xi), (xii), and (xiii), respectively; and

(3) by inserting after clause (vi) the following:

''(vii) develop and improve transportation economic accounts to meet demand for methods for estimating the economic value of transportation infrastructure, investment, and services;

''(viii) not be required to obtain the approval of any other officer or employee of the Department in connection with the collection or analysis of any information;

''(ix) not be required, prior to publication, to obtain the approval of any other officer or employee of the Federal Government with respect to the substance of any statistical technical reports or press releases that the Director has prepared in accordance with the law;''.

(b) TECHNICAL AMENDMENT.—Section 6311(5) of title 49, United States Code, is amended by striking ''section 6310'' and inserting ''section 6309''.

**SEC. 6015. SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.**

(a) IN GENERAL.—The Secretary shall establish a program to provide grants to States to demonstrate user-based alternative revenue mechanisms that utilize a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) APPLICATION.—To be eligible for a grant under this section, a State or group of States shall submit to the Secretary an application in such form and containing such information as the Secretary may require.

(c) OBJECTIVES.—The Secretary shall ensure that the activities carried out using funds provided under this section meet the following objectives:

(1) To test the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms.

(2) To improve the functionality of such user-based alternative revenue mechanisms.

(3) To conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and to provide information on possible approaches.

(4) To provide recommendations regarding adoption and implementation of user-based alternative revenue mechanisms.

(5) To minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(d) USE OF FUNDS.—A State or group of States receiving funds under this section to test the design, acceptance, and implementation of a user-based alternative revenue mechanism—

(1) shall address—

(A) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of the user-based alternative revenue mechanism;

(B) the protection of personal privacy;

(C) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(D) market-based congestion mitigation, if appropriate;

(E) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

(F) ease of compliance for different users of the transportation system; and

(G) the reliability and security of technology used to implement the user-based alternative revenue mechanism; and

(2) may address—

(A) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

(B) the cost of administering the user-based alternative revenue mechanism; and

(C) the ability of the administering entity to audit and enforce user compliance.

(e) CONSIDERATION.—The Secretary shall consider geographic diversity in awarding grants under this section.

(f) LIMITATIONS ON REVENUE COLLECTED.—Any revenue collected through a user-based alternative revenue mechanism established using funds provided under this section shall not be considered a toll under section 301 of title 23, United States Code.

(g) FEDERAL SHARE.—The Federal share of the cost of an activity carried out under this section may not exceed 50 percent of the total cost of the activity.

(h) REPORT TO SECRETARY.—Not later than 1 year after the date on which the first eligible entity receives a grant under this section, and each year thereafter, each recipient of a grant under this section shall submit to the Secretary a report that describes—

(1) how the demonstration activities carried out with grant funds meet the objectives described in subsection (c); and

(2) lessons learned for future deployment of alternative revenue mechanisms that utilize a user fee structure.

(i) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the demonstration activities under this section, the Secretary shall make available to the public on an Internet Web site a report describing the progress of the demonstration activities.

(j) FUNDING.—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

(1) $15,000,000 shall be used to carry out this section for fiscal year 2016; and

(2) $20,000,000 shall be used to carry out this section for each of fiscal years 2017 through 2021.

(k) GRANT FLEXIBILITY.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements of this section for a fiscal year, Secretary shall transfer to the program under section 503(b) of title 23, United States Code—

(1) any of the funds reserved for the fiscal year under subsection (j) that the Secretary has not yet awarded under this section; and

(2) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under paragraph (1).

**SEC. 6016. FUTURE INTERSTATE STUDY.**

(a) FUTURE INTERSTATE SYSTEM STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system that meets the growing and shifting demands of the 21st century.

(b) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials titled ''National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System'', dated December 2013.

(c) CONTENTS OF STUDY.—The study—

(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate; and

(2) is encouraged to build on the institutional knowledge in the highway industry in applying the techniques involved in implementing the study.

(d) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—

(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;

(2) the expected condition of the current Interstate System over the period of 50 years beginning on the date of enactment of this Act, including long-term deterioration and reconstruction needs;

(3) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost; and

(4) the resources necessary to maintain and improve the Interstate System.

(e) CONSULTATION.—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts, including operators and users of the Interstate System and private sector stakeholders; and

(2) is encouraged to consult with—

(A) the Federal Highway Administration;

(B) States;

(C) planning agencies at the metropolitan, State, and regional levels;

(D) the motor carrier industry;

(E) freight shippers;

(F) highway safety groups; and

(G) other appropriate entities.

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall make available to the public on an Internet Web site the results of the study conducted under this section.

(g) FUNDING.—From funds made available to carry out section 503(b) of title 23, United States Code, the Secretary may use to carry out this section up to $5,000,000 for fiscal year 2016.

**SEC. 6017. HIGHWAY EFFICIENCY.**

(a) STUDY.—

(1) IN GENERAL.—The Assistant Secretary of Transportation for Research and Technology may examine the impact of pavement durability and sustainability on vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs.

(2) METHODOLOGY.—In carrying out the study, the Assistant Secretary shall—

(A) conduct a thorough review of relevant peer-reviewed research published during at least the past 5 years;

(B) analyze impacts of different types of pavement on all motor vehicle types, including commercial vehicles;

(C) specifically examine the impact of pavement deformation and deflection; and

(D) analyze impacts of different types of pavement on road conditions and road repairs.

(3) CONSULTATION.—In carrying out the study, the Assistant Secretary shall consult with—

(A) experts from the different modal administrations of the Department and from other Federal agencies, including the National Institute of Standards and Technology;

(B) State departments of transportation;

(C) local government engineers and public works professionals;

(D) industry stakeholders; and

(E) appropriate academic experts active in the field.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary shall publish on a public Web site the results of the study.

(2) CONTENTS.—The report shall include—

(A) a summary of the different types of pavements analyzed in the study and the impacts of pavement durability and sustainability on vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs; and

(B) recommendations for State and local governments on best practice methods for improving pavement durability and sustainability to maximize vehicle fuel economy, ride quality, and road conditions and to minimize the need for road and vehicle repairs.

**SEC. 6018. MOTORCYCLE SAFETY.**

(a) STUDY.—The Assistant Secretary for Research and Technology of the Department of Transportation may enter into an agreement, within 45 days after the date of enactment of this Act, with the National Academy of Sciences to conduct a study on the most effective means of preventing motorcycle crashes.

(b) PUBLICATION.—The Assistant Secretary may make available the findings on a public Web site within 30 days after receiving the results of the study from the National Academy of Sciences.

**SEC. 6019. HAZARDOUS MATERIALS RESEARCH AND DEVELOPMENT.**

Section 5118 of title 49, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A) by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(C) coordinate, as appropriate, with other Federal agencies.''; and

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

''(c) COOPERATIVE RESEARCH.—

''(1) IN GENERAL.—As part of the program established in subsection (a), the Secretary may carry out cooperative research on hazardous materials transport.

''(2) NATIONAL ACADEMIES.—The Secretary may enter into an agreement with the National Academies to support such research.

''(3) RESEARCH.—Research conducted under this subsection may include activities related to—

''(A) emergency planning and response, including information and programs that can be readily assessed and implemented in local jurisdictions;

''(B) risk analysis and perception and data assessment;

''(C) commodity flow data, including voluntary collaboration between shippers and first responders for secure data exchange of critical information;

''(D) integration of safety and security;

''(E) cargo packaging and handling;

''(F) hazmat release consequences; and

''(G) materials and equipment testing.''.

**SEC. 6020. WEB-BASED TRAINING FOR EMERGENCY RESPONDERS.**

Section 5115(a) of title 49, United States Code, is amended by inserting '', including online curriculum as appropriate,'' after ''a current curriculum of courses''.

**SEC. 6021. TRANSPORTATION TECHNOLOGY POLICY WORKING GROUP.**

To improve the scientific pursuit and research procedures concerning transportation, the Assistant Secretary for Research and Technology may convene an interagency working group to—

(1) develop within 1 year after the date of enactment of this Act a national transportation research framework;

(2) identify opportunities for coordination between the Department and universities and the private sector, and prioritize these opportunities;

(3) identify and develop a plan to implement best practices for moving transportation research results out of the laboratory and into application; and

(4) identify and develop a plan to address related workforce development needs.

**SEC. 6022. COLLABORATION AND SUPPORT.**

The Secretary may solicit the support of, and identify opportunities to collaborate with, other Federal research agencies and national laboratories to assist in the effective and efficient pursuit and resolution of research challenges identified by the Secretary.

**SEC. 6023. PRIZE COMPETITIONS.**

Section 502(b)(7) of title 23, United States Code, is amended—

(1) in subparagraph (D)—

(A) by inserting ''(such as www.challenge.gov)'' after ''public website'';

(B) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(C) by inserting after clause (ii) the following:

''(iii) the process for participants to register for the competition;''; and

(D) in clause (iv) (as redesignated by subparagraph (B)) by striking ''prize'' and inserting ''cash prize purse'';

(2) in subparagraph (E) by striking ''prize'' both places it appears and inserting ''cash prize purse'';

(3) by redesignating subparagraphs (F) through (K) as subparagraphs (G) through (L), respectively;

(4) by inserting after subparagraph (E) the following:

''(F) USE OF FEDERAL FACILITIES; CONSULTATION WITH FEDERAL EMPLOYEES.—An individual or entity is not ineligible to receive a cash prize purse under this paragraph as a result of the individual or entity using a Federal facility or consulting with a Federal employee related to the individual or entity's participation in a prize competition under this paragraph unless the same facility or employee is made available to all individuals and entities participating in the prize competition on an equitable basis.'';

(5) in subparagraph (G) (as redesignated by paragraph (3) of this section)—

(A) in clause (i)(I) by striking ''competition'' and inserting ''prize competition under this paragraph'';

(B) in clause (ii)(I)—

(i) by striking ''participation in a competition'' and inserting ''participation in a prize competition under this paragraph''; and

(ii) by striking ''competition activities'' and inserting ''prize competition activities''; and

(C) by adding at the end the following:

''(iii) INTELLECTUAL PROPERTY.—

''(I) PROHIBITION ON REQUIRING WAIVER.—The Secretary may not require a participant to waive claims against the Department arising out of the unauthorized use or disclosure by the Department of the intellectual property, trade secrets, or confidential business information of the participant.

''(II) PROHIBITION ON GOVERNMENT ACQUISITION OF INTELLECTUAL PROPERTY RIGHTS.—The Federal Government may not gain an interest in intellectual property developed by a participant for a prize competition under this paragraph without the written consent of the participant.

''(III) LICENSES.—The Federal Government may negotiate a license for the use of intellectual property developed by a participant for a prize competition under this paragraph.'';

(6) in subparagraph (H)(i) (as redesignated by paragraph (3) of this section) by striking ''subparagraph (H)'' and inserting ''subparagraph (I)'';

(7) in subparagraph (I) (as redesignated by paragraph (3) of this section) by striking ''an agreement with a private, nonprofit entity'' and inserting ''a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity'';

(8) in subparagraph (J) (as redesignated by paragraph (3) of this section)—

(A) in clause (i)—

(i) in subclause (I) by striking ''the private sector'' and inserting ''private sector for-profit and nonprofit entities, to be available to the extent provided by appropriations Acts'';

(ii) in subclause (II) by striking ''and metropolitan planning organizations'' and inserting ''metropolitan planning organiza-

tions, and private sector for-profit and nonprofit entities''; and

(iii) in subclause (III) by inserting ''for-profit or nonprofit'' after ''private sector'';

(B) in clause (ii) by striking ''prize awards'' and inserting ''cash prize purses'';

(C) in clause (iv)—

(i) by inserting ''competition'' after ''A prize''; and

(ii) by striking ''the prize'' and inserting ''the cash prize purse'';

(D) in clause (v)—

(i) by striking ''amount of a prize'' and inserting ''amount of a cash prize purse'';

(ii) by inserting ''competition'' after ''announcement of the prize''; and

(iii) in subclause (I) by inserting ''competition'' after ''prize'';

(E) in clause (vi) by striking ''offer a prize'' and inserting ''offer a cash prize purse''; and

(F) in clause (vii) by striking ''cash prizes'' and inserting ''cash prize purses'';

(9) in subparagraph (K) (as redesignated by paragraph (3) of this section) by striking ''or providing a prize'' and inserting ''a prize competition or providing a cash prize purse''; and

(10) in subparagraph (L)(ii) (as redesignated by paragraph (3) of this section)—

(A) in subclause (I) by striking ''The Secretary'' and inserting ''Not later than March 1 of each year, the Secretary''; and

(B) in subclause (II)—

(i) in item (cc) by striking ''cash prizes'' both places it appears and inserting ''cash prize purses''; and

(ii) in item (ee) by striking ''agency'' and inserting ''Department''.

**SEC. 6024. GAO REPORT.**

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall make available to the public a report that—

(1) assesses the status of autonomous transportation technology policy developed by public entities in the United States;

(2) assesses the organizational readiness of the Department to address autonomous vehicle technology challenges; and

(3) recommends implementation paths for autonomous transportation technology, applications, and policies that are based on the assessment described in paragraph (2).

**SEC. 6025. INTELLIGENT TRANSPORTATION SYSTEM PURPOSES.**

Section 514(b) of title 23, United States Code, is amended—

(1) in paragraph (8) by striking ''and'' at the end;

(2) in paragraph (9) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(10) to assist in the development of cybersecurity standards in cooperation with relevant modal administrations of the Department of Transportation and other Federal agencies to help prevent hacking, spoofing, and disruption of connected and automated transportation vehicles.''.

**SEC. 6026. INFRASTRUCTURE INTEGRITY.**

Section 503(b)(3)(C) of title 23, United States Code, is amended—

(1) in clause (xviii) by striking ''and'' at the end;

(2) in clause (xix) by striking the period at the end and inserting ''; and'' ; and

(3) by adding at the end the following:

''(xx) corrosion prevention measures for the structural integrity of bridges.''.

## TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION

**SEC. 7001. SHORT TITLE.**

This title may be cited as the ''Hazardous Materials Transportation Safety Improvement Act of 2015''.

**SEC. 7002. AUTHORIZATION OF APPROPRIATIONS.**

Section 5128 of title 49, United States Code, is amended to read as follows:

**''§ 5128. Authorization of appropriations**

''(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

''(1) $53,000,000 for fiscal year 2016;

''(2) $55,000,000 for fiscal year 2017;

''(3) $57,000,000 for fiscal year 2018;

''(4) $58,000,000 for fiscal year 2019;

''(5) $60,000,000 for fiscal year 2020; and

''(6) $62,000,000 for fiscal year 2021.

''(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(h), the Secretary may expend, for each of fiscal years 2016 through 2021—

''(1) $21,988,000 to carry out section 5116(a);

''(2) $150,000 to carry out section 5116(e);

''(3) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(h)(3); and

''(4) $1,000,000 to carry out section 5116(i).

''(c) HAZARDOUS MATERIALS TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(h), the Secretary may expend $5,000,000 for each of fiscal years 2016 through 2021 to carry out section 5107(e).

''(d) CREDITS TO APPROPRIATIONS.—

''(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, Indian tribe, authority, or entity.

''(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.''.

**SEC. 7003. NATIONAL EMERGENCY AND DISASTER RESPONSE.**

Section 5103 of title 49, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

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

''(c) FEDERALLY DECLARED DISASTERS AND EMERGENCIES.—

''(1) IN GENERAL.—The Secretary may by order waive compliance with any part of an applicable standard prescribed under this chapter without prior notice and comment and on terms the Secretary considers appropriate if the Secretary determines that—

''(A) it is in the public interest to grant the waiver;

''(B) the waiver is not inconsistent with the safety of transporting hazardous materials; and

''(C) the waiver is necessary to facilitate the safe movement of hazardous materials into, from, and within an area of a major disaster or emergency that has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

''(2) PERIOD OF WAIVER.—A waiver under this subsection may be issued for a period of not more than 60 days and may be renewed upon application to the Secretary only after notice and an opportunity for a hearing on the waiver. The Secretary shall immediately revoke the waiver if continuation of the waiver would not be consistent with the goals and objectives of this chapter.

''(3) STATEMENT OF REASONS.—The Secretary shall include in any order issued under this section the reason for granting the waiver.''.

**SEC. 7004. ENHANCED REPORTING.**

Section 5121(h) of title 49, United States Code, is amended by striking ''transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate'' and inserting ''make available to the public on the Department of Transportation's Internet Web site''.

**SEC. 7005. WETLINES.**

(a) WITHDRAWAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall withdraw the proposed rule described in the notice of proposed rulemaking issued on January 27, 2011, entitled ''Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids'' (76 Fed. Reg. 4847).

(b) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from issuing standards or regulations regarding the safety of external product piping on cargo tanks transporting flammable liquids after the withdrawal is carried out pursuant to subsection (a).

**SEC. 7006. IMPROVING PUBLICATION OF SPECIAL PERMITS AND APPROVALS.**

Section 5117 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''an application for a special permit'' and inserting ''an application for a new special permit or a modification to an existing special permit''; and

(B) by inserting after the first sentence the following: ''The Secretary shall make available to the public on the Department of Transportation's Internet Web site any special permit other than a new special permit or a modification to an existing special permit and shall give the public an opportunity to inspect the safety analysis and comment on the application for a period of not more than 15 days.''; and

(2) in subsection (c)—

(A) by striking ''publish'' and inserting ''make available to the public'';

(B) by striking ''in the Federal Register'';

(C) by striking ''180'' and inserting ''120''; and

(D) by striking ''the special permit'' each place it appears and inserting ''a special permit or approval''; and

(3) by adding at the end the following:

''(g) DISCLOSURE OF FINAL ACTION.—The Secretary shall periodically, but at least every 120 days—

''(1) publish in the Federal Register notice of the final disposition of each application for a new special permit, modification to an existing special permit, or approval during the preceding quarter; and

''(2) make available to the public on the Department of Transportation's Internet Web site notice of the final disposition of any other special permit during the preceding quarter.''.

**SEC. 7007. GAO STUDY ON ACCEPTANCE OF CLASSIFICATION EXAMINATIONS.**

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall evaluate and transmit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, a report on the standards, metrics, and protocols that the Secretary uses to regulate the performance of persons approved to recommend hazard classifications pursuant to section 173.56(b) of title, 49, Code of Federal Regulations (commonly referred to as ''third-party labs'').

(b) EVALUATION.—The evaluation required under subsection (a) shall—

(1) identify what standards and protocols are used to approve such persons, assess the adequacy of such standards and protocols to ensure that persons seeking approval are qualified and capable of performing classifications, and make recommendations to address any deficiencies identified;

(2) assess the adequacy of the Secretary's oversight of persons approved to perform the classifications, including the qualification of individuals engaged in the oversight of approved persons, and make recommendations to enhance oversight sufficiently to ensure that classifications are issued as required;

(3) identify what standards and protocols exist to rescind, suspend, or deny approval of persons who perform such classifications, assess the adequacy of such standards and protocols, and make recommendations to enhance such standards and protocols if necessary; and

(4) include annual data for fiscal years 2005 through 2015 on the number of applications received for new classifications pursuant to section 173.56(b) of title 49, Code of Federal Regulations, of those applications how many classifications recommended by persons approved by the Secretary were changed to another classification and the reasons for the change, and how many hazardous materials incidents have been attributed to a classification recommended by such approved persons in the United States.

(c) ACTION PLAN.—Not later than 120 days after receiving the report required under subsection (a), the Secretary shall make available to the public a plan describing any actions the Secretary will take to establish standards, metrics, and protocols based on the findings and recommendations in the report to ensure that persons approved to perform classification examinations required under section 173.56(b) of title 49, Code of Federal Regulations, can sufficiently perform such examinations in a manner that meets the hazardous materials regulations.

(d) REGULATIONS.—If the report required under subsection (a) recommends new regulations in order for the Secretary to have confidence in the accuracy of classification recommendations rendered by persons approved to perform classification examinations required under section 173.56(b) of title 49, Code of Federal Regulations, the Secretary shall issue such regulations not later than 24 months after the date of enactment of this Act.

**SEC. 7008. IMPROVING THE EFFECTIVENESS OF PLANNING AND TRAINING GRANTS.**

(a) PLANNING AND TRAINING GRANTS.—Section 5116 of title 49, United States Code, is amended—

(1) by redesignating subsections (c) through (k) as subsections (b) through (j), respectively,

(2) by striking subsection (b); and

(3) by striking subsection (a) and inserting the following:

''(a) PLANNING AND TRAINING GRANTS.—(1) The Secretary shall make grants to States and Indian tribes—

''(A) to develop, improve, and carry out emergency plans under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001 et seq.), including ascertaining flow patterns of hazardous material on lands under the jurisdiction of a State or Indian tribe, and between lands under the jurisdiction of a State or Indian tribe and lands of another State or Indian tribe;

''(B) to decide on the need for regional hazardous material emergency response teams; and

''(C) to train public sector employees to respond to accidents and incidents involving hazardous material.

''(2) To the extent that a grant is used to train emergency responders under paragraph (1)(C), the State or Indian tribe shall provide written certification to the Secretary that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence of responders to accidents and incidents involving hazardous materials.

''(3) The Secretary may make a grant to a State or Indian tribe under paragraph (1) of this subsection only if—

''(A) the State or Indian tribe certifies that the total amount the State or Indian tribe expends (except amounts of the Federal Government) for the purpose of the grant will at least equal the average level of expenditure for the last 5 years; and

''(B) any emergency response training provided under the grant shall consist of—

''(i) a course developed or identified under section 5115 of this title; or

''(ii) any other course the Secretary determines is consistent with the objectives of this section.

''(4) A State or Indian tribe receiving a grant under this subsection shall ensure that planning and emergency response training under the grant is coordinated with adjacent States and Indian tribes.

''(5) A training grant under paragraph (1)(C) may be used—

''(A) to pay—

''(i) the tuition costs of public sector employees being trained;

''(ii) travel expenses of those employees to and from the training facility;

''(iii) room and board of those employees when at the training facility; and

''(iv) travel expenses of individuals providing the training;

''(B) by the State, political subdivision, or Indian tribe to provide the training; and

''(C) to make an agreement with a person (including an authority of a State, a political subdivision of a State or Indian tribe, or a local jurisdiction), subject to approval by the Secretary, to provide the training—

''(i) if the agreement allows the Secretary and the State or Indian tribe to conduct random examinations, inspections, and audits of the training without prior notice;

''(ii) the person agrees to have an auditable accounting system; and

''(iii) if the State or Indian tribe conducts at least one on-site observation of the training each year.

''(6) The Secretary shall allocate amounts made available for grants under this subsection among eligible States and Indian tribes based on the needs of the States and Indian tribes for emergency response training. In making a decision about those needs, the Secretary shall consider—

''(A) the number of hazardous material facilities in the State or on land under the jurisdiction of the Indian tribe;

''(B) the types and amounts of hazardous material transported in the State or on such land;

''(C) whether the State or Indian tribe imposes and collects a fee on transporting hazardous material;

''(D) whether such fee is used only to carry out a purpose related to transporting hazardous material;

''(E) the past record of the State or Indian tribe in effectively managing planning and training grants; and

''(F) any other factors the Secretary determines are appropriate to carry out this subsection.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 5108(g) of title 49, United States Code, is amended by striking ''5116(i)'' each place it appears and inserting ''5116(h)''.

(2) Section 5116 of such title is amended—

(A) in subsection (d), as redesignated by this section, by striking ''subsections (a)(2)(A) and (b)(2)(A)'' and inserting ''subsection (a)(3)(A)'';

(B) in subsection (h), as redesignated by this section—

(i) in paragraph (1) by inserting ''and section 5107(e)'' after ''section'';

(ii) in paragraph (2) by striking ''(f)'' and inserting ''(e)''; and

(iii) in paragraph (4) by striking ''5108(g)(2) and 5115'' and inserting ''5107(e) and 5108(g)(2)'';

(C) in subsection (i), as redesignated by this section, by striking ''subsection (b)'' and inserting ''subsection (a)''; and

(D) in subsection (j), as redesignated by this section—

(i) by striking ''planning grants allocated under subsection (a), training grants under subsection (b), and grants under subsection (j)'' and inserting ''planning and training grants under subsection (a) and grants under subsection (i)''; and

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4), respectively.

(c) ENFORCEMENT PERSONNEL.—Section 5107(e) of title 49, United States Code, is amended by inserting '', State and local personnel responsible for enforcing the safe transportation of hazardous materials, or both'' after ''hazmat employees'' each place it appears.

**SEC. 7009. MOTOR CARRIER SAFETY PERMITS.**

Section 5109(h) of title 49, United States Code, is amended to read as follows:

''(h) LIMITATION ON DENIAL.—The Secretary may not deny a non-temporary permit held by a motor carrier pursuant to this section based on a comprehensive review of that carrier triggered by safety management system scores or out-of-service disqualification standards, unless—

''(1) the carrier has the opportunity, prior to the denial of such permit, to submit a written description of corrective actions taken and other documentation the carrier wishes the Secretary to consider, including a corrective action plan; and

''(2) the Secretary determines the actions or plan is insufficient to address the safety concerns identified during the course of the comprehensive review.''.

**SEC. 7010. THERMAL BLANKETS.**

(a) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to require that each tank car built to meet the DOT–117 specification and each non-jacketed tank car modified to meet the DOT–117R specification be equipped with an insulating blanket with at least ½-inch-thick material that has been approved by the Secretary pursuant to section 179.18(c) of title 49, Code of Federal Regulations.

(b) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from approving new or alternative technologies or materials as they become available that provide a level of safety at least equivalent to the level of safety provided for under subsection (a).

**SEC. 7011. COMPREHENSIVE OIL SPILL RESPONSE PLANS.**

(a) IN GENERAL.—Chapter 51 of title 49, United States Code, is amended by inserting after section 5110 the following:

**''§ 5111. Comprehensive oil spill response plans**

''(a) REQUIREMENTS.—Not later than 120 days after the date of enactment of this section, the Secretary shall issue such regulations as are necessary to require any railroad carrier transporting a Class 3 flammable liquid to maintain a comprehensive oil spill response plan.

''(b) CONTENTS.—The regulations under subsection (a) shall require each railroad carrier described in that subsection to—

''(1) include in the comprehensive oil spill response plan procedures and resources, in-

cluding equipment, for responding, to the maximum extent practicable, to a worst-case discharge;

''(2) ensure that the comprehensive oil spill response plan is consistent with the National Contingency Plan and each applicable Area Contingency Plan;

''(3) include in the comprehensive oil spill response plan appropriate notification and training procedures and procedures for coordinating with Federal, State, and local emergency responders;

''(4) review and update its comprehensive oil spill response plan as appropriate; and

''(5) provide the comprehensive oil spill response plan for acceptance by the Secretary.

''(c) SAVINGS CLAUSE.—Nothing in the section may be construed to prohibit the Secretary from promulgating differing comprehensive oil response plan standards for Class I railroads, Class II railroads, and Class III railroads.

''(d) RESPONSE PLANS.—The Secretary shall—

''(1) maintain on file a copy of the most recent comprehensive oil spill response plans prepared by a railroad carrier transporting a Class 3 flammable liquid; and

''(2) provide to a person, upon written request, a copy of the plan, which may exclude, as the Secretary determines appropriate—

''(A) proprietary information;

''(B) security-sensitive information, including information described in section 1520.5(a) of title 49, Code of Federal Regulations;

''(C) specific response resources and tactical resource deployment plans; and

''(D) the specific amount and location of worst-case discharges, including the process by which a railroad carrier determines the worst-case discharge.

''(e) RELATIONSHIP TO FOIA.—Nothing in this section may be construed to require disclose of information or records that are exempt from disclosure under section 552 of title 5.

''(f) DEFINITIONS.—

''(1) AREA CONTINGENCY PLAN.—The term 'Area Contingency Plan' has the meaning given the term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

''(2) CLASS 3 FLAMMABLE LIQUID.—The term 'Class 3 flammable liquid' has the meaning given the term flammable liquid in section 173.120 of title 49, Code of Federal Regulations.

''(3) CLASS I RAILROAD; CLASS II RAILROAD; AND CLASS III RAILROAD.—The terms 'Class I railroad', 'Class II railroad', and 'Class III railroad' have the meaning given those terms in section 20102.

''(4) NATIONAL CONTINGENCY PLAN.—The term 'National Contingency Plan' has the meaning given the term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

''(5) RAILROAD CARRIER.—The term 'railroad carrier' has the meaning given the term in section 20102.

''(6) WORST-CASE DISCHARGE.—The term 'worst-case discharge' means the largest foreseeable discharge of oil in the event of an accident or incident, as determined by each railroad carrier in accordance with regulations issued under this section.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 49, United States Code, is amended by inserting after the item relating to section 5110 the following:

''5111. Comprehensive oil spill response plans.''.

**SEC. 7012. INFORMATION ON HIGH-HAZARD FLAMMABLE TRAINS.**

(a) INFORMATION ON HIGH-HAZARD FLAMMABLE TRAINS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue regulations to require each applicable railroad carrier to provide information on high-hazard flammable trains to State emergency response commissions consistent with Emergency Order Docket No. DOT–OST–2014–0067, and include appropriate protections from public release of proprietary information and security-sensitive information, including information described in section 1520.5(a) of title 49, Code of Federal Regulations.

(b) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid, as such term is defined in section 173.120 of title 49, Code of Federal Regulations, in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

**SEC. 7013. STUDY AND TESTING OF ELECTRONICALLY CONTROLLED PNEUMATIC BRAKES.**

(a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an independent evaluation of ECP brake systems, pilot program data, and the Department's research and analysis on the costs, benefits, and effects of ECP brake systems.

(2) STUDY ELEMENTS.—In completing the independent evaluation under paragraph (1), the Comptroller General of the United States shall examine the following issues related to ECP brake systems:

(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.

(B) Data and modeling results on business benefits, including the effects of dynamic braking.

(C) Data on costs, including up-front capital costs and on-going maintenance costs.

(D) Analysis of potential operational benefits and challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.

(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.

(F) Analysis of international experiences with the use of advanced braking technologies.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the independent evaluation under paragraph (1).

(b) EMERGENCY BRAKING APPLICATION TESTING.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the National Academy of Sciences to—

(A) complete testing of ECP brake systems during emergency braking application, including more than 1 scenario involving the uncoupling of a train with 70 or more DOT–117-specification or DOT–117R-specification tank cars; and

(B) transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the testing.

(2) INDEPENDENT EXPERTS.—In completing the testing under paragraph (1)(A), the National Academy of Sciences may contract with 1 or more engineering or rail experts, as appropriate, that—

(A) are not railroad carriers, entities funded by such carriers, or entities directly impacted by the final rule issued on May 8, 2015, entitled ''Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (80 Fed. Reg. 26643); and

(B) have relevant experience in conducting railroad safety technology tests or similar crash tests.

(3) TESTING FRAMEWORK.—In completing the testing under paragraph (1), the National Academy of Sciences and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—

(A) the number of cars derailed;

(B) the number of cars punctured;

(C) the measures of in-train forces; and

(D) the stopping distance.

(4) FUNDING.—The Secretary shall provide funding, as part of the agreement under paragraph (1), to the National Academy of Sciences for the testing required under this section—

(A) using sums made available to carry out sections 20108 and 5118 of title 49, United States Code; and

(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Secretary, the Federal Railroad Administration, or the Pipeline and Hazardous Materials Safety Administration, or a combination thereof.

(5) EQUIPMENT.—The National Academy of Sciences and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a private entity for the purposes of conducting the testing required under this section.

(c) EVIDENCE-BASED APPROACH.—

(1) ANALYSIS.—The Secretary shall—

(A) not later than 90 days after the report date, fully incorporate and update the regulatory impact analysis of the final rule described in subsection (b)(2)(A) of the costs, benefits, and effects of the applicable ECP brake system requirements;

(B) as soon as practicable after completion of the updated analysis under subparagraph (A), solicit public comment on the analysis for a period of not more than 30 days; and

(C) not later than 60 days after the end of the public comment period under subparagraph (B), post the final updated regulatory impact analysis on the Department of Transportation's Internet Web site.

(2) DETERMINATION.—Not later than 180 days after the report date, the Secretary shall—

(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed the costs of such requirements, whether the applicable ECP brake system requirements are justified;

(B) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination and reasons for such determination; and

(C) if the Secretary does not publish the determination under subparagraph (B), repeal the applicable ECP brake system requirements.

(3) SAVINGS CLAUSE.—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule described under subsection (b)(2)(A) prior to the determination required under subsection

(c)(2) of this section, or require the Secretary to promulgate a new rulemaking on the provisions of such final rule, other than the applicable ECP brake system requirements, if the Secretary determines that the applicable ECP brake system requirements are not justified pursuant to this subsection.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.—The term ''applicable ECP brake system requirements'' means sections 174.310(a)(3)(ii), 174.310(a)(3)(iii), 174.310(a)(5)(v), 179.202–12(g), and 179.202–13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.

(3) ECP.—The term ''ECP'' means electronically controlled pneumatic when applied to a brake or brakes.

(4) ECP BRAKE MODE.—The term ''ECP brake mode'' includes any operation of a rail car or an entire train using an ECP brake system.

(5) ECP BRAKE SYSTEM.—

(A) IN GENERAL.—The term ''ECP brake system'' means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP–EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.

(B) INCLUSIONS.—The term ''ECP brake system'' includes dual mode and stand-alone ECP brake systems.

(6) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(7) REPORT DATE.—The term ''report date'' means the date that the reports under subsections (a)(3) and (b)(1)(B) are required to be transmitted pursuant to those subsections.

**SEC. 7014. ENSURING SAFE IMPLEMENTATION OF POSITIVE TRAIN CONTROL SYSTEMS.**

(a) SHORT TITLE.—This section may be cited as the ''Positive Train Control Enforcement and Implementation Act of 2015''.

(b) IN GENERAL.—Section 20157 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''18 months after the date of enactment of the Rail Safety Improvement Act of 2008'' and inserting ''90 days after the date of enactment of the Positive Train Control Enforcement and Implementation Act of 2015'';

(B) by striking ''develop and'';

(C) by striking ''a plan for implementing'' and inserting ''a revised plan for implementing'';

(D) by striking ''December 31, 2015'' and inserting ''December 31, 2018''; and

(E) in subparagraph (B) by striking ''parts'' and inserting ''sections'';

(2) by striking subsection (a)(2) and inserting the following:

''(2) IMPLEMENTATION.—

''(A) CONTENTS OF REVISED PLAN.—A revised plan required under paragraph (1) shall—

''(i) describe—

''(I) how the positive train control system will provide for interoperability of the system with the movements of trains of other railroad carriers over its lines; and

''(II) how, to the extent practical, the positive train control system will be implemented in a manner that addresses areas of greater risk before areas of lesser risk;

''(ii) comply with the positive train control system implementation plan content requirements under section 236.1011 of title 49, Code of Federal Regulations; and

''(iii) provide—

''(I) the calendar year or years in which spectrum will be acquired and will be available for use in each area as needed for positive train control system implementation, if such spectrum is not already acquired and available for use;

''(II) the total amount of positive train control system hardware that will be installed for implementation, with totals separated by each major hardware category;

''(III) the total amount of positive train control system hardware that will be installed by the end of each calendar year until the positive train control system is implemented, with totals separated by each hardware category;

''(IV) the total number of employees required to receive training under the applicable positive train control system regulations;

''(V) the total number of employees that will receive the training, as required under the applicable positive train control system regulations, by the end of each calendar year until the positive train control system is implemented;

''(VI) a summary of any remaining technical, programmatic, operational, or other challenges to the implementation of a positive train control system, including challenges with—

''(aa) availability of public funding;

''(bb) interoperability;

''(cc) spectrum;

''(dd) software;

''(ee) permitting; and

''(ff) testing, demonstration, and certification; and

''(VII) a schedule and sequence for implementing a positive train control system by the deadline established under paragraph (1).

''(B) ALTERNATIVE SCHEDULE AND SEQUENCE.—Notwithstanding the implementation deadline under paragraph (1) and in lieu of a schedule and sequence under paragraph (2)(A)(iii)(VII), a railroad carrier or other entity subject to paragraph (1) may include in its revised plan an alternative schedule and sequence for implementing a positive train control system, subject to review under paragraph (3). Such schedule and sequence shall provide for implementation of a positive train control system as soon as practicable, but not later than the date that is 24 months after the implementation deadline under paragraph (1).

''(C) AMENDMENTS.—A railroad carrier or other entity subject to paragraph (1) may file a request to amend a revised plan, including any alternative schedule and sequence, as applicable, in accordance with section 236.1021 of title 49, Code of Federal Regulations.

''(D) COMPLIANCE.—A railroad carrier or other entity subject to paragraph (1) shall implement a positive train control system in accordance with its revised plan, including any amendments or any alternative schedule and sequence approved by the Secretary under paragraph (3).

''(3) SECRETARIAL REVIEW.—

''(A) NOTIFICATION.—A railroad carrier or other entity that submits a revised plan under paragraph (1) and proposes an alternative schedule and sequence under paragraph (2)(B) shall submit to the Secretary a written notification when such railroad carrier or other entity is prepared for review under subparagraph (B).

''(B) CRITERIA.—Not later than 90 days after a railroad carrier or other entity submits a notification under subparagraph (A), the Secretary shall review the alternative schedule and sequence submitted pursuant to paragraph (2)(B) and determine whether the railroad carrier or other entity has demonstrated, to the satisfaction of the Secretary, that such carrier or entity has—

''(i) installed all positive train control system hardware consistent with the plan contents provided pursuant to paragraph (2)(A)(iii)(II) on or before the implementation deadline under paragraph (1);

''(ii) acquired all spectrum necessary for implementation of a positive train control system, consistent with the plan contents provided pursuant to paragraph (2)(A)(iii)(I) on or before the implementation deadline under paragraph (1);

''(iii) completed employee training required under the applicable positive train control system regulations;

''(iv) included in its revised plan an alternative schedule and sequence for implementing a positive train control system as soon as practicable, pursuant to paragraph (2)(B);

''(v) certified to the Secretary in writing that it will be in full compliance with the requirements of this section on or before the date provided in an alternative schedule and sequence, subject to approval by the Secretary;

''(vi) in the case of a Class I railroad carrier and Amtrak, implemented a positive train control system or initiated revenue service demonstration on the majority of territories, such as subdivisions or districts, or route miles that are owned or controlled by such carrier and required to have operations governed by a positive train control system; and

''(vii) in the case of any other railroad carrier or other entity not subject to clause (vi)—

''(I) initiated revenue service demonstration on at least 1 territory that is required to have operations governed by a positive train control system; or

''(II) met any other criteria established by the Secretary.

''(C) DECISION.—

''(i) IN GENERAL.—Not later than 90 days after the receipt of the notification from a railroad carrier or other entity under subparagraph (A), the Secretary shall—

''(I) approve an alternative schedule and sequence submitted pursuant to paragraph (2)(B) if the railroad carrier or other entity meets the criteria in subparagraph (B); and

''(II) notify in writing the railroad carrier or other entity of the decision.

''(ii) DEFICIENCIES.—Not later than 45 days after the receipt of the notification under subparagraph (A), the Secretary shall provide to the railroad carrier or other entity a written notification of any deficiencies that would prevent approval under clause (i) and provide the railroad carrier or other entity an opportunity to correct deficiencies before the date specified in such clause.

''(D) REVISED DEADLINES.—

''(i) PENDING REVIEWS.—For a railroad carrier or other entity that submits a notification under subparagraph (A), the deadline for implementation of a positive train control system required under paragraph (1) shall be extended until the date on which the Secretary approves or disapproves the alternative schedule and sequence, if such date is later than the implementation date under paragraph (1).

''(ii) ALTERNATIVE SCHEDULE AND SEQUENCE DEADLINE.—If the Secretary approves a railroad carrier or other entity's alternative schedule and sequence under subparagraph (C)(i), the railroad carrier or other entity's deadline for implementation of a positive train control system required under paragraph (1) shall be the date specified in that railroad carrier or other entity's alternative schedule and sequence. The Secretary may not approve a date for implementation that

is later than 24 months from the deadline in paragraph (1).'';

(3) by striking subsections (c), (d), and (e) and inserting the following:

''(c) PROGRESS REPORTS AND REVIEW.—

''(1) PROGRESS REPORTS.—Each railroad carrier or other entity subject to subsection (a) shall, not later than March 31, 2016, and annually thereafter until such carrier or entity has completed implementation of a positive train control system, submit to the Secretary a report on the progress toward implementing such systems, including—

''(A) the information on spectrum acquisition provided pursuant to subsection (a)(2)(A)(iii)(I);

''(B) the totals provided pursuant to subclauses (III) and (V) of subsection (a)(2)(A)(iii), by territory, if applicable;

''(C) the extent to which the railroad carrier or other entity is complying with the implementation schedule under subsection (a)(2)(A)(iii)(VII) or subsection (a)(2)(B);

''(D) any update to the information provided under subsection (a)(2)(A)(iii)(VI);

''(E) for each entity providing regularly scheduled intercity or commuter rail passenger transportation, a description of the resources identified and allocated to implement a positive train control system;

''(F) for each railroad carrier or other entity subject to subsection (a), the total number of route miles on which a positive train control system has been initiated for revenue service demonstration or implemented, as compared to the total number of route miles required to have a positive train control system under subsection (a); and

''(G) any other information requested by the Secretary.

''(2) PLAN REVIEW.—The Secretary shall at least annually conduct reviews to ensure that railroad carriers or other entities are complying with the revised plan submitted under subsection (a), including any amendments or any alternative schedule and sequence approved by the Secretary. Such railroad carriers or other entities shall provide such information as the Secretary determines necessary to adequately conduct such reviews.

''(3) PUBLIC AVAILABILITY.—Not later than 60 days after receipt, the Secretary shall make available to the public on the Internet Web site of the Department of Transportation any report submitted pursuant to paragraph (1) or subsection (d), but may exclude, as the Secretary determines appropriate—

''(A) proprietary information; and

''(B) security-sensitive information, including information described in section 1520.5(a) of title 49, Code of Federal Regulations.

''(d) REPORT TO CONGRESS.—Not later than July 1, 2018, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of each railroad carrier or other entity subject to subsection (a) in implementing a positive train control system.

''(e) ENFORCEMENT.—The Secretary is authorized to assess civil penalties pursuant to chapter 213 for—

''(1) a violation of this section;

''(2) the failure to submit or comply with the revised plan required under subsection (a), including the failure to comply with the totals provided pursuant to subclauses (III) and (V) of subsection (a)(2)(A)(iii) and the spectrum acquisition dates provided pursuant to subsection (a)(2)(A)(iii)(I);

''(3) failure to comply with any amendments to such revised plan pursuant to subsection (a)(2)(C); and

''(4) the failure to comply with an alternative schedule and sequence submitted under subsection (a)(2)(B) and approved by the Secretary under subsection (a)(3)(C).'';

(4) in subsection (h)—

(A) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) PROVISIONAL OPERATION.—Notwithstanding the requirements of paragraph (1), the Secretary may authorize a railroad carrier or other entity to commence operation in revenue service of a positive train control system or component to the extent necessary to enable the safe implementation and operation of a positive train control system in phases.'';

(5) in subsection (i)—

(A) by redesignating paragraphs (1) through (3) as paragraphs (3) through (5), respectively; and

(B) by inserting before paragraph (3) (as so redesignated) the following:

''(1) EQUIVALENT OR GREATER LEVEL OF SAFETY.—The term 'equivalent or greater level of safety' means the compliance of a railroad carrier with—

''(A) appropriate operating rules in place immediately prior to the use or implementation of such carrier's positive train control system, except that such rules may be changed by such carrier to improve safe operations; and

''(B) all applicable safety regulations, except as specified in subsection (j).

''(2) HARDWARE.—The term 'hardware' means a locomotive apparatus, a wayside interface unit (including any associated legacy signal system replacements), switch position monitors needed for a positive train control system, physical back office system equipment, a base station radio, a wayside radio, a locomotive radio, or a communication tower or pole.''; and

(6) by adding at the end the following:

''(j) EARLY ADOPTION.—

''(1) OPERATIONS.—From the date of enactment of the Positive Train Control Enforcement and Implementation Act of 2015 through the 1-year period beginning on the date on which the last Class I railroad carrier's positive train control system subject to subsection (a) is certified by the Secretary under subsection (h)(1) of this section and is implemented on all of that railroad carrier's lines required to have operations governed by a positive train control system, any railroad carrier, including any railroad carrier that has its positive train control system certified by the Secretary, shall not be subject to the operational restrictions set forth in sections 236.567 and 236.1029 of title 49, Code of Federal Regulations, that would apply where a controlling locomotive that is operating in, or is to be operated in, a positive train control-equipped track segment experiences a positive train control system failure, a positive train control operated consist is not provided by another railroad carrier when provided in interchange, or a positive train control system otherwise fails to initialize, cuts out, or malfunctions, provided that such carrier operates at an equivalent or greater level of safety than the level achieved immediately prior to the use or implementation of its positive train control system.

''(2) SAFETY ASSURANCE.—During the period described in paragraph (1), if a positive train control system that has been certified and implemented fails to initialize, cuts out, or malfunctions, the affected railroad carrier or other entity shall make reasonable efforts to determine the cause of the failure and adjust, repair, or replace any faulty component causing the system failure in a timely manner.

''(3) PLANS.—The positive train control safety plan for each railroad carrier or other entity shall describe the safety measures, such as operating rules and actions to comply with applicable safety regulations, that will be put in place during any system failure.

''(4) NOTIFICATION.—During the period described in paragraph (1), if a positive train control system that has been certified and implemented fails to initialize, cuts out, or malfunctions, the affected railroad carrier or other entity shall submit a notification to the appropriate regional office of the Federal Railroad Administration within 7 days of the system failure, or under alternative location and deadline requirements set by the Secretary, and include in the notification a description of the safety measures the affected railroad carrier or other entity has in place.

''(k) SMALL RAILROADS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal Regulations (relating to equipping locomotives for applicable Class II and Class III railroads operating in positive train control territory) to extend each deadline under such section by 3 years.

''(l) REVENUE SERVICE DEMONSTRATION.—When a railroad carrier or other entity subject to (a)(1) notifies the Secretary it is prepared to initiate revenue service demonstration, it shall also notify any applicable tenant railroad carrier or other entity subject to subsection (a)(1).''.

(c) CONFORMING AMENDMENT.—Section 20157(g), is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) CONFORMING REGULATORY AMENDMENTS.—Immediately after the date of the enactment of the Positive Train Control Enforcement and Implementation Act of 2015, the Secretary—

''(A) shall remove or revise the date-specific deadlines in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

''(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.

''(3) REVIEW.—Nothing in the Positive Train Control Enforcement and Implementation Act of 2015, or the amendments made by such Act, shall be construed to require the Secretary to issue regulations to implement such Act or amendments other than the regulatory amendments required by paragraph (2) and subsection (k).''.

**SEC. 7015. PHASE-OUT OF ALL TANK CARS USED TO TRANSPORT CLASS 3 FLAMMABLE LIQUIDS.**

(a) IN GENERAL.—Except as provided for in subsection (b), beginning on the date of enactment of this Act, all railroad tank cars used to transport Class 3 flammable liquids shall meet the DOT–117 or DOT–117R specifications in part 179 of title 49, Code of Federal Regulations, regardless of train composition.

(b) PHASE-OUT SCHEDULE.—Certain tank cars not meeting DOT–117 or DOT–117R specifications on the date of enactment of this Act may be used, regardless of train composition, until the following end-dates:

(1) For transport of unrefined petroleum products in Class 3 flammable service, including crude oil—

(A) January 1, 2018, for non-jacketed DOT–111 tank cars;

(B) March 1, 2018, for jacketed DOT–111 tank cars;

(C) April 1, 2020, for non-jacketed CPC–1232 tank cars; and

(D) May 1, 2025, for jacketed CPC–1232 tank cars.

(2) For transport of ethanol—

(A) May 1, 2023, for non-jacketed and jacketed DOT–111 tank cars;

(B) July 1, 2023, for non-jacketed CPC–1232 tank cars; and

(C) May 1, 2025, for jacketed CPC–1232 tank cars.

(3) For transport of Class 3 flammable liquids in Packing Group I, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2025.

(4) For transport of Class 3 flammable liquids in Packing Groups II and III, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2029.

(c) RETROFITTING SHOP CAPACITY.—The Secretary may extend the deadlines established under paragraphs (3) and (4) of subsection (b) for a period not to exceed 2 years if the Secretary determines that insufficient retrofitting shop capacity will prevent the phase-out of tank cars not meeting the DOT–117 or DOT–117R specifications by the deadlines set forth in such paragraphs.

(d) IMPLEMENTATION.—Nothing in this section shall be construed to require the Secretary to issue regulations to implement this section.

(e) SAVINGS CLAUSE.—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule issued on May 08, 2015, entitled ''Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (80 Fed. Reg. 26643), other than the provisions of the final rule that are inconsistent with this section.

(f) CLASS 3 FLAMMABLE LIQUID DEFINED.—In this section, the term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.

**TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION**

**SEC. 8001. MULTIMODAL FREIGHT TRANSPORTATION.**

(a) IN GENERAL.—Subtitle IX of title 49, United States Code, is amended to read as follows:

**“Subtitle IX—Multimodal Freight Transportation**



**“CHAPTER 701—MULTIMODAL FREIGHT POLICY**



**“§ 70101. National multimodal freight policy**

''(a) IN GENERAL.—It is the policy of the United States to maintain and improve the condition and performance of the National Multimodal Freight Network established under section 70103 to ensure that the Network provides a foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).

''(b) GOALS.—The goals of the national multimodal freight policy are—

''(1) to identify infrastructure improvements, policies, and operational innovations that—

''(A) strengthen the contribution of the National Multimodal Freight Network to the economic competitiveness of the United States;

''(B) reduce congestion and eliminate bottlenecks on the National Multimodal Freight Network; and

''(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

''(2) to improve the safety, security, efficiency, and resiliency of multimodal freight transportation;

''(3) to achieve and maintain a state of good repair on the National Multimodal Freight Network;

''(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Multimodal Freight Network;

''(5) to improve the economic efficiency of the National Multimodal Freight Network;

''(6) to improve the short- and long-distance movement of goods that—

''(A) travel across rural areas between population centers;

''(B) travel between rural areas and population centers; and

''(C) travel from the Nation's ports, airports, and gateways to the National Multimodal Freight Network;

''(7) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address multimodal freight connectivity; and

''(8) to reduce the adverse environmental impacts of freight movement on the National Multimodal Freight Network.

**“§ 70102. National freight strategic plan**

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Secretary of Transportation shall—

''(1) develop a national freight strategic plan in accordance with this section; and

''(2) publish the plan on the public Internet Web site of the Department of Transportation.

''(b) CONTENTS.—The national freight strategic plan shall include—

''(1) an assessment of the condition and performance of the National Multimodal Freight Network;

''(2) forecasts of freight volumes for the succeeding 5-, 10-, and 20-year periods;

''(3) an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators;

''(4) an identification of bottlenecks on the National Multimodal Freight Network that create significant freight congestion, based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

''(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

''(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

''(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance, and a description of opportunities for overcoming the barriers;

''(6) an identification of best practices for improving the performance of the National Multimodal Freight Network;

''(7) a process for addressing multistate projects and encouraging jurisdictions to collaborate; and

''(8) strategies to improve freight intermodal connectivity.

''(c) UPDATES.—Not later than 5 years after the date of completion of the national freight strategic plan under subsection (a), and every 5 years thereafter, the Secretary shall update the plan and publish the updated plan on the public Internet Web site of the Department of Transportation.

''(d) CONSULTATION.—The Secretary shall develop and update the national freight strategic plan in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders.

**“§ 70103. National Multimodal Freight Network**

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary of Transportation shall establish the National Multimodal Freight Network in accordance with this section—

''(1) to focus Federal policy on the most strategic freight assets; and

''(2) to assist in strategically directing resources and policies toward improved performance of the National Multimodal Freight Network.

''(b) NETWORK COMPONENTS.—The National Multimodal Freight Network shall include—

''(1) the National Highway Freight Network, as established under section 167 of title 23;

''(2) the freight rail systems of Class I railroads, as designated by the Surface Transportation Board;

''(3) the public ports of the United States that have total annual foreign and domestic trade of at least 2,000,000 short tons, as identified by the Waterborne Commerce Statistics Center of the Army Corps of Engineers, using the data from the latest year for which such data is available;

''(4) the inland and intracoastal waterways of the United States, as described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804);

''(5) the Great Lakes, the St. Lawrence Seaway, and coastal routes along which domestic freight is transported;

''(6) the 50 airports located in the United States with the highest annual landed weight, as identified by the Federal Aviation Administration; and

''(7) other strategic freight assets, including strategic intermodal facilities and freight rail lines of Class II and Class III railroads, designated by the Secretary as critical to interstate commerce.

''(c) OTHER STRATEGIC FREIGHT ASSETS.—In determining network components in subsection (b), the Secretary may consider strategic freight assets identified by States, including public ports if such ports do not meet the annual tonnage threshold, for inclusion on the National Multimodal Freight Network.

''(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the National Multimodal Freight Network under subsection (a), and every 5 years thereafter, the Secretary shall update the National Multimodal Freight Network.

''(e) CONSULTATION.—The Secretary shall establish and update the National Multimodal Freight Network in consultation with State departments of transportation and other appropriate public and private transportation stakeholders.

''(f) LANDED WEIGHT DEFINED.—In this section, the term 'landed weight' means the weight of an aircraft transporting only cargo in intrastate, interstate, or foreign air transportation, as such terms are defined in section 40102(a).

**“CHAPTER 702—MULTIMODAL FREIGHT TRANSPORTATION PLANNING AND INFORMATION**



**“§ 70201. State freight advisory committees**

''(a) IN GENERAL.—The Secretary of Transportation shall encourage each State to establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, freight railroads, shippers, carriers, freight-related associations, third-party logistics providers, the freight industry workforce,

the transportation department of the State, and local governments.

''(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

''(1) advise the State on freight-related priorities, issues, projects, and funding needs;

''(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

''(3) communicate and coordinate regional priorities with other organizations;

''(4) promote the sharing of information between the private and public sectors on freight issues; and

''(5) participate in the development of the freight plan of the State described in section 70202.

**''§ 70202. State freight plans**

''(a) IN GENERAL.—Each State shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

''(b) PLAN CONTENTS.—A freight plan described in subsection (a) shall include, at a minimum—

''(1) an identification of significant freight system trends, needs, and issues with respect to the State;

''(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

''(3) a description of how the plan will improve the ability of the State to meet the national freight goals described in section 70101;

''(4) evidence of consideration of innovative technologies and operational strategies, including intelligent transportation systems, that improve the safety and efficiency of freight movement;

''(5) in the case of routes on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration; and

''(6) an inventory of facilities with freight mobility issues, such as truck bottlenecks, within the State, and a description of the strategies the State is employing to address those freight mobility issues.

''(c) RELATIONSHIP TO STATE PLANS.—

''(1) IN GENERAL.—A freight plan described in subsection (a) may be developed separately from or incorporated into the statewide transportation plans required by section 135 of title 23.

''(2) UPDATES.—If the freight plan described in subsection (a) is developed separately from the State transportation improvement program, the freight plan shall be updated at least every 5 years.

**''§ 70203. Data and tools**

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall—

''(1) begin development of new tools or improve existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

''(A) methodologies for systematic analysis of benefits and costs;

''(B) tools for ensuring that the evaluation of freight-related and other transportation projects may consider safety, economic competitiveness, environmental sustainability, and system condition in the project selection process; and

''(C) other elements to assist in effective transportation planning;

''(2) identify transportation-related freight travel models and model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

''(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts, including improved methods to standardize and manage the data, that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

''(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).''.

(b) CLERICAL AMENDMENT.—The analysis of subtitles for title 49, United States Code, is amended by striking the item relating to subtitle IX and inserting the following:

**''IX. Multimodal Freight Transportation ..... 70101''.**

(c) REPEALS.—Sections 1117 and 1118 of MAP–21 (Public Law 112–141), and the items relating to such sections in the table of contents in section 1(c) of such Act, are repealed.

**TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU**

**SEC. 9001. NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU.**

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, is amended by adding at the end the following:

**''§ 116. National Surface Transportation and Innovative Finance Bureau**

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a National Surface Transportation and Innovative Finance Bureau in the Department.

''(b) PURPOSES.—The purposes of the Bureau shall be—

''(1) to administer the application processes for programs within the Department in accordance with subsection (d);

''(2) to promote innovative financing best practices in accordance with subsection (e);

''(3) to reduce uncertainty and delays with respect to environmental reviews and permitting in accordance with subsection (f);

''(4) to reduce costs and risks to taxpayers in project delivery and procurement in accordance with subsection (g); and

''(5) to carry out subtitle IX of this title.

''(c) EXECUTIVE DIRECTOR.—

''(1) APPOINTMENT.—The Bureau shall be headed by an Executive Director, who shall be appointed in the competitive service by the Secretary, with the approval of the President.

''(2) DUTIES.—The Executive Director shall—

''(A) report to the Under Secretary of Transportation for Policy;

''(B) be responsible for the management and oversight of the daily activities, decisions, operations, and personnel of the Bureau;

''(C) support the Council on Credit and Finance established under section 117 in accordance with this section; and

''(D) carry out such additional duties as the Secretary may prescribe.

''(d) ADMINISTRATION OF CERTAIN APPLICATION PROCESSES.—

''(1) IN GENERAL.—The Bureau shall administer the application processes for the following programs:

''(A) The infrastructure finance programs authorized under chapter 6 of title 23.

''(B) The railroad rehabilitation and improvement financing program authorized under sections 501 through 503 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821–823).

''(C) Amount allocations authorized under section 142(m) of the Internal Revenue Code of 1986.

''(D) The nationally significant freight and highway projects program under section 117 of title 23.

''(2) CONGRESSIONAL NOTIFICATION.—The Secretary shall ensure that the congressional notification requirements for each program referred to in paragraph (1) are followed in accordance with the statutory provisions applicable to the program.

''(3) REPORTS.—The Secretary shall ensure that the reporting requirements for each program referred to in paragraph (1) are followed in accordance with the statutory provisions applicable to the program.

''(4) COORDINATION.—In administering the application processes for the programs referred to in paragraph (1), the Executive Director of the Bureau shall coordinate with appropriate officials in the Department and its modal administrations responsible for administering such programs.

''(5) STREAMLINING APPROVAL PROCESSES.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Environment and Public Works of the Senate a report that—

''(A) evaluates the application processes for the programs referred to in paragraph (1);

''(B) identifies administrative and legislative actions that would improve the efficiency of the application processes without diminishing Federal oversight; and

''(C) describes how the Secretary will implement administrative actions identified under subparagraph (B) that do not require an Act of Congress.

''(6) PROCEDURES AND TRANSPARENCY.—

''(A) PROCEDURES.—The Secretary shall, with respect to the programs referred to in paragraph (1)—

''(i) establish procedures for analyzing and evaluating applications and for utilizing the recommendations of the Council on Credit and Finance;

''(ii) establish procedures for addressing late-arriving applications, as applicable, and communicating the Bureau's decisions for accepting or rejecting late applications to the applicant and the public; and

''(iii) document major decisions in the application evaluation process through a decision memorandum or similar mechanism that provides a clear rationale for such decisions.

''(B) REVIEW.—

''(i) IN GENERAL.—The Comptroller General of the United States shall review the compliance of the Secretary with the requirements of this paragraph.

''(ii) RECOMMENDATIONS.—The Comptroller General may make recommendations to the Secretary in order to improve compliance with the requirements of this paragraph.

''(iii) REPORT.—Not later than 3 years after the date of enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review conducted under clause (i), including findings and recommendations for improvement.

''(e) INNOVATIVE FINANCING BEST PRACTICES.—

''(1) IN GENERAL.—The Bureau shall work with the modal administrations within the Department, the States, and other public and private interests to develop and promote best practices for innovative financing and public-private partnerships.

''(2) ACTIVITIES.—The Bureau shall carry out paragraph (1)—

''(A) by making Federal credit assistance programs more accessible to eligible recipients;

''(B) by providing advice and expertise to State and local governments that seek to leverage public and private funding;

''(C) by sharing innovative financing best practices and case studies from State and local governments with other State and local governments that are interested in utilizing innovative financing methods; and

''(D) by developing and monitoring—

''(i) best practices with respect to standardized State public-private partnership authorities and practices, including best practices related to—

''(I) accurate and reliable assumptions for analyzing public-private partnership procurements;

''(II) procedures for the handling of unsolicited bids;

''(III) policies with respect to noncompete clauses; and

''(IV) other significant terms of public-private partnership procurements, as determined appropriate by the Bureau;

''(ii) standard contracts for the most common types of public-private partnerships for transportation facilities; and

''(iii) analytical tools and other techniques to aid State and local governments in determining the appropriate project delivery model, including a value for money analysis.

''(3) TRANSPARENCY.—The Bureau shall—

''(A) ensure transparency of a project receiving credit assistance under a program identified in subsection (d)(1) and procured as a public-private partnership by—

''(i) requiring the project sponsor of such project to undergo a value for money analysis or a comparable analysis prior to deciding to advance the project as a public-private partnership;

''(ii) requiring the analysis required under subparagraph (A) and other key terms of the relevant public-private partnership agreement, to be made publicly available by the project sponsor at an appropriate time;

''(iii) not later than 3 years after the completion of the project, requiring the project sponsor of such project to conduct a review regarding whether the private partner is meeting the terms of the relevant public private partnership agreement for the project; and

''(iv) providing a publicly available summary of the total level of Federal assistance in such project; and

''(B) develop guidance to implement this paragraph that takes into consideration variations in State and local laws and requirements related to public-private partnerships.

''(4) SUPPORT TO PROJECTS SPONSORS.—At the request of a State or local government, the Bureau shall provide technical assistance to the State or local government regarding proposed public-private partnership agreements for transportation facilities, including assistance in performing a value for money analysis or comparable analysis.

''(5) FIXED GUIDEWAY TRANSIT PROCEDURES REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report that—

''(A) evaluates the differences between traditional design-bid-build, design-build, and public-private partnership procurements for projects carried out under the fixed guideway capital investment program authorized under section 5309;

''(B) identifies, for project procured as public-private partnerships whether the review and approval process under the program requires modification to better suit the unique nature of such procurements; and

''(C) describes how the Secretary will implement any administrative actions identified under subparagraph (B) that do not require an Act of Congress.

''(f) ENVIRONMENTAL REVIEW AND PERMITTING.—

''(1) IN GENERAL.—The Bureau shall take such actions as are appropriate and consistent with the goals and policies set forth in this title and title 23, including with the concurrence of other Federal agencies as required under this title and title 23, to improve delivery timelines for projects.

''(2) ACTIVITIES.—The Bureau shall carry out paragraph (1)—

''(A) by serving as the Department's liaison to the Council on Environmental Quality;

''(B) by coordinating Department-wide efforts to improve the efficiency and effectiveness of the environmental review and permitting process;

''(C) by coordinating Department efforts under section 139 of title 23;

''(D) by supporting modernization efforts at Federal agencies to achieve innovative approaches to the permitting and review of projects;

''(E) by providing technical assistance and training to field and headquarters staff of Federal agencies on policy changes and innovative approaches to the delivery of projects;

''(F) by identifying, developing, and tracking metrics for permit reviews and decisions by Federal agencies for projects under the National Environmental Policy Act of 1969; and

''(G) by administering and expanding the use of Internet-based tools providing for—

''(i) the development and posting of schedules for permit reviews and permit decisions for projects; and

''(ii) the sharing of best practices related to efficient permitting and reviews for projects.

''(3) SUPPORT TO PROJECT SPONSORS.—At the request of a State or local government, the Bureau, in coordination with the other appropriate modal agencies within the Department, shall provide technical assistance with regard to the compliance of a project sponsored by the State or local government with the requirements of the National Environmental Policy Act 1969 and relevant Federal environmental permits.

''(g) PROJECT PROCUREMENT.—

''(1) IN GENERAL.—The Bureau shall promote best practices in procurement for a project receiving assistance under a program identified in subsection (d)(1) by developing, in coordination with the Federal Highway Administration and other modal agencies as appropriate, procurement benchmarks in order to ensure accountable expenditure of Federal assistance over the life cycle of such project.

''(2) PROCUREMENT BENCHMARKS.—The procurement benchmarks developed under paragraph (1) shall, to the maximum extent practicable—

''(A) establish maximum thresholds for acceptable project cost increases and delays in project delivery;

''(B) establish uniform methods for States to measure cost and delivery changes over the life cycle of a project; and

''(C) be tailored, as necessary, to various types of project procurements, including design-bid-build, design-build, and public private partnerships.

''(h) ELIMINATION AND CONSOLIDATION OF DUPLICATIVE OFFICES.—

''(1) ELIMINATION OF OFFICES.—The Secretary may eliminate any office within the Department if the Secretary determines that the purposes of the office are duplicative of the purposes of the Bureau, and the elimination of such office shall not adversely affect the obligations of the Secretary under any Federal law.

''(2) CONSOLIDATION OF OFFICES.—The Secretary may consolidate any office within the Department into the Bureau that the Secretary determines has duties, responsibilities, resources, or expertise that support the purposes of the Bureau.

''(3) STAFFING AND BUDGETARY RESOURCES.—

''(A) IN GENERAL.—The Secretary shall ensure that the Bureau is adequately staffed and funded.

''(B) STAFFING.—The Secretary may transfer to the Bureau a position within the Department from any office that is eliminated or consolidated under this subsection if the Secretary determines that the position is necessary to carry out the purposes of the Bureau.

''(C) BUDGETARY RESOURCES.—

''(i) TRANSFER OF FUNDS FROM ELIMINATED OR CONSOLIDATED OFFICES.—The Secretary may transfer to the Bureau funds allocated to any office that is eliminated or consolidated under this subsection to carry out the purposes of the Bureau.

''(ii) TRANSFER OF FUNDS ALLOCATED TO ADMINISTRATIVE COSTS.—The Secretary shall transfer to the Bureau funds allocated to the administrative costs of processing applications for the programs referred to in subsection (d)(1).

''(4) REPORT.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate a report that—

''(A) lists the offices eliminated under paragraph (1) and provides the rationale for elimination of the offices;

''(B) lists the offices consolidated under paragraph (2) and provides the rationale for consolidation of the offices; and

''(C) describes the actions taken under paragraph (3) and provides the rationale for taking such actions.

''(i) SAVINGS PROVISIONS.—

''(1) LAWS AND REGULATIONS.—Nothing in this section may be construed to change a law or regulation with respect to a program referred to in subsection (d)(1).

''(2) RESPONSIBILITIES.—Nothing in this section may be construed to abrogate the responsibilities of an agency, operating administration, or office within the Department otherwise charged by a law or regulation with other aspects of program administration, oversight, and project approval or implementation for the programs and projects subject to this section.

''(j) DEFINITIONS.—In this section, the following definitions apply:

''(1) BUREAU.—The term 'Bureau' means the National Surface Transportation and Innovative Finance Bureau of the Department.

''(2) DEPARTMENT.—The term 'Department' means the Department of Transportation.

''(3) MULTIMODAL PROJECT.—The term 'multimodal project' means a project involving the participation of more than one modal administration or secretarial office within the Department.

''(4) PROJECT.—The term 'project' means a highway project, public transportation capital project, freight or passenger rail project, or multimodal project.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''116. National Surface Transportation and Innovative Finance Bureau.''.

**SEC. 9002. COUNCIL ON CREDIT AND FINANCE.**

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, as amended by this Act,

is further amended by adding at the end the following:

**''§ 117. Council on Credit and Finance**

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Council on Credit and Finance in accordance with this section.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of the following members:

''(A) The Under Secretary of Transportation for Policy.

''(B) The Chief Financial Officer and Assistant Secretary for Budget and Programs.

''(C) The General Counsel of the Department of Transportation.

''(D) The Assistant Secretary for Transportation Policy.

''(E) The Administrator of the Federal Highway Administration.

''(F) The Administrator of the Federal Transit Administration.

''(G) The Administrator of the Federal Railroad Administration.

''(2) ADDITIONAL MEMBERS.—The Secretary may designate up to 3 additional officials of the Department to serve as at-large members of the Council.

''(3) CHAIRPERSON AND VICE CHAIRPERSON.—

''(A) CHAIRPERSON.—The Under Secretary of Transportation for Policy shall serve as the chairperson of the Council.

''(B) VICE CHAIRPERSON.—The Chief Financial Officer and Assistant Secretary for Budget and Programs shall serve as the vice chairperson of the Council.

''(4) EXECUTIVE DIRECTOR.—The Executive Director of the National Surface Transportation and Innovative Finance Bureau shall serve as a nonvoting member of the Council.

''(c) DUTIES.—The Council shall—

''(1) review applications for assistance submitted under the programs referred to in section 116(d)(1);

''(2) make recommendations to the Secretary regarding the selection of projects to receive assistance under the programs referred to in section 116(d)(1);

''(3) review, on a regular basis, projects that received assistance under the programs referred to in section 116(d)(1); and

''(4) carry out such additional duties as the Secretary may prescribe.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is further amended by adding at the end the following:

''117. Council on Credit and Finance.''.

## TITLE X—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY

**SEC. 10001. ALLOCATIONS.**

(a) AUTHORIZATION.—Section 3 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777b) is amended by striking ''57 percent'' and inserting ''58.012 percent''.

(b) IN GENERAL.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''For each'' and all that follows through ''the balance'' and inserting ''For each fiscal year through fiscal year 2021, the balance''; and

(ii) by striking ''multistate conservation grants under section 14'' and inserting ''activities under section 14(e)'';

(B) in paragraph (1), by striking ''18.5'' percent and inserting ''18.673 percent'';

(C) in paragraph (2) by striking ''18.5 percent'' and inserting ''17.315 percent'';

(D) by striking paragraphs (3) and (4);

(E) by redesignating paragraph (5) as paragraph (4); and

(F) by inserting after paragraph (2) the following:

''(3) BOATING INFRASTRUCTURE IMPROVEMENT.—

''(A) IN GENERAL.—An amount equal to 4 percent to the Secretary of the Interior for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note) and section 7404(d) of the Sportfishing and Boating Safety Act of 1998 (16 U.S.C. 777g–1(d)).

''(B) LIMITATION.—Not more than 75 percent of the amount under subparagraph (A) shall be available for projects under either of the sections referred to in subparagraph (A).'';

(2) in subsection (b)—

(A) in paragraph (1)(A) by striking ''for each'' and all that follows through ''the Secretary'' and inserting ''for each fiscal year through fiscal year 2021, the Secretary'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) SET-ASIDE FOR COAST GUARD ADMINISTRATION.—

''(A) IN GENERAL.—From the annual appropriation made in accordance with section 3, for each of fiscal years 2016 through 2021, the Secretary of the department in which the Coast Guard is operating may use no more than the amount specified in subparagraph (B) for the fiscal year for the purposes set forth in section 13107(c) of title 46, United States Code. The amount specified in subparagraph (B) for a fiscal year may not be included in the amount of the annual appropriation distributed under subsection (a) for the fiscal year.

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for fiscal year 2016, $7,800,000;

''(ii) for fiscal year 2017, $7,900,000;

''(iii) for fiscal year 2018, $8,000,000;

''(iv) for fiscal year 2019, $8,100,000;

''(v) for fiscal year 2020, $8,200,000; and

''(vi) for fiscal year 2021, $8,300,000.''; and

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (A), by striking ''until the end of the fiscal year.'' and inserting ''until the end of the subsequent fiscal year.''; and

(ii) in subparagraph (B) by striking ''under subsection (e)'' and inserting ''under subsection (c)'';

(3) in subsection (c)—

(A) by striking ''(c) The Secretary'' and inserting ''(c)(1) The Secretary,'';

(B) by striking ''grants under section 14 of this title'' and inserting ''activities under section 14(e)'';

(C) by striking ''57 percent'' and inserting ''58.012 percent''; and

(D) by adding at the end the following:

''(2) The Secretary shall deduct from the amount to be apportioned under paragraph (1) the amounts used for grants under section 14(a).''; and

(4) in subsection (e)(1), by striking ''those subsections,'' and inserting ''those paragraphs,''.

(c) SUBMISSION AND APPROVAL OF PLANS AND PROJECTS.—Section 6(d) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777e(d)) is amended by striking ''for appropriations'' and inserting ''from appropriations''.

(d) UNEXPENDED OR UNOBLIGATED FUNDS.—Section 8(b)(2) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777g(b)(2)) is amended by striking ''57 percent'' and inserting ''58.012 percent''.

(e) COOPERATION.—Section 12 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777k) is amended—

(1) by striking ''57 percent'' and inserting ''58.012 percent''; and

(2) by striking ''under section 4(b)'' and inserting ''under section 4(c)''.

(f) OTHER ACTIVITIES.—Section 14 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m) is amended—

(1) in subsection (a)(1), by striking ''of each annual appropriation made in accordance with the provisions of section 3''; and

(2) in subsection (e)—

(A) in the matter preceding paragraph (1) by striking ''Of amounts made available under section 4(b) for each fiscal year—'' and inserting ''Not more than $1,200,000 of each annual appropriation made in accordance with the provisions of section 3 shall be distributed to the Secretary of the Interior for use as follows:''; and

(B) in paragraph (1)(D) by striking ''; and'' and inserting a period.

(g) REPEAL.—The Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) is amended—

(1) by striking section 15; and

(2) by redesignating section 16 as section 15.

**SEC. 10002. RECREATIONAL BOATING SAFETY.**

Section 13107 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''(1) Subject to paragraph (2) and subsection (c),'' and inserting ''Subject to subsection (c),'';

(B) by striking ''the sum of (A) the amount made available from the Boat Safety Account for that fiscal year under section 15 of the Dingell-Johnson Sport Fish Restoration Act and (B)''; and

(C) by striking paragraph (2); and

(2) in subsection (c)—

(A) by striking the subsection designation and paragraph (1) and inserting the following:

''(c)(1)(A) The Secretary may use amounts made available each fiscal year under section 4(b)(2) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)(2)) for payment of expenses of the Coast Guard for investigations, personnel, and activities directly related to—

''(i) administering State recreational boating safety programs under this chapter; or

''(ii) coordinating or carrying out the national recreational boating safety program under this title.

''(B) Of the amounts used by the Secretary each fiscal year under subparagraph (A)—

''(i) not less than $2,000,000 is available to ensure compliance with chapter 43 of this title; and

''(ii) not more than $1,500,000 is available to conduct a survey of levels of recreational boating participation and related matters in the United States.''; and

(B) in paragraph (2)—

(i) by striking ''No funds'' and inserting ''On and after October 1, 2016, no funds''; and

(ii) by striking ''traditionally''.

In such matter, strike division C, except—

(1) the division designation and heading; and

(2) in title XXXIV—

(A) the title designation and heading; and

(B) subtitles B, C, and D.

In such matter, strike divisions D, G, and H.

Page 56, line 8, after ''diesel retrofits'' insert ''or alternative fuel vehicles''.

Page 56, line 9, insert ''or indirect'' after ''direct''.

Page 56, line 14, insert ''or indirectly'' after ''directly''.

Page 62, line 19, before the semicolon insert ''and critical commerce corridors''.

Page 77, strike lines 6 and 7 and insert the following:

**''§ 207. Tribal transportation self-governance program**

Page 218, beginning on line 6, amend the heading for section 1416 to read as follows:

**SEC. 1416. NATIONAL ELECTRIC VEHICLE CHARGING, HYDROGEN, PROPANE, AND NATURAL GAS FUELING CORRIDORS.**

Page 218, line 12, insert ''**propane,**'' after ''**hydrogen,**''.

Page 218, line 17, insert ''propane,'' after ''hydrogen,''.

Page 218, line 20, insert ''propane fueling infrastructure,'' after ''hydrogen infrastructure,''.

Page 218, line 24, insert ''propane,'' after ''fuel cell,''.

Page 219, lines 5 and 6, insert ''stations'' after ''electric vehicle charging''.

Page 219, line 6, insert ''propane fueling stations,'' after ''hydrogen fueling stations,''.

Page 219, line 10, insert ''stations'' after ''electric vehicle charging''.

Page 219, line 11, insert ''propane fueling stations,'' after ''stations,''.

Page 219, line 19, insert ''propane,'' after ''fuel cell electric,''.

Page 220, line 12, insert ''infrastructure'' after ''electric vehicle charging''.

Page 220, line 13, insert ''propane fueling infrastructure,'' after ''infrastructure,''.

Page 220, line 20, insert ''infrastructure'' after ''electric vehicle charging''.

Page 220, line 21, insert ''propane fueling infrastructure,'' after ''hydrogen infrastructure,''.

Page 221, amend the matter following line 2 to read as follows:

''151. National electric vehicle charging, hydrogen, propane, and natural gas fueling corridors.''.

Page 276, line 14, strike the first semicolon and insert ''; and''.

Page 324, line 1, strike ''**High visibility**'' and insert ''**High-visibility**''.

Page 393, line 23, add ''and'' at the end.

Page 537, line 15, before the period insert ''and planning''.

Page 543, line 11, strike ''disclose'' and insert ''disclosure''.

Page 553, strike line 11 and all that follows through line 2 on page 571.

Page 604, line 8, strike the closing quotation marks.

Page 604, line 9, insert closing quotation marks after ''percent''.

Page 606, strike lines 5 through 12 and insert the following:

''(i) for fiscal year 2016, $7,300,000;

''(ii) for fiscal year 2017, $7,400,000;

''(iii) for fiscal year 2018, $7,500,000;

''(iv) for fiscal year 2019, $7,600,000;

''(v) for fiscal year 2020, $7,700,000; and

''(vi) for fiscal year 2021, $7,800,000.''; and

Page 67, strike lines 1 and 2 and insert the following:

''(ii) a highway or bridge project carried out on the National Highway System, including—

''(I) a project to add capacity to the Interstate System to improve mobility; and

''(II) a project in a national scenic area;

Page 71, line 2, strike ''(i)''.

Page 73, line 24, strike the closed quotation mark and the final period.

Page 73, after line 24, insert the following:

''(n) FACILITATING COMMERCIAL WATERBORNE TRANSPORTATION.—Notwithstanding any other provision of law, or rights granted thereunder, and provided that the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met, a property owner may develop, construct, operate, and maintain pier, wharf, or other such load-out structures on that property and on or above adjacent beds of the navigable waters of the United States to facilitate the commercial waterborne transportation of domestic aggregate that may supply an eligible project under this section, including salt, sand, and gravel, from reserves located within ten miles of the property.''.

Page 110, strike lines 3 and 4 and insert the following:

''(I) improve the reliance and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and''.

Page 113, strike lines 22 and 23 and insert the following:

''(I) improve the reliance and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and''.

Page 164, line 8, strike ''up to 10'' and insert ''up to 25''.

Page 164, line 10, strike ''up to 10'' and insert ''up to 25''.

Page 184, line 22, strike ''and'' at the end.

Page 185, line 7, strike ''and'' at the end.

Page 185, after line 15, insert the following:

(iv) by adding at the end the following:

''(G) WAIVER.—

''(i) IN GENERAL.—Upon the request of a public authority, the Secretary may waive the requirements of subparagraph (E) for a facility, and the corresponding program sanctions under subparagraph (F), if the Secretary determines that—

''(I) the waiver is in the best interest of the traveling public; and

''(II) the public authority has made a good faith effort to improve the performance of the facility.

''(ii) CONDITION.—The Secretary may require, as a condition of issuance of a waiver under this subparagraph, that a public authority take additional actions, determined by the Secretary, to improve the performance of the facility.''; and

Page 198, line 24, after the first period insert the following: ''The route referred to in subsection (c)(84) is designated as Interstate Route I–14.''.

Page 221, before line 3, insert the following new subsection:

(c) OPERATION OF BATTERY RECHARGING STATIONS IN PARKING AREAS USED BY FEDERAL EMPLOYEES.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—The Administrator of General Services may install, construct, operate, and maintain on a reimbursable basis a battery recharging station in a parking area that is in the custody, control, or administrative jurisdiction of the General Services Administration for the use of only privately owned vehicles of employees of the General Services Administration, tenant Federal agencies, and others who are authorized to park in such area to the extent such use by only privately owned vehicles does not interfere with or impede access to the equipment by Federal fleet vehicles.

(B) DELEGATION.—The Administrator of General Services may install, construct, operate, and maintain on a reimbursable basis a battery recharging station in a parking area that is in the custody, control, or administrative jurisdiction of another Federal agency, at the request of such agency, or delegate such authority to another Federal agency to the extent such use by only privately owned vehicles does not interfere with or impede access to the equipment by Federal fleet vehicles.

(C) USE OF VENDORS.—The Administrator of General Services, with respect to subparagraphs (A) and (B), or the head of a Federal agency delegated authority, with respect to subparagraph (B), may carry such subparagraph through a contract with a vendor, under such terms and conditions (including terms relating to the allocation between the Federal agency and the vendor of the costs of carrying out the contract) as the Administrator or the head of the Federal agency, as the case may be, and the vendor may agree to.

(2) IMPOSITION OF FEES TO COVER COSTS.—

(A) FEES.—The Administrator of General Services or the head of the Federal agency delegated authority under paragraph (1)(B) shall charge fees to the individuals who use the battery recharging station in such amount as is necessary to ensure that the respective agency recovers all of the costs such agency incurs in installing, constructing, operating, and maintaining the station.

(B) DEPOSIT AND AVAILABILITY OF FEES.—Any fees collected by the Administrator of General Services or the Federal agency, as the case may be, under this paragraph shall be—

(i) deposited monthly in the Treasury to the credit of the respective agency's appropriations account for the operations of the building where the battery recharging station is located; and

(ii) available for obligation without further appropriation during—

(I) the fiscal year collected; and

(II) the fiscal year following the fiscal year collected.

(3) NO EFFECT ON EXISTING PROGRAMS FOR HOUSE AND SENATE.—Nothing in this subsection may be construed to affect the installation, construction, operation, or maintenance of battery recharging stations by the Architect of the Capitol—

(A) under Public Law 112–170 (2 U.S.C. 2171), relating to employees of the House of Representatives and individuals authorized to park in any parking area under the jurisdiction of the House of Representatives on the Capitol Grounds; or

(B) under Public Law 112–167 (2 U.S.C. 2170), relating to employees of the Senate and individuals authorized to park in any parking area under the jurisdiction of the Senate on the Capitol Grounds.

(4) NO EFFECT ON SIMILAR AUTHORITIES.—Nothing in this subsection may be construed as repealing or limiting any existing authorities of a Federal agency to install, construct, operate, or maintain battery recharging stations.

(5) ANNUAL REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter for 10 years, the Administrator of General Services shall submit to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works a report describing—

(A) the number of battery recharging stations installed by the Administrator on its own initiative under this subsection;

(B) requests from other Federal agencies to install battery recharging stations;

(C) delegations of authority to other Federal agencies under this subsection; and

(D) the status and disposition of requests from other Federal agencies.

(6) FEDERAL AGENCY DEFINED.—In this subsection, the term ''Federal agency'' has the meaning given that term in section 102 of title 40, United States Code.

(7) EFFECTIVE DATE.—This subsection shall apply with respect to fiscal year 2016 and each succeeding fiscal year.

Page 229, line 23, strike the closing quotation marks and final period.

Page 229, after line 23, insert the following:

''(n) OPERATION OF VEHICLES ON CERTAIN TEXAS HIGHWAYS.—If any segment in Texas of United States Route 59, United States Route 77, United States Route 281, United States Route 84, Texas State Highway 44, or another roadway is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under this section.''.

Add at the end of subtitle D of title I of division A the following new section:

**SEC. 1431. USE OF DURABLE, RESILIENT, AND SUSTAINABLE MATERIALS AND PRACTICES.**

To the extent practicable, the Secretary shall encourage the use of durable, resilient, and sustainable materials and practices, including the use of geosynthetic materials and other innovative technologies, in car-

rying out the activities of the Federal Highway Administration.

Page 233, after line 17, insert the following:

**SEC. 1431. STUDY ON STATE PROCUREMENT OF CULVERT AND STORM SEWER MATERIALS.**

(a) IN GENERAL.—The Secretary shall evaluate the methods in which States procure culvert and storm sewer materials and the impact of those methods on project costs, including the extent to which such methods take into account environmental principles, engineering principles, and the varying needs of projects based on geographic location.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the findings of the study conducted under subsection (a).

At the end of subtitle D of title I of division A, insert the following new section:

**SEC. 1431. STRATEGY TO ADDRESS STRUCTURALLY DEFICIENT BRIDGES.**

The Secretary shall develop a comprehensive strategy to address structurally deficient and functionally obsolete bridges, as defined by the National Bridge Inventory, to identify the unique challenges posed by bridges in each of these respective categories, and to address such separate challenges and improve the condition of such bridges. Not later than 180 days after the date of enactment of this Act, the Secretary shall transmit a report containing initial recommendations to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. Not later than 1 year after such date of enactment, the Secretary shall transmit to such committees the final strategy required by this section.

At the end of subtitle D of title I of division A, add the following new section:

**SEC. 1431. SENSE OF CONGRESS.**

It is the sense of Congress that the Nation's engineering industry continues to provide critical technical expertise, innovation, and local knowledge to Federal and State agencies in order to efficiently deliver surface transportation projects to the public, and Congress recognizes the valuable contributions made by the Nation's engineering industry and urges the Secretary to reinforce those partnerships by encouraging State and local agencies to take full advantage of engineering industry capabilities to strengthen project performance, improve domestic competitiveness, and create jobs.

At the end of subtitle D of title I of division A, add the following:

**SEC. ____. IDENTIFICATION OF ROADSIDE HIGHWAY SAFETY HARDWARE DEVICES.**

(a) STUDY.—The Secretary shall conduct a study on methods for identifying roadside highway safety hardware devices to improve the data collected on the devices, as necessary for in-service evaluation of the devices.

(b) CONTENTS.—In conducting the study, the Secretary shall evaluate identification methods based on the ability of the method to—

(1) convey information on the devices, including manufacturing date, factory of origin, product brand, and model;

(2) withstand roadside conditions; and

(3) connect to State and regional inventories of similar devices.

(c) IDENTIFICATION METHODS.—The identification methods to be studied under this section include stamped serial numbers, radio-frequency identification, and such other methods as the Secretary determines appropriate.

(d) REPORT TO CONGRESS.—Not later than January 1, 2018, the Secretary shall submit to Congress a report on the results of the study.

At the end of subtitle D of title I of division A, add the following:

**SEC. ____. USE OF MODELING AND SIMULATION TECHNOLOGY.**

It is the sense of Congress that the Department should utilize, to the fullest and most economically feasible extent practicable, modeling and simulation technology to analyze highway and public transportation projects authorized by this Act to ensure that these projects—

(1) will increase transportation capacity and safety, alleviate congestion, and reduce travel time and environmental impacts; and

(2) are as cost effective as practicable.

At the end of subtitle D of title I of division A, add the following:

**SEC. ____ . NATIONAL ADVISORY COMMITTEE ON TRAVEL AND TOURISM INFRASTRUCTURE.**

(a) FINDINGS.—Congress finds that—

(1) 1 out of every 9 jobs in the United States depends on travel and tourism, and the industry supports 15,000,000 jobs in the United States;

(2) the travel and tourism industry employs individuals in all 50 States, the District of Columbia, and all of the territories of the United States;

(3) international travel to the United States is the single largest export industry in the Nation, generating a trade surplus balance of approximately $74,000,000,000;

(4) travel and tourism provide significant economic benefits to the United States by generating nearly $2,100,000,000,000 in annual economic output; and

(5) the United States intermodal transportation network facilitates the large-scale movement of business and leisure travelers, and is the most important asset of the travel industry.

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to be known as the National Advisory Committee on Travel and Tourism Infrastructure (in this section referred to as the ''Committee'') to provide information, advice, and recommendations to the Secretary on matters relating to the role of intermodal transportation in facilitating mobility related to travel and tourism activities.

(c) MEMBERSHIP.—The Committee shall—

(1) be composed of members appointed by the Secretary for terms of not more than 3 years; and

(2) include a representative cross-section of public and private sector stakeholders involved in the travel and tourism industry, including representatives of—

(A) the travel and tourism industry, product and service providers, and travel and tourism-related associations;

(B) travel, tourism, and destination marketing organizations;

(C) the travel and tourism-related workforce;

(D) State tourism offices;

(E) Sate departments of transportation;

(F) regional and metropolitan planning organizations; and

(G) local governments.

(d) ROLE OF COMMITTEE.—The Committee shall—

(1) advise the Secretary on current and emerging priorities, issues, projects, and funding needs related to the use of the Nation's intermodal transportation network to facilitate travel and tourism;

(2) serve as a forum for discussion for travel and tourism stakeholders on transportation issues affecting interstate and interregional mobility of passengers;

(3) promote the sharing of information between the private and public sectors on transportation issues impacting travel and tourism;

(4) gather information, develop technical advise, and make recommendations to the Secretary on policies that improve the condition and performance of an integrated national transportation system that is safe, economical, and efficient, and that maximizes the benefits to the Nation generated through the United States travel and tourism industry;

(5) identify critical transportation facilities and corridors that facilitate and support the interstate and interregional transportation of passengers for tourism, commercial, and recreational activities;

(6) provide for development of measures of condition, safety, and performance for transportation related to travel and tourism;

(7) provide for development of transportation investment, data, and planning tools to assist Federal, State, and local officials in making investment decisions relating to transportation projects that improve travel and tourism; and

(8) address other issues of transportation policy and programs impacting the movement of travelers for tourism and recreational purposes, including by making legislative recommendations.

(e) NATIONAL TRAVEL AND TOURISM INFRASTRUCTURE STRATEGIC PLAN.—

(1) INITIAL DEVELOPMENT OF NATIONAL TRAVEL AND TOURISM INFRASTRUCTURE STRATEGIC PLAN.—Not later than 3 years after the date of enactment of this act, the Secretary shall, in consultation with the Committee, State departments of transportation, and other appropriate public and private transportation stakeholders, develop and post on the Department's public Internet Web site a national travel and tourism infrastructure strategic plan that includes—

(A) an assessment of the condition and performance of the national transportation network;

(B) an identification of the issues on the national transportation network that create significant congestion problems and barriers to long-haul passenger travel and tourism,

(C) forecasts of long-haul passenger travel and tourism volumes for the 20-year period beginning in the year during which the plan is issued;

(D) an identification of the major transportation facilities and corridors for current and forecasted long-haul travel and tourism volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

(E) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved long-haul passenger travel performance (including opportunities for overcoming the barriers);

(F) best practices for improving the performance of the national transportation network; and

(G) strategies to improve intermodal connectivity for long-haul passenger travel and tourism.

At the end of subtitle D of title I of Division A, add the following:

**SEC. _____. REGULATION OF MOTOR CARRIERS OF PROPERTY.**

Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking ''the price of'' and all that follows through ''transportation is'' and inserting ''the regulation of tow truck operations''.

At the end of subtitle D of title I of Division A, add the following:

**SEC. _____. EMERGENCY EXEMPTIONS.**

Any road, highway, railway, bridge, or transit facility that is damaged by an emergency that is declared by the Governor of the State and concurred in by the Secretary of

Homeland Security or declared as an emergency by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and that is in operation or under construction on the date on which the emergency occurs—

(1) may be reconstructed in the same location with the same capacity, dimensions, and design as before the emergency; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

At the end of subtitle D of title I of division A, add the following:

**SEC. ___. PROGRAM TO ASSIST VETERANS TO ACQUIRE COMMERCIAL DRIVER'S LICENSES.**

Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the Secretary of Defense, shall fully implement the recommendations contained in the report submitted under section 32308 of MAP–21 (49 U.S.C. 31301 note).

At the end of title I (page 233, after line 8), insert the following:

**SEC. 1431. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

At the end of subtitle D of title I of Division A, insert the following:

**SEC. ___. FEDERAL AUTHORITY.**

(a) IN GENERAL.—Section 14501(c) of title 49, United States Code, is amended —

(1) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (3) and (4)'';

(2) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6) respectively;

(3) by inserting after paragraph (1) the following:

''(2) ADDITIONAL LIMITATIONS.—

''(A) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.

''(B) A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law that requires a motor carrier that compensates employees on a piecerate basis to pay those employees separate or additional compensation, provided that the motor carrier pays the employee a total sum that when divided by the total number of hours worked during the corresponding work period is equal to or greater than the applicable hourly minimum wage of the State, political subdivision of the State, or political authority of 2 or more States.

''(C) Nothing in this paragraph shall be construed to limit the provisions of paragraph (1).''.

(4) in paragraph (3) (as redesignated) by striking ''Paragraph (1)—'' and inserting ''Paragraphs (1) and (2)—''; and

(5) in paragraph (4)(A) (as redesignated) by striking ''Paragraph (1)'' and inserting ''Paragraphs (1) and (2)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall have the force and effect as if enacted on the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305).

Page 238, strike line 10 and all that follows through page 239, line 5, and insert the following:

(1) by striking paragraph (4); and

Add at the end of title II the following:

**SEC. ___. STREAMLINED APPLICATION PROCESS.**

Section 603 of title 23, United States Code, is amended by adding at the end the following:

''(f) STREAMLINED APPLICATION PROCESS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under this chapter that use a set or sets of conventional terms established pursuant to this section.

''(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary may include terms commonly included in prior credit agreements and allow for an expedited application period, including—

''(A) the secured loan is in an amount of not greater than $100,000,000;

''(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

''(C) repayment of the loan commence not later than 5 years after disbursement.''.

Page 268, after line 17, insert the following:

''(E) REPORT TO CONGRESS.—The Secretary shall make publically available a report on the Frontline Workforce Development Program for each fiscal year, not later than December 31 of the year in which that fiscal year ends. The report shall include a detailed description of activities carried out under this paragraph, an evaluation of the program, and policy recommendations to improve program effectiveness.

Page 289, strike lines 11 through 14 and insert the following:

''(i) $352,950,000 for fiscal year 2016;
''(ii) $462,950,000 for fiscal year 2017;
''(iii) $468,288,000 for fiscal year 2018;
''(iv) $473,653,500 for fiscal year 2019;
''(v) $479,231,500 for fiscal year 2020; and
''(vi) $484,816,000 for fiscal year 2021;''.

Beginning on page 289, strike line 21 and all that follows through page 290, line 8, and insert the following:

''(i) $262,950,000 for fiscal year 2016;
''(ii) $262,950,000 for fiscal year 2017;
''(iii) $268,288,000 for fiscal year 2018;
''(iv) $273,653,500 for fiscal year 2019;
''(v) $279,231,500 for fiscal year 2020; and
''(vi) $284,816,000 for fiscal year 2021.''.

At the end of title III of division A, add the following:

**SEC. ___. INCREASE SUPPORT FOR GROWING STATES.**

Section 5340 of title 49, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

''(b) APPORTIONMENT.—Of the amounts made available for each fiscal year under section 5338(b)(2)(M), the Secretary shall apportion 100 percent to States and urbanized areas in accordance with subsection (c).''; and

(2) by striking subsection (d).

At the end of title III, add the following:

**SEC. _____. REPORT ON PARKING SAFETY.**

(a) REPORT.—Not later than 8 months after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding the safety of certain facilities and locations, focusing on any property damage, injuries or deaths, and other incidents that occur or originate at locations intended to encourage public use of alternative transportation, including—

(1) car pool lots;
(2) mass transit lots;
(3) local, State, or regional rail stations;
(4) rest stops;
(5) college or university lots;
(6) bike paths or walking trails; and
(7) any other locations that the Secretary considers appropriate.

(b) RECOMMENDATIONS.—Included with the report, the Secretary shall make recommendations to Congress on the best ways to use innovative technologies to increase safety and ensure a better response by transit security, local, State, and Federal law enforcement to address threats to public safety.

Page 315, after line 20, insert the following:

**SEC. 3024. REPORT ON POTENTIAL OF INTERNET OF THINGS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to Congress a report on the potential of the Internet of Things to improve transportation services in rural, suburban, and urban areas. Such report shall include—

(1) a survey of the communities, cities, and States that are using innovative transpor-

tation systems to meet the needs of ageing populations;

(2) best practices to protect privacy and security determined as a result of such survey;

(3) recommendations with respect to the potential of the Internet of Things to assist local, State, and Federal planners to develop more efficient and accurate projections of the transportation needs of rural, suburban, and urban communities.

At the end of title III of division A, add the following:

**SEC. ___. APPOINTMENT OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.**

(a) DEFINITIONS.—In this section—

(1) the term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774; 80 Stat. 1324);

(2) the term ''Federal Director'' means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b) APPOINTMENT BY SECRETARY OF TRANSPORTATION.—

(1) IN GENERAL.—For any appointment made on or after the date of enactment of this Act, the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) AMENDMENT TO COMPACT.—The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

Page 333, line 18, strike ''OR STOPPED IN TRAFFIC''.

Page 333, line 22, strike ''or stopped in traffic''.

Page 333, line 24, strike ''and''.

Page 334, line 2, strike the period and insert ''; and''.

Page 334, after line 2, insert the following:

''(D) does not provide for an exemption that specifically allows a driver to text through a personal wireless communication device while stopped in traffic.''.

Page 334, line 9, strike ''or stopped in traffic'' and insert ''if the driver is''.

Page 334, line 15, strike ''and''

Page 334, line 16, strike ''first''.

Page 334, line 17, strike the period and insert ''; and''.

Page 334, after line 17, insert the following:

''(D) does not provide for an exemption that specifically allows a driver to text through a personal wireless communication device while stopped in traffic.''.

Page 337, beginning on line 14, strike '', including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise''.

At the end of title V, add the following:

**SEC. _____. SAFETY STUDY REGARDING DOUBLE-DECKER MOTORCOACHES.**

(a) STUDY.—The Secretary of Transportation, in consultation with State transportation safety officials, shall conduct a study regarding the safety operations, fire suppression capability, tire loads, and pavement impacts of operating a double-decker motorcoach equipped with a device designed by the motorcoach manufacturer to attach to the rear of the motorcoach for use in transporting passenger baggage.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study to—

(1) the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) the Committee on Commerce, Science, and Transportation of the Senate.

At the end of title V of division A, add the following:

**SEC. ___. TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.**

Section 229(e)(4) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended—

(1) by striking ''50 air mile radius'' and inserting ''75 air mile radius''; and

(2) by striking ''the driver.'' and inserting ''the driver, except that a State, upon notice to the Secretary, may establish a different air mile radius limitation for purposes of this paragraph if such limitation is between 50 and 75 air miles and applies only to movements that take place entirely within the State.''.

Page 494, lines 13 through 18, amend paragraph (2) to read as follows:

''(2) RESTRICTION.—

''(A) LIMITATION.—A lead institution of a consortium of nonprofit institutions of higher education, as applicable, may only submit 1 grant application per fiscal year for each of the transportation centers described under paragraphs (2), (3), and (4) of subsection (c).

''(B) EXCEPTION FOR CONSORTIUM MEMBERS THAT ARE NOT LEAD INSTITUTIONS.—Subparagraph (A) shall not apply to a nonprofit institution of higher education that is a member of a consortium of nonprofit institutions of higher education but not the lead institution of such consortium.

Page 502, line 10, insert '', congestion, connected vehicles, connected infrastructure, and autonomous vehicles'' after ''transportation safety''.

Page 525, after line 16, insert the following:

**SEC. 6027. TRANSPORTATION RESEARCH AND DEVELOPMENT 5-YEAR STRATEGIC PLAN.**

(a) IN GENERAL.—The Secretary shall develop a 5-year transportation research and development strategic plan for fiscal years 2018 through 2022 to guide future Federal transportation research and development activities.

(b) CONSISTENCY.—The strategic plan developed under subsection (a) shall be consistent with—

(1) section 306 of title 5, United States Code;

(2) sections 1115 and 1116 of title 31, United States Code;

(3) section 508 of title 23, United States Code; and

(4) any other research and development plan within the Department.

(c) CONTENTS.—The strategic plan developed under subsection (a) shall—

(1) describe the primary purposes of the transportation research and development program;

(2) list the proposed research and development activities that the Department intends to pursue to accomplish under the strategic plan, which may include—

(A) fundamental research pertaining to the applied physical and natural sciences;

(B) applied science and research;

(C) technology development research; and

(D) social science research; and

(3) for each research and development activity—

(A) identify the anticipated annual funding levels for the period covered by the strategic plan; and

(B) describe the research findings the Department expects to discover at the end of the period covered by the strategic plan.

(d) CONSIDERATIONS.—The Secretary shall ensure that the strategic plan developed under this section—

(1) reflects input from external stakeholders;

(2) includes and integrates the research and development programs of all of the Department's modal administrations and joint programs;

(3) takes into account research and development by other Federal, State, local, private sector, and nonprofit institutions; and

(4) is published on a public website by December 31, 2016.

(e) REPORT.—

(1) NATIONAL RESEARCH COUNCIL REVIEW.—The Secretary shall enter into an agreement with the National Research Council for a review and analysis of the Department's 5-year research and development strategic plan described in this section. By March 31, 2017, the Secretary shall publish on a public website the National Research Council's analysis of the Department's plan.

(2) INTERIM REPORT.—By June 30, 2019, the Secretary shall publish on a public website an interim report that—

(A) provides an assessment of the Department's 5-year research and development strategic plan described in this section that includes a description of the extent to which the research and development is or is not successfully meeting the purposes described under subsection (c)(1); and

(B) addresses any concerns and identifies any gaps that may have been raised by the National Research Council analysis under paragraph (1), including how the plan is or is not responsive to the National Research Council review.

**SEC. 6028. TRAFFIC CONGESTION.**

(a) CONGESTION RESEARCH.—The Assistant Secretary may conduct research on the reduction of traffic congestion.

(b) CONSIDERATION.—The Assistant Secretary shall—

(1) recommend research to accelerate the adoption of transportation management systems that allow traffic to flow in the safest and most efficient manner possible while alleviating current and future traffic congestion challenges;

(2) assess and analyze traffic, transit, and freight data from various sources relevant to efforts to reduce traffic congestion so as to maximize mobility, efficiency, and capacity while decreasing congestion and travel times;

(3) examine the use and integration of multiple data types from multiple sources and technologies, including road weather data, private vehicle (including Global Positioning System) data, arterial and highway traffic conditions, transit vehicle arrival and departure times, real time navigation routing, construction zone information, and reports of incidents, to suggest improvements in effective communication of such data and information in real time;

(4) develop and disseminate suggested strategies and solutions to reduce congestion for high-density traffic regions and to provide mobility in the event of an emergency or natural disaster; and

(5) collaborate with other relevant Federal agencies, State and local agencies, industry and industry associations, and university research centers to fulfill goals and objectives under this section.

(c) IDENTIFYING INFORMATION.—The Assistant Secretary shall ensure that information used pursuant to this section does not contain identifying information of any individual.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary shall make available on a public website a report on its activities under this section.

**SEC. 6029. RAIL SAFETY.**

Not later than 1 year after the date of enactment of this Act, the Assistant Secretary of Transportation for Research and Technology may transmit to Congress a report containing—

(1) the results of a study to examine the state of rail safety technologies and an analysis of whether the passenger, commuter, and transit rail transportation industries are keeping up with innovations in technologies to make rail cars safer for passengers and transport of commerce; and

(2) a determination of how much additional time and public and private resources will be required for railroad carriers to meet the positive train control system implementation requirements under section 20157 of title 49, United States Code.

At the end of title VI of division A, add the following new section:

**SEC. 6027. STUDY AND REPORT ON REDUCING THE AMOUNT OF VEHICLES OWNED BY CERTAIN FEDERAL DEPARTMENTS AND INCREASING THE USE OF COMMERCIAL RIDE-SHARING BY THOSE DEPARTMENTS.**

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the feasibility of—

(1) reducing the amount of vehicles owned by a covered department; and

(2) increasing the use of commercial ride-sharing companies by a covered department.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that contains the results and conclusions of the study conducted under subsection (a).

(c) COVERED DEPARTMENT DEFINED.—In this section, the term ''covered department'' means each of the following:

(1) The Department of Agriculture.

(2) The Department of the Interior.

(3) The Department of Energy.

At the end of title VII, add the following:

**SEC. ___. MINIMUM REQUIREMENTS FOR TOP FITTINGS PROTECTION FOR CLASS DOT–117R TANK CARS.**

(a) PROTECTIVE HOUSING.—Except as provided in subsections (b) and (c), top fittings on DOT specification 117R tank cars shall be located inside a protective housing not less than ½-inch in thickness and constructed of a material having a tensile strength not less than 65 kilopound per square inch and conform to the following specifications:

(1) The protective housing shall be as tall as the tallest valve or fitting involved and the height of a valve or fitting within the protective housing must be kept to the minimum compatible with their proper operation.

(2) The protective housing or cover may not reduce the flow capacity of the pressure relief device below the minimum required.

(3) The protective housing shall provide a means of drainage with a minimum flow area equivalent to six 1-inch diameter holes.

(4) When connected to the nozzle or fittings cover plate and subject to a horizontal force applied perpendicular to and uniformly over the projected plane of the protective housing, the tensile connection strength of the protective housing shall be designed to be—

(A) no greater than 70 percent of the nozzle to tank tensile connection strength;

(B) no greater than 70 percent of the cover plate to nozzle connection strength; and

(C) no less than either 40 percent of the nozzle to tank tensile connection strength or the shear strength of twenty ½-inch bolts.

(b) PRESSURE RELIEF DEVICES.—

(1) The pressure relief device shall be located inside the protective housing, unless space does not permit. If multiple pressure relief devices are equipped, no more than 1 may be located outside of a protective housing.

(2) The highest point on any pressure relief device located outside of a protective housing may not be more than 12 inches above the tank jacket.

(3) The highest point on the closure of any unused pressure relief device nozzle may not be more than 6 inches above the tank jacket.

(c) ALTERNATIVE PROTECTION.—As an alternative to the protective housing requirements in subsection (a) of this section, the tank car may be equipped with a system that prevents the release of product from any top fitting in the case of an incident where any top fitting would be sheared off.

(d) IMPLEMENTATION.—Nothing in this section shall be construed to require the Secretary to issue regulations to implement this section.

(e) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from approving new technologies, methods or requirements that provide a level of safety equivalent to or greater than the level of safety provided for in this section.

Page 17, after line 14, insert the following:

(8) SENSE OF CONGRESS ON PROMPT PAYMENT OF DBE SUBCONTRACTORS.—It is the sense of Congress that—

(A) the Secretary should take additional steps to ensure that recipients comply with section 26.29 of title 49, Code of Federal Regulations (the disadvantaged business enterprises prompt payment rule), or any corresponding regulation, in awarding federally funded transportation contracts under laws and regulations administered by the Secretary; and

(B) such additional steps should include increasing the Department's ability to track and keep records of complaints and to make that information publicly available.

Page 65, strike lines 16 and 17, and insert the following:

''(5) enhance the resiliency of critical highway infrastructure, including highway infrastructure that supports national energy security.''.

Page 198, line 3, strike the closing quotation marks and the final period and insert the following:

''(86) Interstate Route 70 from Denver, Colorado, to Salt Lake City, Utah.''.

Page 198, line 3, strike the closing quotation marks and final period.

Page 198, after line 3, insert the following:

''(86) The Oregon 99W Newberg-Dundee Bypass Route between Newberg, Oregon, and Dayton, Oregon.''.

Page 198, line 3, striking the closing quotation mark and the second period.

Page 198, insert after line 3 the following:

''(86) Interstate Route 205 in Oregon from its intersection with Interstate Route 5 to the Columbia River.''.

Page 229, line 23, strike the closing quotation marks and final period.

Page 229, after line 23, insert the following:

''(n) CERTAIN LOGGING VEHICLES IN WISCONSIN.—

''(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.

''(2) COVERED LOGGING VEHICLE DEFINED.—In this subsection, the term 'covered logging vehicle' means a vehicle that—

''(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

''(B) has a gross vehicle weight of not more than 98,000 pounds;

''(C) has not less than 6 axles; and

''(D) is operating on a segment of Interstate Route 39 in Wisconsin from mile marker 175.8 to mile marker 189.''.

Add at the end of the title I of the bill the following:

**SEC. ___. OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.**

If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System, the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits under section 127(a) of title 23, United States Code, and the width limitation under section 31113(a) of title 49, United States Code, shall not apply to that segment with respect to the operation of any vehicle that may have legally operated on that segment before the date of the designation.

At the end of subtitle D of title I of Division A, insert the following:

**SEC. ____. PROJECTS FOR PUBLIC SAFETY RELATING TO IDLING TRAINS.**

Section 130(a) of title 23, United States Code, is amended by striking ''and the relocation of highways to eliminate grade crossings'' and inserting ''the relocation of highways to eliminate grade crossings, and projects to eliminate hazards posed by blocked grade crossings due to idling trains''.

At the end of subtitle D of title I of division A, add the following:

**SEC. ___. EXEMPTIONS FROM REQUIREMENTS FOR CERTAIN WELDING TRUCKS USED IN PIPELINE INDUSTRY.**

(a) COVERED MOTOR VEHICLE DEFINED.—In this section, the term ''covered motor vehicle'' means a motor vehicle that—

(1) is traveling in the State in which the vehicle is registered or another State;

(2) is owned by a welder;

(3) is a pick-up style truck;

(4) is equipped with a welding rig that is used in the construction or maintenance of pipelines; and

(5) has a gross vehicle weight and combination weight rating and weight of 15,000 pounds or less.

(b) FEDERAL REQUIREMENTS.—A covered motor vehicle, including the individual operating such vehicle and the employer of such individual, shall be exempt from the following:

(1) Any requirement relating to registration as a motor carrier, including the requirement to obtain and display a Department of Transportation number, established under chapters 139 and 311 of title 49, United States Code.

(2) Any requirement relating to driver qualifications established under chapter 311 of title 49, United States Code.

(3) Any requirement relating to driving of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(4) Any requirement relating to parts and accessories and inspection, repair, and maintenance of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(5) Any requirement relating to hours of service of drivers, including maximum driving and on duty time, established under chapter 315 of title 49, United States Code.

At the end of title I of division A, add the following:

**SEC. ___. WAIVER.**

(a) IN GENERAL.—The Secretary shall waive, for a covered logging vehicle, the application of any vehicle weight limit established under section 127 of title 23, United States Code.

(b) COVERED LOGGING VEHICLE DEFINED.—In this section, the term ''covered logging vehicle'' means a vehicle that—

(1) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

(2) has a gross vehicle weight of not more than 99,000 pounds;

(3) has not less than 6 axles; and

(4) is operating on a segment of Interstate Route 35 in Minnesota from mile marker 235.4 to mile marker 259.552.

Page 241, line 10, strike ''and''.

Page 241, after line 10, insert the following:

(2) by amending paragraph (3)(I) to read as follows:

''(I) the provision of nonfixed route paratransit transportation services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only for grant recipients that are in compliance with applicable requirements of that Act, including both fixed route and demand responsive service, and only for amounts—

''(i) not to exceed 10 percent of such recipient's annual formula apportionment under sections 5307 and 5311; or

''(ii) not to exceed 20 percent of such recipient's annual formula apportionment under sections 5307 and 5311, if consistent with guidance issued by the Secretary, the recipient demonstrates that the recipient meets at least one of the following requirements:

''(I) Provides an active fixed route travel training program that is available for riders with disabilities.

''(II) Provides that all fixed route and paratransit operators participate in a passenger safety, disability awareness, and sensitivity training class on at least a biennial basis.

''(III) Has memoranda of understanding in place with employers and American Job Centers to increase access to employment opportunities for people with disabilities.''.

Page 248, beginning on line 6, strike ''or general public demand response service'' and insert ''or demand response service, excluding ADA complementary paratransit service.''.

Page 252, strike lines 14 through 19 and insert the following: ''exceed 80 percent of the net capital project cost. A full funding grant agreement for a new fixed guideway project shall not include a share of more than 50 percent from the funds made available under this section. Funds made available under section 133 of title 23, United States Code, may not be used for a grant agreement under subsection (d). A grant for a core capacity project shall not exceed 80 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor. A grant for a small start project shall not exceed 80 percent of the net capital project costs.''; and

Page 263, line 18, strike ''minority, and female'' and insert the following: ''female, individual with a disability, minority (including American Indian or Alaska Native, Asian, Black or African American, native Hawaiian or other Pacific Islander, and Hispanic)''.

Page 268, line 14, strike ''and''.

Page 268, line 17, strike the period and insert a semicolon and after such line insert the following:

''(iv) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from any such program;

''(v) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from any such program;

''(vi) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from any such program;

''(vii) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from any such program; and

''(viii) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.''.

Page 267, line 25, strike ''and''.

Page 268, line 4, strike the period and insert a semicolon and after such line insert the following:

''(x) address in-demand industry sector or occupation, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).''.

Page 314, after line 15, insert the following new subsection:

(d) REPORT.—The Council shall, concurrently with submission to the President of a report containing final recommendations of the Council, transmit such report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

At the end of title III of division A, add the following:

**SEC. _____. EFFECTIVENESS OF PUBLIC TRANSPORTATION CHANGES AND FUNDING.**

Not later than 18 months after the date of enactment of this Act, the Comptroller General shall examine and evaluate the impact of the changes that Map-21 had on public transportation, including—

(1) the ability and effectiveness of public transportation agencies to provide public transportation to low-income workers in accessing jobs and being able to use reverse commute services;

(2) whether services to low-income riders declined after Map-21 was implemented; and

(3) if guidance provided by the Federal Transit Administration encouraged public transportation agencies to maintain and support services to low-income riders to allow them to access jobs, medical services, and other life necessities.

Page 466, after line 21, insert the following:

(a) AUTOMOBILE TRANSPORTER DEFINED.—Section 31111(a)(1) of title 49, United States Code, is amended—

(1) by striking ''specifically''; and

(2) by adding at the end the following: ''An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it complies with weight limitations for a truck tractor and semitrailer combination.''.

(b) TRUCK TRACTOR DEFINED.—Section 31111(a)(3)(B) of title 49, United States Code, is amended—

(1) by striking ''only''; and

(2) by inserting before the period at the end the following: ''or any other commodity, including cargo or general freight on a backhaul''.

(c) BACKHAUL DEFINED.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(5) BACKHAUL.—The term 'backhaul' means the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route.''.

Page 466, line 22, insert ''(d) STINGER-STEERED AUTOMOBILE TRANSPORTERS.—'' before ''Section''.

Page 322, strike line 8 and insert the following:

''(vii) support for school-based driver's education classes to improve teen knowledge about—

''(I) safe driving practices; and

''(II) State's graduated driving license requirements, including behind-the-wheel training required to meet those requirements; and''.

At the end of subtitle E of title V of Division A of the bill, add the following:

**SEC. _____. COMMERCIAL DELIVERY OF LIGHT- AND MEDIUM-DUTY TRAILERS.**

(a) DEFINITIONS.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(5) TRAILER TRANSPORTER TOWING UNIT.—The term 'trailer transporter towing unit' means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

''(6) TOWAWAY TRAILER TRANSPORTER COMBINATION.—The term 'towaway trailer transporter combination' means a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers—

''(A) with a total weight that does not exceed 26,000 pounds; and

''(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor or dealer of such trailers or semitrailers.''.

(b) GENERAL LIMITATIONS.—Section 31111(b)(1) of such title is amended—

(1) in subparagraph (E) by striking ''or'' at the end;

(2) in subparagraph (F) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.''.

(c) CONFORMING AMENDMENTS.—

(1) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112(a)(1) of such title is amended by inserting before the period at the end the following: '', but not including a trailer or a semitrailer transported as part of a towaway trailer transporter combination, as defined in section 31111(a)''.

(2) ACCESS TO INTERSTATE SYSTEM.—Section 31114(a)(2) of such title is amended by inserting ''any towaway trailer transporter combination, as defined in section 31111(a),'' after ''passengers,''.

At the end of subtitle E of title V, insert the following new section:

**SEC. 5515. GAO REVIEW OF SCHOOL BUS SAFETY.**

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

Page 524, line 12, after ''challenges'' insert '', including consumer privacy protections''.

Page 541, line 15, add at the end the following: ''In developing such regulations, the Secretary shall consult with States to determine whether there are safety hazards or concerns specific to a State that should be taken into account in developing the requirements for a comprehensive oil spill response plan.''

Page 571, line 3, redesignate section 7015 as section 7016.

Page 571, after line 2, insert after section 7014 the following new section:

**SEC. 7015. STUDY ON THE EFFICACY AND IMPLEMENTATION OF THE EUROPEAN TRAIN CONTROL SYSTEM.**

(a) IN GENERAL.—The Comptroller General of the United States shall, in consultation with other heads of Federal agencies as appropriate, conduct a study on the European Train Control System.

(b) ISSUES.—In conducting the study described in subsection (a), the Comptroller General shall examine, at a minimum, the following issues:

(1) The process by which the European Train Control System came to replace the more than 20 separate national train control systems throughout the European continent.

(2) The costs associated with implementing the European Train Control System across all affected railroads in Europe.

(3) The impact of the European Train Control System on operating capacity and rail passenger safety.

(4) The efficacy of the European Train Control System and the feasibility of implementing such a system throughout the national rail network of the United States.

(5) A comparison of the costs associated with adopting European Train Control System technology with the costs associated with developing and implementing Positive Train Control in the United States.

(c) REPORT.—Not later than 180 days after the date of the enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study described in subsection (a).

At the end of title VII, add the following:

**SEC. ____. HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.**

The Secretary shall allow a State, at the discretion of the State, to waive the requirement for a holder of a Class A commercial driver's license to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, if the license holder—

(1) is acting within the scope of the license holder's employment as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and

(2) is operating a service vehicle that is—

(A) transporting diesel in a quantity of 3,785 liters (1,000 gallons) or less; and

(B) clearly marked with a ''flammable'' or ''combustible'' placard, as appropriate.

Page 573, after line 11, add the following:

**SEC. ___. TRACK SAFETY: VERTICAL TRACK DEFLECTION.**

(a) REPORT.—Not later than March 31, 2016, the Secretary shall transmit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate detailing research conducted or procured by the Federal Railroad Administration on developing a system that measures Vertical Track Deflection (in this section referred to as ''VTD'') from a moving railroad car, including the ability of such a system to identify poor track support from fouled ballast, deteriorated cross ties, or other conditions.

(b) INCLUSIONS.—This report shall include—

(1) the findings and results of testing of VTD instrumentation during field trials on revenue service track;

(2) the findings and results of subsequent testing of VTD instrumentation on a Federal Railroad Administration Automated Track Inspection Program geometry car;

(3) if considered appropriate by the Secretary based on the report and related research, a plan for developing quantitative inspection criteria for poor track support using existing VTD instrumentation on Federal Railroad Administration Automated Track Inspection Program geometry cars; and

(4) if considered appropriate by the Secretary based on the report and related research, a plan for installing VTD instrumentation on all remaining Federal Railroad Administration Automated Track Inspection Program geometry cars within 3 years after the date of enactment of this Act.

At the end of title VII, add the following:

**SEC. _____. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.**

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials; and

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident.

(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

Page 550, strike line 24 and all that follows through page 551, line 4, and insert the following:

(A) $31,270,000 for fiscal year 2016.
(B) $36,537,670 for fiscal year 2017.
(C) $42,296,336 for fiscal year 2018.
(D) $47,999,728 for fiscal year 2019.
(E) $54,837,974 for fiscal year 2020.
(F) $61,656,407 for fiscal year 2021.

Insert after subtitle D of title XXXIV the following new subtitle:

**Subtitle E—Additional Motor Vehicle Provisions**

**SEC. 34501. REQUIRED REPORTING OF NHTSA AGENDA.**

Not later than December 1 of the year beginning after the date of enactment of this Act, and each year thereafter, the Administrator of the National Highway Traffic Safety Administration shall publish on the public website of the Administration, and file with the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual plan for the following calendar year detailing the Administration's projected activities, including—

(1) the Administrator's policy priorities;

(2) any rulemakings projected to be commenced;

(3) any plans to develop guidelines;

(4) any plans to restructure the Administration or to establish or alter working groups;

(5) any planned projects or initiatives of the Administration, including the working groups and advisory committees of the Administration; and

(6) any projected dates or timetables associated with any of the items described in paragraphs (1) through (5).

**SEC. 34502. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.**

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''10 calendar years'' and inserting ''15 calendar years''.

**SEC. 34503. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.**

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records required to be maintained by manufacturers under section 576.6 of title 49, Code of Federal Regulations, for a period of not less than 10 calendar years from the date on which they were generated or acquired by the manufacturer.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

**SEC. 34504. NONAPPLICATION OF PROHIBITIONS RELATING TO NONCOMPLYING MOTOR VEHICLES TO VEHICLES USED FOR TESTING OR EVALUATION.**

Section 30112(b) of title 49, United States Code, is amended—

(1) in paragraph (8), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

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

''(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing or evaluation by a manufacturer that prior to the date of enactment of this paragraph—

''(A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

''(B) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations;

''(C) if applicable, has identified an agent for service of process in accordance with part 551 of such title; and

''(D) agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation.''.

**SEC. 34505. TREATMENT OF LOW-VOLUME MANUFACTURERS.**

(a) EXEMPTION FROM VEHICLE SAFETY STANDARDS FOR LOW-VOLUME MANUFACTURERS.—Section 30114 of title 49, United States Code, is amended—

(1) by striking ''The'' and inserting ''(a) VEHICLES USED FOR PARTICULAR PURPOSES.—The''; and

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

''(b) EXEMPTION FOR LOW-VOLUME MANUFACTURERS.—

''(1) IN GENERAL.—The Secretary shall—

''(A) exempt from section 30112(a) of this title not more than 500 replica motor vehicles per year that are manufactured or imported by a low-volume manufacturer; and

''(B) except as provided in paragraph (4) of this subsection, limit any such exemption to the Federal Motor Vehicle Safety Standards applicable to motor vehicles and not motor vehicle equipment.

''(2) REGISTRATION REQUIREMENT.—To qualify for an exemption under paragraph (1), a low-volume manufacturer shall register with the Secretary at such time, in such manner, and under such terms that the Secretary determines appropriate. The Secretary shall establish terms that ensure that no person may register as a low-volume manufacturer if the person is registered as an importer under section 30141 of this title.

''(3) PERMANENT LABEL REQUIREMENT.—

''(A) IN GENERAL.—The Secretary shall require a low-volume manufacturer to affix a permanent label to a motor vehicle exempted under paragraph (1) that identifies the specified standards and regulations for which such vehicle is exempt from section 30112(a) and designates the model year such vehicle replicates.

''(B) WRITTEN NOTICE.—The Secretary may require a low-volume manufacturer of a motor vehicle exempted under paragraph (1) to deliver written notice of the exemption to—

''(i) the dealer; and

''(ii) the first purchaser of the motor vehicle, if the first purchaser is not an individual that purchases the motor vehicle for resale.

''(C) REPORTING REQUIREMENT.—A low-volume manufacturer shall annually submit a report to the Secretary including the number and description of the motor vehicles exempted under paragraph (1) and a list of the exemptions described on the label affixed under subparagraph (A).

''(4) EFFECT ON OTHER PROVISIONS.—Any motor vehicle exempted under this subsection shall also be exempted from sections 32304, 32502, and 32902 of this title and from section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

''(5) LIMITATION AND PUBLIC NOTICE.—The Secretary shall have 60 days to review and approve a registration submitted under paragraph (2). Any registration not approved or denied within 60 days after submission shall be deemed approved. The Secretary shall have the authority to revoke an existing registration based on a failure to comply with requirements set forth in this subsection. The registrant shall be provided a reasonable opportunity to correct all deficiencies, if such are correctable based on the sole discretion of the Secretary. An exemption granted by the Secretary to a low-volume manufacturer under this subsection may not be transferred to any other person, and shall expire at the end of the calendar year for which it was granted with respect to any volume authorized by the exemption that was not applied by the low-volume manufacturer to vehicles built during that calendar year. The Secretary shall maintain an up-to-date list of registrants on an annual basis and publish such list in the Federal Register or on a website operated by the Secretary.

''(6) LIMITATION OF LIABILITY FOR ORIGINAL MANUFACTURERS, LICENSORS OR OWNERS OF PRODUCT CONFIGURATION, TRADE DRESS, OR DESIGN PATENTS.—The original manufacturer, its successor or assignee, or current owner, who grants a license or otherwise transfers rights to a low-volume manufacturer shall incur no liability to any person or entity under Federal or State statute, regulation, local ordinance, or under any Federal or State common law for such license or assignment to a low-volume manufacturer.

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

''(A) LOW-VOLUME MANUFACTURER.—The term 'low-volume manufacturer' means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production is not more than 5,000 motor vehicles.

''(B) REPLICA MOTOR VEHICLE.—The term 'replica motor vehicle' means a motor vehicle produced by a low-volume manufacturer and that—

''(i) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the replica motor vehicle; and

''(ii) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.''.

(b) VEHICLE EMISSION COMPLIANCE STANDARDS FOR LOW-VOLUME MOTOR VEHICLE MANUFACTURERS.—Part A of title II of the Clean Air Act (42 U.S.C. 7521 et seq.) is amended—

(1) in section 206(a) by adding at the end the following new paragraph:

''(5)(A) A motor vehicle engine (including all engine emission controls) from a motor vehicle that has been granted a certificate of conformity by the Administrator for the model year in which the motor vehicle is assembled, or a motor vehicle engine that has been granted an Executive order subject to regulations promulgated by the California Air Resources Board for the model year in which the motor vehicle is assembled, may be installed in an exempted specially produced motor vehicle, if—

''(i) the manufacturer of the engine supplies written instructions explaining how to install the engine and maintain functionality of the engine's emission control system and the on-board diagnostic system (commonly known as 'OBD II'), except with respect to evaporative emissions diagnostics;

''(ii) the manufacturer of the exempted specially produced motor vehicle installs the engine in accordance with such instructions; and

''(iii) the installation instructions include emission control warranty information from the engine manufacturer in compliance with section 207, including where warranty repairs can be made, emission control labels to be affixed to the vehicle, and the certificate of conformity number for the applicable vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

''(B) A motor vehicle containing an engine compliant with the requirements of subparagraph (A) shall be treated as meeting the requirements of section 202 applicable to new vehicles manufactured or imported in the model year in which the exempted specially produced motor vehicle is assembled.

''(C) Engine installations that are not performed in accordance with installation instructions provided by the manufacturer and alterations to the engine not in accordance with the installation instructions shall—

''(i) be treated as prohibited acts by the installer under section 203; and

''(ii) subject to civil penalties under the first and third sentences of section 205(a), civil actions under section 205(b), and administrative assessment of penalties under section 205(c).

''(D) The manufacturer of an exempted specially produced motor vehicle that has an engine compliant with the requirements of subparagraph (A) shall provide to the purchaser of such vehicle all information received by the manufacturer from the engine manufacturer, including information regarding emissions warranties from the engine manufacturer and all emissions-related recalls by the engine manufacturer.

''(E) To qualify to install an engine under this paragraph, a manufacturer of exempted specially produced motor vehicles shall register with the Administrator at such time and in such manner as the Administrator determines appropriate. The manufacturer shall submit an annual report to the Administrator that includes—

''(i) a description of the exempted specially produced motor vehicles and engines installed in such vehicles; and

''(ii) the certificate of conformity number issued to the motor vehicle in which the engine was originally intended or the applicable Executive order number for the engine.

''(F) Exempted specially produced motor vehicles compliant with this paragraph shall be exempted from—

''(i) motor vehicle certification testing under this section; and

''(ii) vehicle emission control inspection and maintenance programs required under section 110.

''(G) A person engaged in the manufacturing or assembling of exempted specially produced motor vehicles shall not be treated as a manufacturer for purposes of this Act by virtue of such manufacturing or assembling, so long as such person complies with subparagraphs (A) through (E).''; and

(2) in section 216 by adding at the end the following new paragraph:

''(12) EXEMPTED SPECIALLY PRODUCED MOTOR VEHICLE.—The term 'exempted specially produced motor vehicle' means a replica motor vehicle that is exempt from specified standards pursuant to section 30114(b) of title 49, United States Code.''.

(c) IMPLEMENTATION.—Not later than 12 months after the date of enactment of this Act, the Secretary of Transportation and the Administrator of the Environmental Protection Agency shall issue such regulations as may be necessary to implement the amendments made by subsections (a) and (b), respectively.

**SEC. 34506. NO LIABILITY ON THE BASIS OF NHTSA MOTOR VEHICLE SAFETY GUIDELINES.**

Section 30111 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(f) NO LIABILITY ON THE BASIS OF MOTOR VEHICLE SAFETY GUIDELINES ISSUED BY THE SECRETARY.—(1) No guidelines issued by the Secretary with respect to motor vehicle safety shall provide a basis for or evidence of liability in any action against a defendant whose practices are alleged to be inconsistent with such guidelines. A person who is subject to any such guidelines may use an alternative approach to that set forth in such guidelines that complies with any requirement in a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation.

''(2) No such guidelines shall confer any rights on any person nor shall operate to bind the Secretary or any person who is subject to such guidelines to the approach recommended in such guidelines. In any enforcement action with respect to motor vehicle safety, the Secretary must prove a violation of a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation. The Secretary may not build a case against or negotiate a consent order with

any person based in whole or in part on practices of the person that are alleged to be inconsistent with any such guidelines.

''(3) A defendant may use compliance with any such guidelines as evidence of compliance with the provision of this subtitle, motor vehicle safety standard issued under this subtitle, or other statute or regulation under which such guidelines were developed.''.

Page 563, line 15, insert ''primarily'' before ''engaged''.

At the end of subtitle B of title XXXIV of division C, add the following:

**SEC. 34216. AVAILABILITY OF CERTAIN INFORMATION ON MOTOR VEHICLE EQUIPMENT.**

Section 30118 of title 49, United States Code, is amended by adding at the end the following:

''(f) INFORMATION ON DEFECTIVE OR NONCOMPLIANT PARTS.—

''(1) PROVISION OF INFORMATION BY SUPPLIERS.—A supplier of parts that are determined to be defective or noncompliant by the Secretary under subsection (a) or (b) shall identify all parts that are subject to the recall and provide to the Secretary and each affected manufacturer, not later than 3 business days after receiving notification of the determination, for each affected part—

''(A) all part names;

''(B) all part numbers; and

''(C) a description of the part.

''(2) PROVISION OF INFORMATION BY MANUFACTURERS.—Upon receipt of notification of a determination by the Secretary under subsection (a) or (b) or notification from a supplier of parts under paragraph (1), a manufacturer of motor vehicles shall—

''(A) identify the vehicle identification number for each affected vehicle; and

''(B) not later than 5 business days after receiving such notification, provide to the Secretary, in a searchable format determined by the Secretary—

''(i) the vehicle identification numbers identified under subparagraph (A); and

''(ii) the specific part names, numbers, and descriptions used by the manufacturer for all affected parts the sale or lease of which is prohibited by section 30120(j).

''(3) AVAILABILITY OF INFORMATION ON THE INTERNET.—In the case of information provided by a manufacturer under paragraph (2)(B), the Secretary shall make such information available, or require the manufacturer to make such information available, on an Internet website that may be accessed by any person who sells or leases motor vehicle equipment for purposes of assisting such person in complying with section 30120(j). Such information shall be made available in real-time or near-real-time as provided under paragraph (2)(B) and at no cost to the person obtaining access.

''(g) INFORMATION ON ORIGINAL EQUIPMENT.—Not later than July 31, 2016, a manufacturer of motor vehicles shall make available on an Internet website information about the original equipment contained in such vehicles, which shall include—

''(1) all parts or component numbers for such equipment; and

''(2) specific part names and descriptions associated with each manufacturer vehicle identification number.''.

At the end of subtitle D of title XXXIV insert the following new part:

**PART IV—ALTERNATIVE FUEL VEHICLES**

**SEC. 34441. REGULATION PARITY FOR ELECTRIC AND NATURAL GAS VEHICLES.**

(a) IN GENERAL.—In promulgating regulations, the Administrator of the Environmental Protection Administration shall ensure that any preference or incentive provided to an electric vehicle is also provided to a natural gas vehicle.

(b) REVISION OF EXISTING REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall revise any regulations of the Administrator in existence as of that date concerning electric vehicles as necessary to ensure that the regulations conform to subsection (a).

Page 888, strike line 13 and all that follows through page 889, line 15 and insert the following:

**SEC. 51101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.**

(a) HIGHWAY TRUST FUND.-Section 9503 of the Internal Revenue Code of 1986 is amended-

(1) by striking ''November 21, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2021'', and

(2) by striking ''Surface Transportation Extension Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Reauthorization and Reform Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.-Sec-tion 9504 of the Internal Revenue Code of 1986 is amended-

(1) by striking ''Surface Transportation Extension Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Reauthorization and Reform Act of 2015'', and

(2) by striking ''November 21, 2015'' in subsection (d)(2) and inserting ''October 1, 2021''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.-Sec-tion 9508(e)(2) of the Internal Revenue Code of 1986 is amended by striking ''November 21, 2015'' and inserting ''October 1, 2021''.

(d) EFFECTIVE DATE.-The amendments made by this section shall take effect on November 21, 2015.

Page 892, line 19, strike ''redesignating'' and all that follows through ''paragraph (6)'' on line 20 and insert ''redesignating paragraph (8) as paragraph (10) and inserting after paragraph (7)''.

Page 892, line 22, strike ''(7)'' and insert ''(8)''.

Page 893, line 1, strike ''$34,401,000,000'' and insert ''$25,976,000,000''.

Page 893, line 4, strike ''$11,214,000,000'' and insert ''$9,000,000,000''.

Page 893, line 6, strike ''(8)'' and insert ''(9)''.

Page 895, line 7, strike ''section 9503(f)(8)'' and insert ''section 9503(f)(9)''.

Page 895, strike line 16 and all that follows through page 901, line 9.

Page 907, strike line 13 and all that follows through page 916, line 25.

Page 928, strike line 4 and all that follows through line 17.

Page 928, strike line 19 and all that follows through line 24.

Page 987, strike line 16 and all that follows through page 988, line 20.

Page 1004, strike line 7 and all that follows through page 1005, line 8.

Strike sections 52203 and 52205.

Insert after section 52202 the following:

**SEC. 52203. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.**

(a) ELIMINATION OF SURPLUS FUNDS.—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking ''AND SURPLUS FUNDS''; and

(B) in paragraph (2), by striking ''deposited in the surplus fund of the bank'' and inserting ''transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury''; and

(2) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) TRANSFER TO THE TREASURY.—The Federal reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

Page 942, strike lines 7 and 8 (and redesignate subsequent clauses accordingly).

Page 964, line 6, insert after ''the participating agencies'' the following: ''and the project sponsor''.

Page 964, line 7, strike ''and''.

Page 964, line 11, strike the period and insert the following: ''; and''

Page 964, after line 11, insert the following:

(III) in the case of a modification that would necessitate an extension of a final completion date under a permitting timetable established under subparagraph (A) to a date more than 30 days after the final completion date originally established under subparagraph (A), the facilitating or lead agency submits a request to modify the permitting timetable to the Executive Director, who shall consult with the project sponsor and make a determination on the record, based on consideration of the relevant factors described under subparagraph (B), whether to grant the facilitating or lead agency, as applicable, authority to make such modification.

Page 964, after line 15, insert the following:

(iii) LIMITATION ON LENGTH OF MODIFICATIONS.—

(I) IN GENERAL.—Except as provided in subclause (II), the total length of all modifications to a permitting timetable authorized or made under this subparagraph, other than for reasons outside the control of Federal, State, local, or tribal governments, may not extend the permitting timetable for a period of time greater than half of the amount of time from the establishment of the permitting timetable under subparagraph (A) to the last final completion date originally established under subparagraph (A).

(II) ADDITIONAL EXTENSIONS.—The Director of the Office of Management and Budget, after consultation with the project sponsor, may permit the Executive Director to authorize additional extensions of a permitting timetable beyond the limit prescribed by subclause (I). In such a case, the Director of the Office of Management and Budget shall transmit, not later than 5 days after making a determination to permit an authorization of extension under this subclause, a report to Congress explaining why such modification is required. Such report shall explain to Congress with specificity why the original permitting timetable and the modifications authorized by the Executive Director failed to be adequate. The lead or facilitating agency, as applicable, shall transmit to Congress, the Director of the Office of Management and Budget, and the Executive Director a supplemental report on progress toward the final completion date each year thereafter, until the permit review is completed or the project sponsor withdraws its notice or application or other request to which this title applies under section 61010.

(iv) LIMITATION ON JUDICIAL REVIEW.—The following shall not be subject to judicial review:

(I) A determination by the Executive Director under clause (i)(III).

(II) A determination under clause (iii)(II) by the Director of the Office of Management and Budget to permit the Executive Director to authorize extensions of a permitting timetable.

Amend the table of contents by inserting after the item pertaining to section 62001 the following:

TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS

Sec. 63001. Requirements regarding rule makings.

Page 988, insert after line 20 the following:

**TITLE LXIII—REQUIREMENTS REGARDING RULE MAKINGS**

**SEC. 63001. REQUIREMENTS REGARDING RULE MAKINGS.**

For each publication in the Federal Register required to be made by law and pertaining to a rule made to carry out this Act or the amendments made by this Act, the agency making the rule shall include in such publication a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online.

Page 12, after the item relating to section 62001, insert the following:

Sec. 62002. GAO report on refunds to registered vendors of kerosene used in noncommercial aviation.

Page 988, after line 20, insert the following:

**SEC. 62002. GAO REPORT ON REFUNDS TO REGISTERED VENDORS OF KEROSENE USED IN NONCOMMERCIAL AVIATION.**

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study regarding payments made to vendors of kerosene used in noncommercial aviation under section 6427(l)(4)(C)(ii) of the Internal Revenue Code of 1986, and

(2) submit to the appropriate committees of Congress a report describing the results of such study, which shall include estimates of—

(A) the number of vendors of kerosene used in noncommercial aviation who are registered under section 4101 of such Code,

(B) the number of vendors of kerosene used in noncommercial aviation who are not so registered,

(C) the number of vendors described in subparagraph (A) who receive payments under section 6427(l)(4)(C)(ii) of such Code,

(D) the excess of—

(i) the amount of payments which would be made under section 6427(l)(4)(C)(ii) of such Code if all vendors of kerosene used in noncommercial aviation were registered and filed claims for such payments, over

(ii) the amount of payments actually made under such section, and

(E) the number of cases of diesel truck operators fraudulently using kerosene taxed for use in aviation.

Page 12, after the item relating to section 62001, insert the following:

Sec. 62002. Determination of certain spending and tax burdens by State.

Page 988, after line 20, insert the following:

**SEC. 62002. DETERMINATION OF CERTAIN SPENDING AND TAX BURDENS BY STATE.**

(a) CALCULATION OF FEDERAL REVENUE CONTRIBUTIONS BY STATE.—

(1) IN GENERAL.—The Secretary of Treasury, acting through the Commissioner of the Internal Revenue Service, shall calculate the Federal tax burden of each State for each calendar year.

(2) CALCULATION OF FEDERAL TAX BURDEN.—For purposes of calculating the Federal tax burden of each State under paragraph (1), the Secretary shall—

(A) treat Federal taxes paid by an individual as a burden on the State in which such individual resides; and

(B) treat Federal taxes paid by a legal business entity as a burden on each State in which economic activity of such entity is performed in the same proportion that the economic activity of such entity in such State bears to the economic activity of such entity in all the States.

(3) REPORT.—Not later than the date that is 180 days after the beginning of each calendar year, the Secretary of the Treasury shall—

(A) submit to Congress a report containing the results of the calculations described in sections 1 and 2 with respect to such calendar year; and

(B) publish the report on a publicly accessible website of the Internal Revenue Service.

(b) ANNUAL REPORT ON THE FLOW OF TRANSPORTATION FUNDS BY STATE.—

(1) IN GENERAL.—Not later than the first Monday in February of each year, the Secretary of Transportation shall, in consultation with the Secretary of the Treasury, submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, and the Committee on Ways and Means of the House of Representatives a report that includes—

(A) a description of the total amount of the funds authorized by this Act which were obligated with respect to each State during the last ending fiscal year,

(B) a description of the total amount of revenue contributed from each State to the Highway Trust Fund during such fiscal year.

(2) DETERMINATION OF STATE AMOUNTS.—For purposes of this subsection—

(A) IN GENERAL.—the State with respect to which an amount is obligated and the State from which revenue is contributed shall be determined under principles similar to the principles for determining the Federal tax burden of each State under subsection (a).

(B) SPECIAL RULE FOR GENERAL FUND TRANSFERS.—For purposes of paragraph (1)(B), any transfer from the general fund of the Treasury to the Highway Trust Fund during any fiscal year shall be taken into account as revenue contributed from each State in proportion to each State's Federal tax burden (as determined under subsection (a)) for the calendar year in which such fiscal year began.

Add at the end the following:

**DIVISION J—FINANCIAL SERVICES**

**SEC. 1. TABLE OF CONTENTS.**

The table of contents for this division is as follows:



**TITLE I—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES**

**SEC. 101. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.**

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking ''21 days'' and inserting ''15 days''.

**SEC. 102. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.**

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: ''An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.''.

**SEC. 103. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.**

Section 102 of the Jumpstart Our Business Startups Act (Public Law 112–106) is amended by adding at the end the following:

''(d) SIMPLIFIED DISCLOSURE REQUIREMENTS.—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):

''(1) REQUIREMENT TO INCLUDE NOTICE ON FORMS S–1 AND F–1.—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Forms S–1 and F–1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or F–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.

''(2) RELIANCE BY ISSUERS.—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S–1 or Form F–1 may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or Form F–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.''.

## TITLE II—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

### SEC. 201. SUMMARY PAGE FOR FORM 10–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10–K (17 C.F.R. 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10–K to which such item relates.

### SEC. 202. IMPROVEMENT OF REGULATION S–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S–K (17 C.F.R. 229.10 et seq.)—

(1) to further scale or eliminate requirements of regulation S–K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;

(2) to eliminate provisions of regulation S–K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and

(3) for which the Commission determines that no further study under section 203 is necessary to determine the efficacy of such revisions to regulation S–K.

### SEC. 203. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S–K.

(a) STUDY.—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S–K (17 C.F.R. 229.10 et seq.). Such study shall—

(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;

(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and

(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.

(c) REPORT.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S–K in a manner that reduces the costs and burdens on companies while still providing all material information; and

(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.

(d) RULEMAKING.—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).

(e) RULE OF CONSTRUCTION.—Revisions made to regulation S–K by the Commission under section 202 shall not be construed as satisfying the rulemaking requirements under this section.

## TITLE III—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

### SEC. 301. TECHNICAL CORRECTIONS.

Title 31, United States Code, is amended—

(1) in section 5112—

(A) in subsection (q)—

(i) by striking paragraphs (3) and (8); and

(ii) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (3), (4), (5), and (6), respectively;

(B) in subsection (t)(6)(B), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''; and

(C) in subsection (v)—

(i) in paragraph (1), by striking ''Subject to'' and all that follows through ''the Secretary shall'' and inserting ''The Secretary shall'';

(ii) in paragraph (2)(A), by striking ''The Secretary'' and inserting ''To the greatest extent possible, the Secretary'';

(iii) in paragraph (5), by inserting after ''may issue'' the following: ''collectible versions of''; and

(iv) by striking paragraph (8); and

(2) in section 5132(a)(2)(B)(i), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''.

### SEC. 302. AMERICAN EAGLE SILVER BULLION 30TH ANNIVERSARY.

Proof and uncirculated versions of coins issued by the Secretary of the Treasury pursuant to subsection (e) of section 5112 of title 31, United States Code, during calendar year 2016 shall have a smooth edge incused with a designation that notes the 30th anniversary of the first issue of coins under such subsection.

## TITLE IV—SBIC ADVISERS RELIEF

### SEC. 401. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)) is amended—

(1) by striking ''No investment adviser'' and inserting the following:

''(1) IN GENERAL.—No investment adviser''; and

(2) by adding at the end the following:

''(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940).''.

### SEC. 402. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(m)) is amended by adding at the end the following:

''(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1).''.

### SEC. 403. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

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

(3) by adding at the end the following:

''(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.''.

## TITLE V—ELIMINATE PRIVACY NOTICE CONFUSION

### SEC. 501. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BLILEY ACT.

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:

''(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

''(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b), and

''(2) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section, shall not be required to provide an annual disclosure under this section until such time as the financial institution fails to comply with any criteria described in paragraph (1) or (2).''.

## TITLE VI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

### SEC. 601. EXEMPTED TRANSACTIONS.

(a) EXEMPTED TRANSACTIONS.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(7) transactions meeting the requirements of subsection (d).'';

(2) by redesignating the second subsection (b) (relating to securities offered and sold in compliance with Rule 506 of Regulation D) as subsection (c); and

(3) by adding at the end the following:

''(d) CERTAIN ACCREDITED INVESTOR TRANSACTIONS.—The transactions referred to in subsection (a)(7) are transactions meeting the following requirements:

''(1) ACCREDITED INVESTOR REQUIREMENT.—Each purchaser is an accredited investor, as that term is defined in section 230.501(a) of title 17, Code of Federal Regulations (or any successor regulation).

''(2) PROHIBITION ON GENERAL SOLICITATION OR ADVERTISING.—Neither the seller, nor any person acting on the seller's behalf, offers or sells securities by any form of general solicitation or general advertising.

''(3) INFORMATION REQUIREMENT.—In the case of a transaction involving the securities of an issuer that is neither subject to section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m; 78o(d)), nor exempt from reporting pursuant to section 240.12g3–2(b) of title 17, Code of Federal Regulations, nor a foreign government (as defined in section 230.405 of title 17, Code of Federal Regulations) eligible to register securities under Schedule B, the seller and a prospective purchaser designated by the seller obtain from the issuer, upon request of the seller, and the seller in all cases makes available to a prospective purchaser, the following information (which shall be reasonably current in relation to the date of resale under this section):

''(A) The exact name of the issuer and the issuer's predecessor (if any).

''(B) The address of the issuer's principal executive offices.

''(C) The exact title and class of the security.

''(D) The par or stated value of the security.

''(E) The number of shares or total amount of the securities outstanding as of the end of the issuer's most recent fiscal year.

''(F) The name and address of the transfer agent, corporate secretary, or other person responsible for transferring shares and stock certificates.

''(G) A statement of the nature of the business of the issuer and the products and services it offers, which shall be presumed reasonably current if the statement is as of 12 months before the transaction date.

''(H) The names of the officers and directors of the issuer.

''(I) The names of any persons registered as a broker, dealer, or agent that shall be paid or given, directly or indirectly, any commission or remuneration for such person's participation in the offer or sale of the securities.

''(J) The issuer's most recent balance sheet and profit and loss statement and similar financial statements, which shall—

''(i) be for such part of the 2 preceding fiscal years as the issuer has been in operation;

''(ii) be prepared in accordance with generally accepted accounting principles or, in the case of a foreign private issuer, be prepared in accordance with generally accepted accounting principles or the International Financial Reporting Standards issued by the International Accounting Standards Board;

''(iii) be presumed reasonably current if—

''(I) with respect to the balance sheet, the balance sheet is as of a date less than 16 months before the transaction date; and

''(II) with respect to the profit and loss statement, such statement is for the 12 months preceding the date of the issuer's balance sheet; and

''(iv) if the balance sheet is not as of a date less than 6 months before the transaction date, be accompanied by additional statements of profit and loss for the period from the date of such balance sheet to a date less than 6 months before the transaction date.

''(K) To the extent that the seller is a control person with respect to the issuer, a brief statement regarding the nature of the affiliation, and a statement certified by such seller that they have no reasonable grounds to believe that the issuer is in violation of the securities laws or regulations.

''(4) ISSUERS DISQUALIFIED.—The transaction is not for the sale of a security where the seller is an issuer or a subsidiary, either directly or indirectly, of the issuer.

''(5) BAD ACTOR PROHIBITION.—Neither the seller, nor any person that has been or will be paid (directly or indirectly) remuneration or a commission for their participation in the offer or sale of the securities, including solicitation of purchasers for the seller is subject to an event that would disqualify an issuer or other covered person under Rule 506(d)(1) of Regulation D (17 C.F.R. 230.506(d)(1)) or is subject to a statutory disqualification described under section 3(a)(39) of the Securities Exchange Act of 1934.

''(6) BUSINESS REQUIREMENT.—The issuer is engaged in business, is not in the organizational stage or in bankruptcy or receivership, and is not a blank check, blind pool, or shell company that has no specific business plan or purpose or has indicated that the issuer's primary business plan is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person.

''(7) UNDERWRITER PROHIBITION.—The transaction is not with respect to a security that constitutes the whole or part of an unsold allotment to, or a subscription or participation by, a broker or dealer as an underwriter of the security or a redistribution.

''(8) OUTSTANDING CLASS REQUIREMENT.—The transaction is with respect to a security of a class that has been authorized and outstanding for at least 90 days prior to the date of the transaction.

''(e) ADDITIONAL REQUIREMENTS.—

''(1) IN GENERAL.—With respect to an exempted transaction described under subsection (a)(7):

''(A) Securities acquired in such transaction shall be deemed to have been acquired in a transaction not involving any public offering.

''(B) Such transaction shall be deemed not to be a distribution for purposes of section 2(a)(11).

''(C) Securities involved in such transaction shall be deemed to be restricted securities within the meaning of Rule 144 (17 C.F.R. 230.144).

''(2) RULE OF CONSTRUCTION.—The exemption provided by subsection (a)(7) shall not be the exclusive means for establishing an exemption from the registration requirements of section 5.''.

(b) EXEMPTION IN CONNECTION WITH CERTAIN EXEMPT OFFERINGS.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) by redesignating the second subparagraph (D) and subparagraph (E) as subparagraphs (E) and (F), respectively;

(2) in subparagraph (E), as so redesignated, by striking ''; or'' and inserting a semicolon;

(3) in subparagraph (F), as so redesignated, by striking the period and inserting ''; or''; and

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

''(G) section 4(a)(7).''.

## TITLE VII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY

### SEC. 701. DISTRIBUTIONS AND RESIDUAL RECEIPTS.

Section 222 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4112) is amended by adding at the end the following new subsection:

''(e) DISTRIBUTION AND RESIDUAL RECEIPTS.—

''(1) AUTHORITY.—After the date of the enactment of this subsection, the owner of a property subject to a plan of action or use agreement pursuant to this section shall be entitled to distribute—

''(A) annually, all surplus cash generated by the property, but only if the owner is in material compliance with such use agreement including compliance with prevailing physical condition standards established by the Secretary; and

''(B) notwithstanding any conflicting provision in such use agreement, any funds accumulated in a residual receipts account, but only if the owner is in material compliance with such use agreement and has completed, or set aside sufficient funds for completion of, any capital repairs identified by the most recent third party capital needs assessment.

''(2) OPERATION OF PROPERTY.—An owner that distributes any amounts pursuant to paragraph (1) shall—

''(A) continue to operate the property in accordance with the affordability provisions of the use agreement for the property for the remaining useful life of the property;

''(B) as required by the plan of action for the property, continue to renew or extend any project-based rental assistance contract for a term of not less than 20 years; and

''(C) if the owner has an existing multi-year project-based rental assistance contract for less than 20 years, have the option to extend the contract to a 20-year term.''.

### SEC. 702. FUTURE REFINANCINGS.

Section 214 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4104) is amended by adding at the end the following new subsection:

''(c) FUTURE FINANCING.—Neither this section, nor any plan of action or use agreement implementing this section, shall restrict an owner from obtaining a new loan or refinancing an existing loan secured by the project, or from distributing the proceeds of such a loan; except that, in conjunction with such refinancing—

''(1) the owner shall provide for adequate rehabilitation pursuant to a capital needs assessment to ensure long-term sustainability of the property satisfactory to the lender or bond issuance agency;

''(2) any resulting budget-based rent increase shall include debt service on the new financing, commercially reasonable debt service coverage, and replacement reserves as required by the lender; and

''(3) for tenants of dwelling units not covered by a project- or tenant-based rental subsidy, any rent increases resulting from the refinancing transaction may not exceed 10 percent per year, except that—

''(A) any tenant occupying a dwelling unit as of time of the refinancing may not be required to pay for rent and utilities, for the duration of such tenancy, an amount that exceeds the greater of—

''(i) 30 percent of the tenant's income; or

''(ii) the amount paid by the tenant for rent and utilities immediately before such refinancing; and

''(B) this paragraph shall not apply to any tenant who does not provide the owner with proof of income.

Paragraph (3) may not be construed to limit any rent increases resulting from increased operating costs for a project.''.

### SEC. 703. IMPLEMENTATION.

The Secretary of Housing and Urban Development shall issue any guidance that the Secretary considers necessary to carry out the provisions added by the amendments made by this title not later than the expiration of the 120-day period beginning on the date of the enactment of this Act.

## TITLE VIII—TENANT INCOME VERIFICATION RELIEF

### SEC. 801. REVIEWS OF FAMILY INCOMES.

(a) IN GENERAL.—The second sentence of paragraph (1) of section 3(a) of the United

States Housing Act of 1937 (42 U.S.C. 1437a(a)(1)) is amended by inserting before the period at the end the following: ''; except that, in the case of any family with a fixed income, as defined by the Secretary, after the initial review of the family's income, the public housing agency or owner shall not be required to conduct a review of the family's income for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, which shall include policies to adjust for inflation-based income changes, that 90 percent or more of the income of the family consists of fixed income, and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years''.

(b) HOUSING CHOICE VOUCHER PROGRAM.—Subparagraph (A) of section 8(o)(5) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(5)(A)) is amended by striking ''not less than annually'' and inserting ''as required by section 3(a)(1) of this Act''.

## TITLE IX—HOUSING ASSISTANCE EFFICIENCY

### SEC. 901. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.

Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting ''private nonprofit organization,'' after ''unit of general local government,''.

### SEC. 902. REALLOCATION OF FUNDS.

Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking ''twice'' and inserting ''once''.

## TITLE X—CHILD SUPPORT ASSISTANCE

### SEC. 1001. REQUESTS FOR CONSUMER REPORTS BY STATE OR LOCAL CHILD SUPPORT ENFORCEMENT AGENCIES.

Paragraph (4) of section 604(a) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(4)) is amended—

(1) in subparagraph (A), by striking ''or determining the appropriate level of such payments'' and inserting '', determining the appropriate level of such payments, or enforcing a child support order, award, agreement, or judgment'';

(2) in subparagraph (B)—

(A) by striking ''paternity'' and inserting ''parentage''; and

(B) by adding ''and'' at the end;

(3) by striking subparagraph (C); and

(4) by redesignating subparagraph (D) as subparagraph (C).

## TITLE XI—PRIVATE INVESTMENT IN HOUSING

### SEC. 1101. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') shall establish a demonstration program under which the Secretary may execute budget-neutral, performance-based agreements in fiscal years 2016 through 2019 that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision that—

(I) shall serve as a payment threshold for the term of the agreement; and

(II) requires that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section—

(I) shall be contingent on documented utility savings; and

(II) shall not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD-PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established pre-retrofit;

(ii) annual third-party confirmation of actual utility consumption and cost for utilities;

(iii) annual third-party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third-party determination of savings to the Secretary.

An agreement under this section with an entity shall provide that the entity shall cover costs associated with third-party verification under this subparagraph.

(2) TERMS OF PERFORMANCE-BASED AGREEMENTS.—A performance-based agreement under this section shall include—

(A) the period that the agreement will be in effect and during which payments may be made, which may not be longer than 12 years;

(B) the performance measures that will serve as payment thresholds during the term of the agreement;

(C) an audit protocol for the properties covered by the agreement;

(D) a requirement that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties; and

(E) such other requirements and terms as determined to be appropriate by the Secretary.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that, either jointly or individually, demonstrate significant experience relating to—

(i) financing or operating properties receiving assistance under a program identified in subsection (a);

(ii) oversight of energy or water conservation programs, including oversight of contractors; and

(iii) raising capital for energy or water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(5) PROPERTIES.—A property may only be included in the demonstration under this section only if the property is subject to affordability restrictions for at least 15 years after the date of the completion of any conservation improvements made to the property under the demonstration program. Such restrictions may be made through an extended affordability agreement for the property under a new housing assistance payments contract with the Secretary of Housing and Urban Development or through an enforceable covenant with the owner of the property.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations and Financial Services of the House of Representatives and the Committees on Appropriations and Banking, Housing, and Urban Affairs of the Senate a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

## TITLE XII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS

### SEC. 1201. PRIVATELY INSURED CREDIT UNIONS AUTHORIZED TO BECOME MEMBERS OF A FEDERAL HOME LOAN BANK.

(a) IN GENERAL.—Section 4(a) of the Federal Home Loan Bank Act (12 U.S.C. 1424(a)) is amended by adding at the end the following new paragraph:

''(5) CERTAIN PRIVATELY INSURED CREDIT UNIONS.—

''(A) IN GENERAL.—Subject to the requirements of subparagraph (B), a credit union shall be treated as an insured depository institution for purposes of determining the eligibility of such credit union for membership in a Federal home loan bank under paragraphs (1), (2), and (3).

''(B) CERTIFICATION BY APPROPRIATE SUPERVISOR.—

''(i) IN GENERAL.—For purposes of this paragraph and subject to clause (ii), a credit union which lacks Federal deposit insurance and which has applied for membership in a Federal home loan bank may be treated as meeting all the eligibility requirements for Federal deposit insurance only if the appropriate supervisor of the State in which the credit union is chartered has determined that the credit union meets all the eligibility requirements for Federal deposit insurance as of the date of the application for membership.

''(ii) CERTIFICATION DEEMED VALID.—If, in the case of any credit union to which clause (i) applies, the appropriate supervisor of the State in which such credit union is chartered fails to make a determination pursuant to such clause by the end of the 6-month period beginning on the date of the application, the credit union shall be deemed to have met the requirements of clause (i).

''(C) SECURITY INTERESTS OF FEDERAL HOME LOAN BANK NOT AVOIDABLE.—Notwithstanding any provision of State law authorizing a conservator or liquidating agent of a credit union to repudiate contracts, no such provision shall apply with respect to—

''(i) any extension of credit from any Federal home loan bank to any credit union which is a member of any such bank pursuant to this paragraph; or

''(ii) any security interest in the assets of such credit union securing any such extension of credit.

''(D) PROTECTION FOR CERTAIN FEDERAL HOME LOAN BANK ADVANCES.—Notwithstanding any State law to the contrary, if a Bank makes an advance under section 10 to a State-chartered credit union that is not federally insured—

''(i) the Bank's interest in any collateral securing such advance has the same priority and is afforded the same standing and rights that the security interest would have had if the advance had been made to a federally insured credit union; and

''(ii) the Bank has the same right to access such collateral that the Bank would have had if the advance had been made to a federally insured credit union.''.

(b) COPIES OF AUDITS OF PRIVATE INSURERS OF CERTAIN DEPOSITORY INSTITUTIONS REQUIRED TO BE PROVIDED TO SUPERVISORY AGENCIES.—Section 43(a)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(a)(2)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by inserting at the end the following new clause:

''(iii) in the case of depository institutions described in subsection (e)(2)(A) the deposits of which are insured by the private insurer which are members of a Federal home loan bank, to the Federal Housing Finance Agency, not later than 7 days after the audit is completed.''.

**SEC. 1202. GAO REPORT.**

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to Congress—

(1) on the adequacy of insurance reserves held by a private deposit insurer that insures deposits in an entity described in section 43(e)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(e)(2)(A)); and

(2) for an entity described in paragraph (1) the deposits of which are insured by a private deposit insurer, information on the level of compliance with Federal regulations relating to the disclosure of a lack of Federal deposit insurance.

## TITLE XIII—SMALL BANK EXAM CYCLE REFORM

**SEC. 1301. SMALLER INSTITUTIONS QUALIFYING FOR 18-MONTH EXAMINATION CYCLE.**

Section 10(d) of the Federal Deposit Insurance Act (12 U.S.C. 1820(d)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''$500,000,000'' and inserting ''$1,000,000,000''; and

(B) in subparagraph (C)(ii), by striking ''$100,000,000'' and inserting ''$200,000,000''; and

(2) in paragraph (10)—

(A) by striking ''$100,000,000'' and inserting ''$200,000,000''; and

(B) by striking ''$500,000,000'' and inserting ''$1,000,000,000''.

## TITLE XIV—SMALL COMPANY SIMPLE REGISTRATION

**SEC. 1401. FORWARD INCORPORATION BY REFERENCE FOR FORM S–1.**

Not later than 45 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise Form S–1 so as to permit a smaller reporting company (as defined in section 230.405 of title 17, Code of Federal Regulations) to incorporate by reference in a registration statement filed on such form any documents that such company files with the Commission after the effective date of such registration statement.

## TITLE XV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION

**SEC. 1501. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.**

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 12(g)—

(A) in paragraph (1)(B), by inserting after ''is a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(B) in paragraph (4), by inserting after ''case of a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(2) in section 15(d), by striking ''case of bank'' and inserting the following: ''case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act).''.

Page 1032, after line 4, add the following:

## DIVISION J—ENERGY SECURITY

**SEC. 99001. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.**

(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and effective ways for industry and government to communicate to address energy supply disruptions.

(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—

(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;

(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;

(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;

(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;

(5) facilitate and increase engagement among States, the oil and natural gas industry, and the Department in developing State and local energy assurance plans;

(6) establish routine education and training programs for key government emergency response positions with the Department and States; and

(7) involve States and the oil and natural gas industry in comprehensive drill and exercise programs.

(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.

**SEC. 99002. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.**

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

''(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).''.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.

**SEC. 99003. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.**

(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:

**''SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.**

''(a) DEFINITIONS.—For purposes of this section:

''(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms 'bulk-power system', 'Electric Reliability Organization', and 'regional entity' have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.

''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.

''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.

''(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'defense critical electric infrastructure' means any electric infrastructure located in the United States (including the territories) that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.

''(5) ELECTROMAGNETIC PULSE.—The term 'electromagnetic pulse' means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.

''(6) GEOMAGNETIC STORM.—The term 'geomagnetic storm' means a temporary disturbance of the Earth's magnetic field resulting from solar activity.

''(7) GRID SECURITY EMERGENCY.—The term 'grid security emergency' means the occurrence or imminent danger of—

''(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and

''(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or

''(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and

''(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—

''(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.

''(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.

''(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.

''(4) APPLICATION.—An order for emergency measures under this subsection may apply to—

''(A) the Electric Reliability Organization;

''(B) a regional entity; or

''(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.

''(5) EXPIRATION AND REISSUANCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.

''(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.

''(6) COST RECOVERY.—

''(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

''(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

''(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

''(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the United States (including the territories) that are—

''(1) critical to the defense of the United States; and

''(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary to—

''(A) designate information as critical electric infrastructure information;

''(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

''(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

''(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

''(i) Federal, State, political subdivision, and tribal authorities;

''(ii) the Electric Reliability Organization;

''(iii) regional entities;

''(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

''(v) owners, operators, and users of critical electric infrastructure in the United States; and

''(vi) other entities determined appropriate by the Commission.

''(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

''(4) PROTOCOLS.—The Commission shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

''(5) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical

electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(6) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

''(7) DISCLOSURE OF NONPROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

''(8) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission.

''(9) REMOVAL OF DESIGNATION.—The Commission shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

''(10) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), any determination by the Commission concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part thereof were improperly designated or not designated as critical electric infrastructure information.

''(e) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

''(f) CLARIFICATIONS OF LIABILITY.—

''(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

''(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

''(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2), takes such action or omission in a grossly negligent manner.''.

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting ''215A,'' after ''215,'' each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting ''215A,'' after ''215,''.

**SEC. 99004. STRATEGIC TRANSFORMER RESERVE.**

(a) FINDING.—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

(b) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—The term ''bulk-power system'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) CRITICALLY DAMAGED LARGE POWER TRANSFORMER.—The term ''critically damaged large power transformer'' means a large power transformer that—

(A) has sustained extensive damage such that—

(i) repair or refurbishment is not economically viable; or

(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and

(B) prior to sustaining such damage, was part of the bulk-power system.

(3) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act.

(4) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(5) EMERGENCY MOBILE SUBSTATION.—The term ''emergency mobile substation'' means a mobile substation or mobile transformer that is—

(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and

(B) intended for express deployment and capable of being rapidly placed into service.

(6) LARGE POWER TRANSFORMER.—The term ''large power transformer'' means a power transformer with a maximum nameplate rating of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(8) SPARE LARGE POWER TRANSFORMER.—The term ''spare large power transformer'' means a large power transformer that is stored within the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.

(c) STRATEGIC TRANSFORMER RESERVE PLAN.—

(1) PLAN.—Not later than one year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations.

(2) INCLUSIONS.—The Strategic Transformer Reserve plan shall include a description of—

(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—

(i) physical attack;

(ii) cyber attack;

(iii) electromagnetic pulse attack;

(iv) geomagnetic disturbances;

(v) severe weather; or

(vi) seismic events;

(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;

(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);

(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—

(i) the physical security of such locations;

(ii) the protection of the confidentiality of such locations; and

(iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;

(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—

(i) power and voltage rating for each winding;

(ii) overload requirements;

(iii) impedance between windings;

(iv) configuration of windings; and

(v) tap requirements;

(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—

(i) the cost of storage facilities;

(ii) the cost of the equipment; and

(iii) management, maintenance, and operation costs;

(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;

(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—

(i) transformer transportation weight;

(ii) transformer size;

(iii) topology of critical substations;

(iv) availability of appropriate transformer mounting pads;

(v) flexibility of the spare large power transformers as described in subparagraph (E); and

(vi) ability to rapidly transition a spare large power transformer from storage to energization;

(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;

(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;

(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;

(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;

(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;

(N) the domestic and international large power transformer supply chain;

(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and

(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.

(d) ESTABLISHMENT.—The Secretary may establish a Strategic Transformer Reserve in accordance with the plan prepared pursuant to subsection (c) after the date that is 6 months after the date on which such plan is submitted to Congress.

(e) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which could cause harm to critical electric infrastructure, shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records.

**SEC. 99005. ENERGY SECURITY VALUATION.**

(a) ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.—Not later than one year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate a report that develops recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—

(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;

(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on—

(A) consumers and the economy;

(B) energy supply diversity and resiliency;

(C) well-functioning and competitive energy markets;

(D) United States trade balance; and

(E) national security objectives; and

(3) include a recommended implementation strategy that identifies and aims to ensure that the procedures and criteria referred to in paragraph (2) are—

(A) evaluated consistently across the Federal Government; and

(B) weighed appropriately and balanced with environmental considerations required by Federal law.

(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

The SPEAKER pro tempore, Mr. BYRNE, announced that, pursuant to section 6 of House Resolution 512, a motion that the House agree in the amendment of the Senate to the text of H.R. 22 with an amendment is agreed to, and a motion that the House agree in the amendment of the Senate to the title of H.R. 22 is agreed to.

## ¶140.15 SECRETARY OF THE SENATE TO CORRECT ENROLLMENT OF S. 1356

Mr. THORNBERRY, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 90):

*Resolved by the House of Representatives (the Senate concurring),* That in the enrollment of the bill S. 1356, the Secretary of the Senate shall correct the title so as to read: ''An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said concurrent resolution.

## ¶140.16 ORDER OF BUSINESS—ON CONSIDERATION OF VETO MESSAGE OF H.R. 1735

On motion of Mr. THORNBERRY, by unanimous consent,

*Ordered,* Notwithstanding the special order of the House of October 21, 2015, the veto message of the President on the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, together with the accompanying bill, be referred to the Committee on Armed Services.

## ¶140.17 DEVELOPING A RELIABLE AND INNOVATIVE VISION FOR THE ECONOMY

On motion of Mr. SHUSTER, pursuant to House Resolution 512, the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; together with the House amendment to the amendment of the Senate thereto, was taken from the Speaker's table.

Mr. SHUSTER, pursuant to House Resolution 512, moved that the House insist upon its amendment and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

When said motion was considered.

After debate,

On motion of Mr. SHUSTER, the previous question was ordered.

The question being put, viva voce,

Will the House insist on its amendment and request a conference?

The SPEAKER pro tempore, Mr. BYRNE, announced that the ayes had it.

Mr. SHUSTER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 371 / Noes ..... 54

¶140.18 [Roll No. 624]

AYES—371

| | | |
|---|---|---|
| Abraham | Brownley (CA) | Costa |
| Adams | Buchanan | Costello (PA) |
| Aderholt | Bucshon | Courtney |
| Aguilar | Bustos | Cramer |
| Allen | Butterfield | Crawford |
| Amodei | Byrne | Crenshaw |
| Ashford | Calvert | Crowley |
| Babin | Capps | Cuellar |
| Barletta | Capuano | Culberson |
| Barr | Cárdenas | Cummings |
| Barton | Carson (IN) | Curbelo (FL) |
| Bass | Carter (GA) | Davis (CA) |
| Beatty | Carter (TX) | Davis, Danny |
| Becerra | Cartwright | Davis, Rodney |
| Benishek | Castor (FL) | DeGette |
| Bera | Castro (TX) | DeLauro |
| Beyer | Chaffetz | DelBene |
| Bilirakis | Chu, Judy | Denham |
| Bishop (GA) | Cicilline | Dent |
| Bishop (MI) | Clark (MA) | DeSantis |
| Bishop (UT) | Clarke (NY) | DeSaulnier |
| Black | Clay | Deutch |
| Blackburn | Cleaver | Diaz-Balart |
| Blum | Clyburn | Dingell |
| Blumenauer | Cohen | Doggett |
| Bonamici | Cole | Dold |
| Bost | Collins (GA) | Donovan |
| Boustany | Collins (NY) | Doyle, Michael F. |
| Boyle, Brendan F. | Comstock | Duckworth |
| Brady (PA) | Conaway | Duffy |
| Brady (TX) | Connolly | Duncan (TN) |
| Brooks (IN) | Conyers | Edwards |
| Brown (FL) | Cook | Ellison |
| | Cooper | |

Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young (AK)
Zeldin
Zinke

NOES—54

Amash
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Carney
Chabot
Clawson (FL)
Coffman
Delaney
DesJarlais
Duncan (SC)
Fleming
Flores
Franks (AZ)
Garrett
Gohmert
Gosar
Grothman
Harris
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Jones
Jordan
Labrador
Lummis
Massie
Meadows
Mulvaney
Neugebauer
Palmer
Pittenger
Pompeo
Posey
Ratcliffe
Roskam
Rouzer
Salmon
Sanford
Schweikert
Smith (TX)
Stutzman
Weber (TX)
Wenstrup
Yoder
Yoho
Young (IA)
Young (IN)

NOT VOTING—8

DeFazio
Ellmers (NC)
Jeffries
Meeks
Rush
Takai
Velázquez
Walker

So the motion to insist on the House amendment and request a conference was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶140.19 MOTION TO INSTRUCT CONFEREES—H.R. 22

Mr. HUFFMAN moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the amendment of the Senate to H.R. 22, be instructed to (1) agree to the provisions of the Senate amendment that establish the total amount of funding to be provided for each of fiscal years 2016 through 2021 out of the Highway Trust Fund for surface transportation programs; and (2) insist on section 1414(b) of the House amendment (relating to adjustments to contract authority).

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. BYRNE, announced that the noes had it.

Mr. HUFFMAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 179 / Nays ..... 239

¶140.20 [Roll No. 625]

YEAS—179

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

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce

| | | |
|---|---|---|
| Perry | Rouzer | Turner |
| Pittenger | Royce | Upton |
| Pitts | Russell | Valadao |
| Poe (TX) | Salmon | Walberg |
| Poliquin | Sanford | Walden |
| Pompeo | Scalise | Walker |
| Posey | Schweikert | Walorski |
| Price, Tom | Scott, Austin | Walters, Mimi |
| Ratcliffe | Sensenbrenner | Weber (TX) |
| Reed | Sessions | Webster (FL) |
| Reichert | Shimkus | Wenstrup |
| Renacci | Shuster | Westerman |
| Ribble | Simpson | Westmoreland |
| Rice (SC) | Smith (MO) | Whitfield |
| Rigell | Smith (NE) | Williams |
| Roby | Smith (NJ) | Wilson (SC) |
| Roe (TN) | Smith (TX) | Wittman |
| Rogers (AL) | Stefanik | Womack |
| Rogers (KY) | Stewart | Woodall |
| Rohrabacher | Stivers | Yoder |
| Rokita | Stutzman | Yoho |
| Rooney (FL) | Thompson (PA) | Young (AK) |
| Ros-Lehtinen | Thornberry | Young (IA) |
| Roskam | Tiberi | Young (IN) |
| Ross | Tipton | Zeldin |
| Rothfus | Trott | Zinke |

NOT VOTING—15

| | | |
|---|---|---|
| Cleaver | Ellmers (NC) | Payne |
| Coffman | Fattah | Rush |
| Cole | Hanna | Takai |
| DeFazio | Jeffries | Velázquez |
| Duncan (TN) | Meeks | Wagner |

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶140.21 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BYRNE, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, November 4, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BYRNE, announced that the ayes had it.

So the Journal was approved.

¶140.22 APPOINTMENT OF CONFEREES—H.R. 22

The SPEAKER pro tempore, Mr. BYRNE, by unanimous consent, appointed the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the House amendment to the amendment of the Senate to the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes: Messrs. SHUSTER, DUNCAN of Tennessee, GRAVES of Missouri, Mrs. MILLER of Michigan, Messrs. CRAWFORD, BARLETTA, FARENTHOLD, GIBBS, DENHAM, RIBBLE, PERRY, WOODALL, KATKO, BABIN, HARDY, GRAVES of Louisiana, DEFAZIO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Ms. Eddie Bernice JOHNSON of Texas, Messrs. CUMMINGS, LARSEN of Washington, CAPUANO, Mrs. NAPOLITANO, Messrs. LIPINSKI, COHEN, and SIRES.

*Ordered*, That the Clerk notify the Senate of the foregoing appointments.

¶140.23 COMMITTEE RESIGNATIONS—MAJORITY

The SPEAKER pro tempore, Mr. BYRNE, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, Nov. 5, 2015.*

Hon. PAUL D. RYAN,
*Speaker of the House, Washington, DC.*

DEAR SPEAKER RYAN: Due to my election to the Committee on Ways and Means, this letter is to inform you that I resign my seats on the Committees on the Budget, Small Business, and Transportation and Infrastructure.

Sincerely,

TOM RICE,
*Member of Congress.*

By unanimous consent, the resignations were accepted.

¶140.24 COMMITTEE ELECTION—MAJORITY

Ms. FOXX, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 517):

*Resolved*, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON WAYS AND MEANS: Mr. Brady of Texas, Chair, and Mr. Rice of South Carolina.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶140.25 PERMISSION TO FILE REPORTS

On motion of Ms. FOXX, by unanimous consent, the Committee on Financial Services was granted permission until 6 p.m. on Monday, November 9, 2015, to file its reports to accompany (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending; (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes; and (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes.

¶140.26 ADJOURNMENT OF THE HOUSE

Ms. FOXX submitted the following privileged concurrent resolution (H. Con. Res. 91):

*Resolved by the House of Representatives (the Senate concurring)*, That when the House adjourns on any legislative day from Thursday, November 5, 2015, through Thursday, November 12, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, November 16, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶140.27 ADJOURNMENT OVER

On motion of Mr. WOODALL, by unanimous consent,

*Ordered*, That when the House adjourns today, on a motion offered pursuant to this order, it adjourn to meet at 2 p.m. on Monday, November 9, 2015, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 91, in which case the House shall stand adjourned pursuant to that concurrent resolution, and further that the order of the House of January 6, 2015, regarding morning-hour debate not apply on Monday, November 9, 2015.

¶140.28 ADJOURNMENT OF THE TWO HOUSES

Mr. WOODALL submitted the following privileged concurrent resolution (H. Con. Res. 92):

*Resolved by the House of Representatives (the Senate concurring)*, That when the House adjourns on any legislative day from Thursday, November 5, 2015, through Thursday, November 12, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, November 16, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Tuesday, November 10, 2015, through Friday, November 13, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, November 16, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a

motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶140.29 ADJOURNMENT OVER

On motion of Mr. WOODALL, by unanimous consent,

*Ordered*, That when the House adjourns today, on a motion offered pursuant to this order, it adjourn to meet at 3 p.m. on Monday, November 9, 2015, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 92, in which case the House shall stand adjourned pursuant to that concurrent resolution.

And then,

¶140.30 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 2 o'clock p.m., the House adjourned until 3 p.m. on Monday, November 9, 2015, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 92, in which case the House shall stand adjourned pursuant to that concurrent resolution.

¶140.31 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1927. A bill to amend title 28, United States Code, to improve fairness in class action litigation; with an amendment (Rept. 114–328). Referred to the Committee of the Whole House on the state of the Union.

¶140.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. NEWHOUSE (for himself, Mr. SCHRADER, Mrs. MCMORRIS RODGERS, Mr. COLE, Mr. LAMALFA, Mr. REICHERT, Mr. STIVERS, Mr. UPTON, and Mr. WALDEN):

H.R. 3932. A bill to amend the Labor Management Relations Act, 1947, to provide for the mandatory appointment of a board of inquiry into slow-downs, strikes, or lock-outs when certain specified events occur, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONAWAY:

H.R. 3933. A bill to amend the Internal Revenue Code of 1986 to make permanent the expensing limitations and treatment of certain real property as section 179 property, and for other purposes; to the Committee on Ways and Means.

By Mr. POCAN (for himself, Ms. NORTON, Mr. GARAMENDI, Ms. LEE, Mr. ELLISON, and Mr. NADLER):

H.R. 3934. A bill to amend the Internal Revenue Code of 1986 to limit the interest deduction for excessive interest of members of financial reporting groups; to the Committee on Ways and Means.

By Mr. POCAN (for himself, Ms. NORTON, Mr. GARAMENDI, Ms. LEE, Mr. ELLISON, and Mr. NADLER):

H.R. 3935. A bill to amend the Internal Revenue Code of 1986 to terminate the deferral of active income of controlled foreign corporations; to the Committee on Ways and Means.

By Mr. COSTELLO of Pennsylvania (for himself and Mr. FITZPATRICK):

H.R. 3936. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program under which the Secretary carries out Veteran Engagement Team events where veterans can complete claims for disability compensation and pension under the laws administered by the Secretary, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BUTTERFIELD (for himself, Mrs. ELLMERS of North Carolina, Mr. JONES, Mr. PRICE of North Carolina, Ms. FOXX, Mr. WALKER, Mr. ROUZER, Mr. HUDSON, Mr. PITTENGER, Mr. MCHENRY, Mr. MEADOWS, Ms. ADAMS, and Mr. HOLDING):

H.R. 3937. A bill to designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the ''Judge Randy D. Doub United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. CÁRDENAS (for himself, Mr. LAMALFA, Mr. HUFFMAN, Mr. GARAMENDI, Mr. MCCLINTOCK, Mr. THOMPSON of California, Ms. MATSUI, Mr. BERA, Mr. COOK, Mr. MCNERNEY, Mr. DENHAM, Mr. DESAULNIER, Ms. LEE, Ms. SPEIER, Mr. SWALWELL of California, Mr. COSTA, Mr. HONDA, Ms. ESHOO, Ms. LOFGREN, Mr. FARR, Mr. VALADAO, Mrs. CAPPS, Mr. KNIGHT, Ms. BROWNLEY of California, Ms. JUDY CHU of California, Mr. SCHIFF, Mr. SHERMAN, Mr. AGUILAR, Mrs. NAPOLITANO, Mr. TED LIEU of California, Mr. BECERRA, Mrs. TORRES, Mr. RUIZ, Ms. BASS, Ms. LINDA T. SÁNCHEZ of California, Mr. ROYCE, Ms. ROYBAL-ALLARD, Mr. TAKANO, Mr. CALVERT, Ms. MAXINE WATERS of California, Ms. HAHN, Ms. LORETTA SANCHEZ of California, Mr. LOWENTHAL, Mr. ISSA, Mr. VARGAS, Mr. PETERS, Mrs. DAVIS of California, Mr. NUNES, Mr. ROHRABACHER, and Mr. HUNTER):

H.R. 3938. A bill to designate the facility of the United States Postal Service located at 6531 Van Nuys Boulevard in Van Nuys, California, as the ''Marilyn Monroe Post Office''; to the Committee on Oversight and Government Reform.

By Mr. GRIFFITH (for himself, Mr. ROE of Tennessee, Mr. KELLY of Pennsylvania, Mr. MOONEY of West Virginia, Mr. GOODLATTE, and Mr. JENKINS of West Virginia):

H.R. 3939. A bill to require that the workforce of the Environmental Protection Agency be reduced by 15 percent; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM PRICE of Georgia (for himself, Mrs. BLACK, Mrs. BLACKBURN, Mr. ROE of Tennessee, Mr. HARRIS, Mr. JENKINS of West Virginia, and Mr. HECK of Nevada):

H.R. 3940. A bill to amend title XVIII of the Social Security Act to authorize a blanket meaningful use significant hardship exception for the 2015 reporting period due to the delay in timely publication of the Stage 2 meaningful use rule; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE:

H.R. 3941. A bill to provide for emergency preparedness for energy supply disruptions; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER (for himself, Mr. SAM JOHNSON of Texas, Mr. DUNCAN of Tennessee, Mrs. BLACKBURN, Mr. WEBER of Texas, Mr. KELLY of Pennsylvania, Mr. HUNTER, Mr. KING of Iowa, Mr. WEBSTER of Florida, Mr. CHABOT, Mr. POE of Texas, Mr. POSEY, Mr. HARRIS, Mr. THOMPSON of Pennsylvania, and Mr. BARLETTA):

H.R. 3942. A bill to recognize that Christians and Yazidis in Iraq, Syria, Pakistan, Iran, Egypt, and Libya are targets of genocide, and to provide for the expedited processing of immigrant and refugee visas for such individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS:

H.R. 3943. A bill to amend the Public Health Service Act to provide loan repayment incentives for physician assistants, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BASS (for herself and Mr. HASTINGS):

H.R. 3944. A bill to amend the Higher Education Act of 1965 to improve education opportunities for physician assistants, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COFFMAN (for himself, Mr. CHABOT, Mr. MILLER of Florida, Ms. VELÁZQUEZ, Mr. HANNA, Mr. CONNOLLY, and Mr. MOULTON):

H.R. 3945. A bill to amend the Small Business Act and title 38, United States Code, to improve contracting opportunities for certain veteran-owned small businesses, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. AMODEI, Mr. BUCK, Mr. CRAMER, Mr.

COOK, Mr. FRANKS of Arizona, Mr. JONES, Mr. KING of Iowa, Mrs. LUMMIS, Mr. NUGENT, Mr. PEARCE, Mr. SALMON, Mr. STEWART, Mr. ZINKE, Mr. HARDY, Mr. DUNCAN of Tennessee, Mr. HUELSKAMP, Mr. LAMALFA, Mr. LAMBORN, Mr. MCHENRY, Ms. MCSALLY, Mr. SCHWEIKERT, Mr. NEWHOUSE, Mr. LABRADOR, Mr. BABIN, and Mr. RUSSELL):

H.R. 3946. A bill to amend section 320301 of title 54, United States Code, to protect private property rights and water rights from infringement as a result of the creation of national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. DEUTCH:

H.R. 3947. A bill to amend the Higher Education Act of 1965 and the Truth in Lending Act to clarify the application of prepayment and underpayment amounts on student loans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH:

H.R. 3948. A bill to amend the Truth in Lending Act to include requirements for the transfer of servicing of postsecondary education loans, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VEASEY (for himself, Ms. NORTON, Ms. JACKSON LEE, Ms. LEE, Mr. HONDA, Mr. CASTRO of Texas, Mr. RANGEL, Mr. CONYERS, Mr. MEEKS, Ms. MOORE, Mr. RUSH, Ms. KELLY of Illinois, and Mr. SWALWELL of California):

H.R. 3949. A bill to amend title 38, United States Code, to provide additional educational assistance under the Post-9/11 GI Bill for veterans pursuing a degree in science, technology, engineering, or math; to the Committee on Veterans' Affairs.

By Ms. ADAMS (for herself, Mr. TAKAI, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. VELÁZQUEZ, Mr. PAYNE, and Ms. JUDY CHU of California):

H.R. 3950. A bill to amend the Internal Revenue Code of 1986 to establish a small business start-up tax credit for veterans who have served overseas; to the Committee on Ways and Means.

By Mr. BERA:

H.R. 3951. A bill to establish in the Veterans Health Administration of the Department of Veterans Affairs the Office of Health Care Quality; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS (for himself, Mr. SCHIFF, and Ms. NORTON):

H.R. 3952. A bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself, Ms. WILSON of Florida, and Ms. FRANKEL of Florida):

H.R. 3953. A bill to designate the facility of the United States Postal Service located at 4122 Madison Street, Elfers, Florida, as the ''Private First Class Felton Roger Fussell Memorial Post Office''; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS:

H.R. 3954. A bill to amend title 38, United States Code, to provide for access to hospital care and medical services furnished by the Department of Veterans Affairs for certain members of the reserve components who received training at Camp Lejeune, North Carolina, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUM:

H.R. 3955. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the Administrator of the Federal Emergency Management Agency to release a local government from certain land restrictions imposed under the hazard mitigation program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BOST (for himself, Mr. COSTA, Mr. RODNEY DAVIS of Illinois, and Mr. SWALWELL of California):

H.R. 3956. A bill to direct the Secretary of Veterans Affairs to develop and implement a plan to hire directors of the medical centers of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BUCHANAN (for himself, Mr. ROONEY of Florida, Mr. ROSS, Mr. JOLLY, Mr. DIAZ-BALART, Ms. CASTOR of Florida, Mr. YOHO, Mr. CRENSHAW, Mr. CURBELO of Florida, Mr. BILIRAKIS, Mr. MURPHY of Florida, Mr. HASTINGS, and Ms. WASSERMAN SCHULTZ):

H.R. 3957. A bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mr. JONES, and Ms. MCCOLLUM):

H.R. 3958. A bill to provide for the issuance of a Veterans Health Care Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. RODNEY DAVIS of Illinois, and Mr. RYAN of Ohio):

H.R. 3959. A bill to support innovation, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Education and the Workforce, Energy and Commerce, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTRO of Texas (for himself, Mr. COFFMAN, and Mr. DENHAM):

H.R. 3960. A bill to provide for a survey regarding homeless female veterans, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO:

H.R. 3961. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE (for herself, Mr. POE of Texas, Ms. LOFGREN, Mr. BEYER, and Mr. BLUMENAUER):

H.R. 3962. A bill to describe the authority under which Federal entities may use mobile aerial-view devices to surveil, protect individual and collective privacy against warrantless governmental intrusion through the use of mobile aerial-view devices, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLD:

H.R. 3963. A bill to amend title 10, United States Code, to extend military commissary and exchange store privileges to certain veterans who have been awarded the Purple Heart and to their dependents; to the Committee on Armed Services.

By Ms. DUCKWORTH (for herself, Mr. COSTELLO of Pennsylvania, Mr. LANGEVIN, and Mr. THOMPSON of Pennsylvania):

H.R. 3964. A bill to amend the Higher Education Act of 1965 to expand the definition of eligible program; to the Committee on Education and the Workforce.

By Mr. GALLEGO (for himself, Mrs. KIRKPATRICK, Mr. SCHWEIKERT, Ms. ESHOO, Ms. NORTON, Mr. GRAYSON, Mr. QUIGLEY, Ms. CLARK of Massachusetts, Mr. LYNCH, Mr. CROWLEY, Mr. ISRAEL, Mr. MEEKS, Ms. MENG, Miss RICE of New York, and Mr. BEYER):

H.R. 3965. A bill to direct the Administrator of the Federal Aviation Administration to improve the process for establishing and revising flight paths and procedures, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRAYSON:

H.R. 3966. A bill to provide transportation of dependent patients relating to obstetrical anesthesia services; to the Committee on Armed Services.

By Mr. GRIJALVA (for himself, Mr. ELLISON, Ms. FUDGE, Mr. JEFFRIES, Ms. NORTON, Mr. TAKANO, Mr. VAN HOLLEN, Ms. KAPTUR, Mr. RICHMOND, Mr. CONYERS, Mr. PALLONE, Mr. HONDA, Mr. MCDERMOTT, Mr. POCAN, Ms. LEE, Ms. WILSON of Florida, Mr. NADLER, Mr. COHEN, Mr. FATTAH, and Mrs. LAWRENCE):

H.R. 3967. A bill to amend title 31, United States Code, to prohibit administrative offset of social security benefit payments with respect to claims arising from Federal student loans, and for other purposes; to the Committee on the Judiciary.

By Mr. GUINTA:

H.R. 3968. A bill to amend the Controlled Substances Act to allow the Attorney General to exempt a product from certain requirements if the Attorney General determines that it is not practical by processes known to be employed by clandestine laboratory operators to use the product in the illicit manufacture of methamphetamine; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK of Nevada (for himself, Mr. AMODEI, and Mr. HARDY):

H.R. 3969. A bill to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the ''Master Chief Petty Officer Jesse Dean Department of Veterans Affairs Community-Based Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. ISRAEL (for himself and Mr. ROONEY of Florida):

H.R. 3970. A bill to direct the Secretary of Veterans Affairs to establish a pilot grant program to acquire and renovate abandoned homes for homeless veterans; to the Committee on Veterans' Affairs.

By Mr. ISSA (for himself and Ms. DUCKWORTH):

H.R. 3971. A bill to amend titles 5 and 38, United States Code, to clarify the veteran status of an individual based on the attendance of the individual at a preparatory school of a service academy, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself, Mr. O'ROURKE, and Mr. MOULTON):

H.R. 3972. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to more effectively provide mental health resources for members of the Armed Forces and veterans at high risk of suicide, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. SENSENBRENNER):

H.R. 3973. A bill to reform the Federal Crop Insurance Act and reduce Federal spending on crop insurance; to the Committee on Agriculture.

By Ms. KUSTER (for herself and Mr. HECK of Nevada):

H.R. 3974. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LANGEVIN (for himself, Mr. COOK, and Ms. TITUS):

H.R. 3975. A bill to amend the Internal Revenue Code of 1986 to allow a credit for veteran first-time homebuyers and for adaptive housing and mobility improvements for disabled veterans, and for other purposes; to the Committee on Ways and Means.

By Mrs. LAWRENCE (for herself, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, and Ms. KELLY of Illinois):

H.R. 3976. A bill to amend title 10, United States Code, to require the provision of legal assistance to junior enlisted personnel of the Armed Forces and their dependents in connection with their personal civil legal affairs; to the Committee on Armed Services.

By Mr. LOWENTHAL (for himself, Mr. BEYER, Mr. BLUMENAUER, Mr. FARR, Ms. LEE, and Mr. TED LIEU of California):

H.R. 3977. A bill to amend the Internal Revenue Code of 1986 to impose a retail tax on carryout bags, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself, Mr. MCKINLEY, Mr. BEN RAY LUJÁN of New Mexico, and Mr. PEARCE):

H.R. 3978. A bill to amend title 38, United States Code, to establish an Ombudsman within the Veterans Health Administration of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. HONDA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. MCGOVERN):

H.R. 3979. A bill to amend title 38, United States Code, to include local government minimum wage requirements in determining the hourly minimum wage applicable for purposes of the work-study allowance under the educational assistance programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. NORCROSS (for himself and Mr. MACARTHUR):

H.R. 3980. A bill to eliminate the sunset date for the Veterans Choice Program of the Department of Veterans Affairs, to expand eligibility for such program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PASCRELL (for himself, Mr. BLUMENAUER, Mr. THOMPSON of California, and Mr. LARSON of Connecticut):

H.R. 3981. A bill to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, the Judiciary, Financial Services, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. RANGEL, Mr. HASTINGS, Mr. MARCHANT, Mr. BOUSTANY, Mr. PAYNE, and Mr. WILSON of South Carolina):

H.R. 3982. A bill to amend the Internal Revenue Code of 1986 to treat amounts paid for private umbilical cord blood or umbilical cord tissue, or placental blood or placental tissue, banking services as medical care expenses; to the Committee on Ways and Means.

By Mr. PETERS (for himself and Mr. SWALWELL of California):

H.R. 3983. A bill to provide for a report on the role of incubators and accelerators in the commercialization of federally funded research and regional economic development; to the Committee on Science, Space, and Technology.

By Mr. PITTS (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 3984. A bill to prevent diversion of funds from the Crime Victims Fund; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND (for himself and Mrs. LAWRENCE):

H.R. 3985. A bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants; to the Committee on Education and the Workforce.

By Mr. RICHMOND (for himself, Mr. RUSH, and Mr. ABRAHAM):

H.R. 3986. A bill to direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, and in consultation with the Secretary of Education and the President's Council on Fitness, Sports, and Nutrition, to conduct a study on the causes of deaths related to high school football and formulate recommendations to prevent such deaths; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SINEMA (for herself, Mr. VALADAO, Mr. MURPHY of Florida, Mrs. LOVE, Mr. POLIS, and Mr. CURBELO of Florida):

H.R. 3987. A bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States; to the Committee on the Judiciary.

By Ms. SPEIER (for herself, Mr. TAKANO, Mr. JONES, Mr. CARNEY, Ms. JUDY CHU of California, Mr. COURTNEY, Mr. CUMMINGS, Ms. DELAURO, Mr. ELLISON, Mr. FARR, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HIGGINS, Mr. HONDA, Ms. LEE, Mr. LIPINSKI, Ms. MCCOLLUM, Mr. MOULTON, Mr. PERLMUTTER, Ms. PINGREE, Mr. QUIGLEY, and Mr. RUSH):

H.R. 3988. A bill to count revenues from military and veteran education programs toward the limit on Federal revenues that certain proprietary institutions of higher education are allowed to receive for purposes of section 487 of the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK:

H.R. 3989. A bill to amend title 38, United States Code, to improve the process for determining the eligibility of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SWALWELL of California (for himself, Mr. GALLEGO, Mr. PETERS, Mr. JEFFRIES, Mr. KILMER, and Mr. MURPHY of Florida):

H.R. 3990. A bill to amend the Small Business Act to provide grants for university business incubators; to the Committee on Small Business.

By Mr. TAKANO (for himself, Mr. TAKAI, Mr. GIBSON, and Mr. COFFMAN):

H.R. 3991. A bill to amend title 38, United States Code, to provide veterans affected by school closures certain relief and restoration of educational benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MAXINE WATERS of California (for herself, Ms. LEE, Ms. HAHN, Ms. SCHAKOWSKY, Mr. HONDA, Mr. TAKANO, Mr. MCDERMOTT, Mr. AL GREEN of Texas, Mr. WELCH, Mr. BLUMENAUER, Mr. VAN HOLLEN, Ms. KAPTUR, Ms. JUDY CHU of California, Mrs. NAPOLITANO, Ms. EDWARDS, and Ms. SPEIER):

H.R. 3992. A bill to amend the Higher Education Act of 1965 to improve the determination of cohort default rates and provide for enhanced civil penalties, to ensure personal liability of owners, officers, and executives of institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida:

H.R. 3993. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina (for himself and Mr. TED LIEU of California):

H.R. 3994. A bill to direct the Administrator of the National Highway Traffic Safety Administration to conduct a study to determine appropriate cybersecurity standards for motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THORNBERRY:

H. Con. Res. 90. Concurrent resolution directing the Secretary of the Senate to make

a technical correction in the enrollment of S. 1356; considered and agreed to.

By Ms. FOXX:

H. Con. Res. 91. Concurrent resolution providing for a conditional adjournment of the House of Representatives; considered and agreed to.

By Mr. WOODALL:

H. Con. Res. 92. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Ms. FOXX:

H. Res. 517. A resolution electing Members to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. AL GREEN of Texas (for himself, Ms. ROS-LEHTINEN, Mr. HASTINGS, Mr. LEVIN, Ms. WILSON of Florida, Mr. COHEN, Mr. NADLER, Ms. WASSERMAN SCHULTZ, Mr. RANGEL, Mr. DAVID SCOTT of Georgia, and Mr. CLEAVER):

H. Res. 518. A resolution honoring and praising the American Jewish Committee (AJC) on the occasion of its 109th anniversary; to the Committee on Oversight and Government Reform.

By Mr. HONDA (for himself, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. CARSON of Indiana, Mr. LOWENTHAL, Ms. KAPTUR, Mr. GRIJALVA, Ms. LEE, Mrs. NAPOLITANO, Ms. SPEIER, Mrs. WATSON COLEMAN, Mr. LARSEN of Washington, Mrs. DINGELL, Ms. MOORE, Mr. ELLISON, Mr. SMITH of Washington, Mr. KEATING, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Mrs. LAWRENCE, Mr. MCNERNEY, Ms. SLAUGHTER, Mr. KILDEE, Ms. BROWNLEY of California, Ms. MCCOLLUM, Mr. GARAMENDI, Ms. LOFGREN, Mr. JOHNSON of Georgia, Ms. NORTON, Mr. RANGEL, Ms. JACKSON LEE, Ms. BROWN of Florida, Ms. BORDALLO, Mrs. BUSTOS, Mr. PETERS, Ms. EDWARDS, Mr. POCAN, Mr. SABLAN, Ms. ROYBAL-ALLARD, Ms. JUDY CHU of California, Ms. ESHOO, Mr. HASTINGS, Mr. YOUNG of Alaska, and Mr. SCOTT of Virginia):

H. Res. 519. A resolution supporting the ideals and goals of the ''International Day for the Elimination of Violence against Women''; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE (for herself, Ms. CLARKE of New York, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. FUDGE, and Mrs. WATSON COLEMAN):

H. Res. 520. A resolution expressing the sense of the House of Representatives that the Federal firearms laws should be rigorously enforced, that all appropriate measures should be taken to end the flood of unlawfully purchased firearms into our communities, and that adequate resources should be provided to accomplish such purposes; to the Committee on the Judiciary.

By Mr. LOEBSACK (for himself, Ms. LEE, Ms. CLARK of Massachusetts, Ms. MOORE, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. GRIJALVA, and Mr. HASTINGS):

H. Res. 521. A resolution expressing support for designation of the week beginning on November 9, 2015, as ''National School Psychology Week''; to the Committee on Education and the Workforce.

By Miss RICE of New York (for herself, Mr. POCAN, Ms. WILSON of Florida, and Mr. POLIS):

H. Res. 522. A resolution supporting the designation of November 1 through November 7, 2015, as ''National Apprenticeship Week''; to the Committee on Education and the Workforce.

By Mr. RYAN of Ohio (for himself, Ms. DEGETTE, and Mr. WHITFIELD):

H. Res. 523. A resolution supporting the goals and ideals of American Diabetes Month; to the Committee on Energy and Commerce.

## ¶140.33 MEMORIALS

Under clause 3 of rule XII,

148. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 87, urging the President and Congress of the United States to take action to halt the illegal dumping of foreign steel into the U.S. market; which was referred to the Committee on Ways and Means.

## ¶140.34 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. DINGELL introduced a bill (H.R. 3995) to authorize the President to award the Medal of Honor to Major Charles S. Kettles of the United States Army for acts of valor during the Vietnam War; which was referred to the Committee on Armed Services.

## ¶140.35 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. BISHOP of Michigan and Mr. BYRNE.
H.R. 244: Mr. WILLIAMS.
H.R. 347: Mr. MULLIN.
H.R. 465: Mr. FLEMING and Mr. GARRETT.
H.R. 592: Mr. KEATING.
H.R. 662: Mr. SMITH of Missouri.
H.R. 708: Mr. COSTELLO of Pennsylvania and Mr. BISHOP of Michigan.
H.R. 746: Ms. NORTON, Miss RICE of New York, Mr. FATTAH, Mr. GRAYSON, and Mr. RUSH.
H.R. 793: Mr. ROGERS of Kentucky and Mr. HINOJOSA.
H.R. 814: Mr. MARINO.
H.R. 833: Ms. CASTOR of Florida.
H.R. 885: Mrs. WATSON COLEMAN and Mr. RUSH.
H.R. 923: Mr. FLEMING.
H.R. 940: Mr. DENHAM.
H.R. 969: Mr. GUTIÉRREZ.
H.R. 990: Mr. ROSKAM.
H.R. 1019: Mr. MCDERMOTT and Mr. RANGEL.
H.R. 1142: Ms. BROWNLEY of California.
H.R. 1174: Mr. MCGOVERN, Mr. BARR, and Ms. GRAHAM.
H.R. 1197: Mr. JEFFRIES and Mr. KATKO.
H.R. 1209: Mr. LIPINSKI.
H.R. 1217: Mrs. KIRKPATRICK.
H.R. 1258: Mr. DENHAM.
H.R. 1301: Mr. GENE GREEN of Texas.
H.R. 1309: Mr. BRAT and Mr. BISHOP of Michigan.
H.R. 1356: Ms. LORETTA SANCHEZ of California.
H.R. 1399: Ms. KAPTUR, Mr. GARAMENDI, Ms. NORTON, and Mr. MILLER of Florida.
H.R. 1427: Ms. JENKINS of Kansas.
H.R. 1457: Ms. BASS and Mrs. BLACKBURN.
H.R. 1552: Ms. TITUS.
H.R. 1559: Mr. BARR.
H.R. 1567: Ms. TITUS.
H.R. 1568: Mr. RIBBLE.
H.R. 1571: Mr. PAYNE.
H.R. 1576: Mr. HUDSON.
H.R. 1652: Mrs. WATSON COLEMAN.
H.R. 1728: Mr. CARSON of Indiana, Mr. HIGGINS, and Ms. TITUS.
H.R. 1733: Ms. BASS.
H.R. 1769: Ms. EDWARDS, Mrs. WAGNER, Mr. TROTT, and Mr. FRELINGHUYSEN.
H.R. 1786: Mr. RUIZ, Mr. PIERLUISI, and Ms. BORDALLO.
H.R. 1818: Mr. PRICE of North Carolina.
H.R. 1859: Ms. ESHOO.
H.R. 1964: Mr. ASHFORD.
H.R. 1969: Ms. BONAMICI.
H.R. 2009: Ms. SINEMA.
H.R. 2050: Mr. DENHAM.
H.R. 2058: Mr. KLINE.
H.R. 2096: Mr. KELLY of Pennsylvania.
H.R. 2124: Ms. BROWN of Florida, Mr. NADLER, Mr. BEN RAY LUJÁN of New Mexico, Mr. RODNEY DAVIS of Illinois, and Mr. ASHFORD.
H.R. 2156: Mrs. KIRKPATRICK.
H.R. 2191: Mr. CASTRO of Texas.
H.R. 2205: Mr. AGUILAR, Mr. ABRAHAM, and Mrs. BLACK.
H.R. 2241: Mr. CICILLINE.
H.R. 2254: Mr. LOBIONDO and Mr. KENNEDY.
H.R. 2255: Mr. MILLER of Florida.
H.R. 2293: Mrs. KIRKPATRICK, Mr. BEN RAY LUJÁN of New Mexico, and Mr. CARSON of Indiana.
H.R. 2313: Mr. RODNEY DAVIS of Illinois.
H.R. 2342: Mr. LANGEVIN, Mr. POMPEO, and Mr. SWALWELL of California.
H.R. 2400: Mr. LONG and Mr. WILSON of South Carolina.
H.R. 2405: Ms. JENKINS of Kansas.
H.R. 2434: Mr. HASTINGS.
H.R. 2473: Mrs. CAROLYN B. MALONEY of New York, Mr. PITTENGER, and Mr. SHERMAN.
H.R. 2603: Mr. DESJARLAIS and Mr. COSTELLO of Pennsylvania.
H.R. 2671: Mr. PETERS.
H.R. 2672: Mr. PETERS.
H.R. 2673: Mr. PETERS.
H.R. 2698: Mrs. LOVE, Mr. BISHOP of Utah, and Ms. STEFANIK.
H.R. 2715: Mr. LARSON of Connecticut, Mr. CARSON of Indiana, and Ms. PINGREE.
H.R. 2717: Mr. POSEY.
H.R. 2797: Ms. MOORE.
H.R. 2799: Mr. PERLMUTTER.
H.R. 2805: Mr. DENT.
H.R. 2811: Mr. BEYER, Mr. BLUMENAUER, and Mr. MCDERMOTT.
H.R. 2855: Ms. MENG.
H.R. 2858: Ms. STEFANIK.
H.R. 2896: Mr. WEBSTER of Florida.
H.R. 2902: Mr. WALZ, Mr. SIRES, Mrs. DINGELL, Mr. MCDERMOTT, Ms. ESHOO, Mr. NEAL, and Ms. TITUS.
H.R. 2915: Mr. KING of New York.
H.R. 2957: Mr. LOWENTHAL.
H.R. 3048: Mr. HURD of Texas and Mr. CULBERSON.
H.R. 3061: Mr. DOGGETT and Ms. KAPTUR.
H.R. 3068: Ms. LOFGREN and Mr. CURBELO of Florida.
H.R. 3099: Ms. PINGREE and Ms. BONAMICI.
H.R. 3136: Mr. NEWHOUSE.
H.R. 3225: Mrs. KIRKPATRICK.
H.R. 3299: Mr. LONG and Mr. NUNES.
H.R. 3351: Ms. SCHAKOWSKY and Ms. MAXINE WATERS of California.
H.R. 3381: Mrs. TORRES and Mr. SWALWELL of California.
H.R. 3406: Mr. DELANEY.
H.R. 3427: Mr. CLEAVER.
H.R. 3471: Mr. POE of Texas.
H.R. 3516: Mr. EMMER of Minnesota and Mr. COLLINS of New York.
H.R. 3526: Mr. BEYER, Mrs. LOWEY, Mr. PRICE of North Carolina, and Mrs. NAPOLITANO.
H.R. 3556: Mr. HONDA.
H.R. 3608: Mr. COLLINS of New York.
H.R. 3638: Ms. FUDGE.
H.R. 3664: Mr. MARINO, Ms. LOFGREN, Ms. JUDY CHU of California, Mr. FARR, Mr. THOMPSON of California, Mr. PETERS, and Mr. LOWENTHAL.
H.R. 3667: Mr. WEBER of Texas.
H.R. 3681: Ms. MATSUI.
H.R. 3683: Ms. KELLY of Illinois, Mr. SABLAN, Mrs. CAROLYN B. MALONEY of New York, and Mr. CARTWRIGHT.

H.R. 3684: Mr. HONDA.
H.R. 3686: Mr. LUETKEMEYER.
H.R. 3696: Ms. LEE and Ms. LOFGREN.
H.R. 3705: Mr. HURT of Virginia.
H.R. 3706: Mr. MEEKS, Mr. MACARTHUR, Ms. SCHAKOWSKY, Mr. SMITH of Washington, and Mr. ASHFORD.
H.R. 3723: Mr. RODNEY DAVIS of Illinois.
H.R. 3750: Mr. MILLER of Florida and Mr. SCHWEIKERT.
H.R. 3761: Mr. TAKANO, Mr. CLAY, Mr. GRIJALVA, Ms. JUDY CHU of California, Mr. NORCROSS, Mr. GENE GREEN of Texas, Mr. TONKO, Mr. DEFAZIO, Mr. SCOTT of Virginia, Ms. ADAMS, Ms. BONAMICI, Mr. PETERSON, and Ms. LORETTA SANCHEZ of California.
H.R. 3784: Mr. SHERMAN.
H.R. 3785: Ms. CLARK of Massachusetts, Mr. JEFFRIES, and Mr. ENGEL.
H.R. 3805: Mr. SERRANO and Mr. GENE GREEN of Texas.
H.R. 3806: Mr. NEWHOUSE.
H.R. 3833: Ms. MENG and Mr. CARTWRIGHT.
H.R. 3842: Mr. MCCAUL.
H.R. 3845: Mrs. ROBY, Mr. RODNEY DAVIS of Illinois, Mr. MESSER, Mr. SMITH of Nebraska, and Mr. KING of Iowa.
H.R. 3863: Miss RICE of New York.
H.R. 3878: Mrs. MILLER of Michigan.
H.R. 3886: Mr. COSTELLO of Pennsylvania.
H.R. 3910: Mr. SWALWELL of California.
H.J. Res. 48: Mr. JONES.
H.J. Res. 50: Mr. JODY B. HICE of Georgia.
H.J. Res. 67: Mr. CARTER of Georgia.
H.J. Res. 68: Mr. CARTER of Georgia.
H. Res. 12: Ms. ADAMS.
H. Res. 28: Ms. ADAMS.
H. Res. 220: Mr. CARTWRIGHT, Mr. POCAN, Mr. WALZ, Mr. SMITH of Washington, Mr. MCGOVERN, Mr. LARSON of Connecticut, Mr. KING of New York, Mr. NOLAN, Mr. POMPEO, Mr. LEWIS, and Mr. BRAT.
H. Res. 251: Mr. LUETKEMEYER.
H. Res. 343: Mr. SERRANO, Ms. CLARKE of New York, Mr. DANNY K. DAVIS of Illinois, and Mr. VARGAS.
H. Res. 364: Ms. LOFGREN and Ms. ESHOO.
H. Res. 406: Mr. THOMPSON of Mississippi.
H. Res. 447: Mr. VARGAS, Mr. PITTS, Mr. HANNA, Mr. RIBBLE, Mr. BOUSTANY, Mr. HONDA, and Mr. POE of Texas.
H. Res. 451: Mr. PEARCE and Mr. COLLINS of New York.
H. Res. 501: Mr. JOLLY.
H. Res. 505: Mr. ENGEL, Ms. MOORE, Mr. QUIGLEY, Mr. JOHNSON of Georgia, Mr. RYAN of Ohio, Mr. SIRES, Ms. TITUS, and Mr. CLYBURN.
H. Res. 508: Mr. POLIS.
H. Res. 509: Mr. MCGOVERN.
H. Res. 510: Mr. ZELDIN and Mr. BISHOP of Michigan.
H. Res. 511: Ms. STEFANIK.
H. Res. 513: Mr. LEWIS, Mr. FARR, Mr. MILLER of Florida, and Mr. KING of New York.

### ¶140.36 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3403: Mr. GARAMENDI.

## MONDAY, NOVEMBER 16, 2015 (141)

### ¶141.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Ms. FOXX, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*November 16, 2015.*

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

### ¶141.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Ms. FOXX, announced she had examined and approved the Journal of the proceedings of Thursday, November 5, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶141.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3418. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Importation of Two Hybrids of Unshu Orange From the Republic of Korea Into the Continental United States [Docket No.: APHIS-2013-0085] (RIN: 0579-AD87) received November 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3419. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Reports to Congress on the Fifth, Sixth, and Seventh Reviews of the Backlog of Postmarketing Requirements and Postmarketing Commitments by the Food and Drug Administration, pursuant to 21 U.S.C. 355(k)(5)(C); Public Law 110-85, Sec. 921; to the Committee on Energy and Commerce.

3420. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Efficiency Standards for New Federal Commercial and Multi-Family High-Rise Residential Buildings' Baseline Standards Update [Docket No.: EERE-2014-BT-STD-0047] (RIN: 1904-AD39) received November 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3421. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's interim final rule — Allowing Importers to Provide Information to U.S. Customs and Border Protection in Electronic Format [Docket No.: NHTSA-2015-0076] (RIN: 2127-AL63) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3422. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2016 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2016 [Docket No.: NHTSA-2015-0043] (RIN: 2127-AL59) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3423. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Defect and Noncompliance Notification [Docket No.: NHTSA-2015-0048] (RIN: 2127-AL60) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3424. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Louisiana; Major Source Permitting State Implementation Plan [EPA-R06-OAR-2006-0131; FRL-9936-45-Region 6] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3425. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; TN; Knox County Emissions Statements [EPA-R04-OAR-2015-0456; FRL-9936-57-Region 4] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3426. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Test Methods; Error Correction [EPA-R05-OAR-2009-0807; FRL-9936-54-Region 5] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3427. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; TN; Reasonably Available Control Measures and Redesignation for the TN Portion of the Chattanooga 1997 Annual PM2.5 Nonattainment Area [EPA-R04-OAR-2014-0904; FRL-9936-55-Region 4] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3428. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Revised Format for Materials Being Incorporated by Reference [EPA-R05-OAR-2015-0637; FRL-9933-71-Region 5] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3429. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina Infrastructure Requirements for the 2008 8-hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2014-0795; FRL-9936-60-Region 4] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3430. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; Control of Petroleum Liquid Storage, Loading and Transfer [EPA-R07-OAR-2015-0268; FRL-9936-72-Region 7] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3431. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, Placer County Air Pollution Control District [EPA-R09-OAR-2015-0643; FRL-9935-65-Region 9] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3432. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetamiprid; Pesticide Tolerances [EPA-HQ-OPP-2014-0740; FRL-9936-12] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3433. A letter from the Associate Administrator, Environmental Protection Agency, transmitting the National Environmental Education Advisory Council 2015 Report to the U.S. Environmental Protection Agency Administrator, as required by the National Environmental Education Act of 1990, Pub. L. 101-619, Sec. 9, U.S.C. 5508(a), (104 Stat. 3333); to the Committee on Energy and Commerce.

3434. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters [EPA-HQ-OAR-2002-0058; FRL-9936-20-OAR] (RIN: 2060-AS09) received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3435. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Michigan; Sewage Sludge Incinerators State Plan and Small Municipal Waste Combustors Negative Declaration for Designated Facilities and Pollutants [EPA-R05-OAR-2015-0701; FRL-9936-96-Region 5] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3436. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, Imperial County Air Pollution Control District [EPA-R09-OAR-2015-0289; FRL-9936-65-Region 9] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3437. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Plans; California; Multiple Districts; Prevention of Significant Deterioration [EPA-R09-OAR-2015-0257; FRL-9934-89-Region 9] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3438. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Allocations of Cross-State Air Pollution Rule Allowances from New Unit Set-Asides for the 2015 Compliance Year [FRL-9936-99-OAR] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3439. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington: Additional Regulations for the Benton Clean Air Agency Jurisdiction [EPA-R10-OAR-2015-0600; FRL-9936-97-Region 10] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3440. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Certain Chemical Substances [EPA-HQ-OPPT-2014-0649; FRL-9935-43] (RIN: 2070-AB27) received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3441. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amitraz, Carfentrazone-ethyl, Ethephon, Malathion, Mancozeb, et al.; Tolerance Actions [EPA-HQ-OPP-2014-0194; FRL-9935-01] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3442. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arizona; Phased Discontinuation of Stage II Vapor Recovery Program [EPA-R09-OAR-2014-0256; FRL-9936-77-Region 9] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3443. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Nonattainment New Source Review Permitting State Implementation Plan Revisions for the City of Albuquerque-Bernalillo County [EPA-R06-OAR-2009-0648; FRL-9936-86-Region 6] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3444. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Addition of 1-Bromopropane; Community Right-to-Know Toxic Chemical Release Reporting [EPA-HQ-TRI-2015-0011; FRL-9937-12-OEI] (RIN: 2025-AA41) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3445. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tamarind seed gum, 2-hydroxypropyl ether polymer; Tolerance Exemption [EPA-HQ-OPP-2015-0421; FRL-9936-25] received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3446. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Standards for Business Practices of Interstate Natural Gas Pipelines; Coordination of the Scheduling Processes of Interstate Natural Gas Pipelines and Public Utilities [Docket Nos.: RM96-1-038 and RM14-2-003; Order No.: 587-W] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3447. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Commencement of Assessment of Annual Charges [Docket No.: RM15-18-000, Order No.: 815] received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3448. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's letter endorsing industry guidance — Endorsement of Electric Power Research Institute Final Draft Report 3002004396, ''High Frequency Program: Application Guidance for Functional Confirmation and Fragility'' received September 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3449. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting notification of the Air Force's proposed Issuance of Letter of Offer and Acceptance to the Government of France, Transmittal No. 16-03, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3450. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Army's Proposed Issuance of Letter of Offer and Acceptance to the Government of Finland, Transmittal No. 15-60, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3451. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Air Force's Proposed Issuance of Letter of Offer and Acceptance to the Government of the United Kingdom, Transmittal No. 15-76, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3452. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a memorandum of justification stating that the company listed is no longer engaging in conduct sanctionable by the Iran Sanctions Act, as amended, and the Secretary of State has received reliable assurances that the company will not engage in such activities in the future, pursuant to 50 U.S.C. 1701 note; Public Law 104-172, Sec. 9(b)(2); to the Committee on Foreign Affairs.

3453. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency, with respect to the Central African Republic, that was declared in Executive Order 13667 of May 12, 2014, pursuant to 50 U.S.C. 1703(c), Sec. 204(c), and, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); to the Committee on Foreign Affairs.

3454. A communication from the President of the United States, transmitting notification that the national emergency declared in Executive Order 12170 of November 14, 1979, with respect to Iran, is to continue in effect beyond November 14, 2015, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (H. Doc. No. 114—75); to the Committee on Foreign Affairs and ordered to be printed.

3455. A communication from the President of the United States, transmitting the termination of the national emergency declared in Executive Order 13348 of July 22, 2004, with respect to the actions and policies of former Liberian President Charles Taylor, pursuant to 50 U.S.C. 1701; Public Law 107-115, Sec. 531; (H. Doc. No. 114—76); to the Committee on Foreign Affairs and ordered to be printed.

3456. A communication from the President of the United States, transmitting notification that the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938, as amended, is to continue in effect for one year beyond November 14, 2015, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (H. Doc. No. 114—77); to the Committee on Foreign Affairs and ordered to be printed.

3457. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the twenty-ninth quarterly report to Congress on Afghanistan Reconstruction, in accordance with Sec. 1229 of Pub. L. 110-181; to the Committee on Foreign Affairs.

3458. A letter from the Comptroller, Department of Defense, transmitting notification of the release of the Department of Defense Agency Financial FY 2015 Report, in accordance with the provisions of 31 U.S.C. Secs. 902 and 3515; and in accordance with provisions of 10 U.S.C. Sec. 480, the report will be submitted electronically to Congress on or before November 16, 2015; to the Committee on Oversight and Government Reform.

3459. A letter from the Director, Office of Management and Budget, Executive Office of

the President, transmitting the Office's Statistical Programs of the United States Government report for FY 2016; to the Committee on Oversight and Government Reform.

3460. A letter from the President, Overseas Private Investment Corporation, transmitting the Corporation's annual report on its audit and investigative activities, pursuant to 5 U.S.C. app. Sec. 8G(h)(2); Public Law 95-452, Sec. 8G(h)(2), (as added by Public Law 100-504, Sec. 104(a)); (102 Stat. 2525); to the Committee on Oversight and Government Reform.

3461. A letter from the Principal Deputy Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting notification that the Department has made additional payments to eligible local governments under the 2015 Payments in Lieu of Taxes Program; to the Committee on Natural Resources.

3462. A letter from the Endangered Species Listing Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Threatened Species Status for Black Pinesnake With 4(d) Rule [Docket No.: FWS-R4-ES-2014-0046; 4500030113] (RIN: 1018-BA03) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3463. A letter from the Endangered Species Listing Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Brickellia mosieri (Florida Brickell-bush) and Linum carteri var. carteri (Carter's Small-flowered Flax) [Docket No.: FWS-R4-ES-2013-0108] (RIN: 1018-AZ64) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3464. A letter from the Chief, Branch of Recovery and State Grants, Ecological Services Program, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-footed Ferrets in Wyoming [Docket No.: FWS-R6-ES-2015-0013; FXES11130900000C6-145-FF09E42000] (RIN: 1018-BA42) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3465. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE224) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3466. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 140904754-5188-02] (RIN: 0648-BF40) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3467. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region; Amendment 8; Correction [Docket No.: 140214145-5582-02] (RIN: 0648-BD81) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3468. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction for Gag Grouper [Docket No.: 130403320-4891-02] (RIN: 0648-XE245) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3469. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Technical Amendment to Regulations [Docket No.: 150727647-5877-01] (RIN: 0648-BF30) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3470. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; ''Other Rockfish'' in the Central and Western Regulatory Areas of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE213) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3471. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Report to Congress on the Eighth Annual Government-to-Government Violence Against Women Tribal Consultation, pursuant to 42 U.S.C. 14045d(c); Public Law 109-162, Sec. 903(c); to the Committee on the Judiciary.

3472. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Direct Final Rulemaking Procedures [NHTSA-2013-0042] (RIN: 2127-AL32) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3473. A letter from the Secretary, Department of Veterans Affairs, transmitting a letter to amend the previous submission, dated October 2, 2015, for FY 2015, which inaccurately reported total Pershing Hall Revolving Fund expenditures, pursuant to Pub. L. 102-86, Sec. 403(d)(6)(C); to the Committee on Veterans' Affairs.

3474. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's temporary regulations — Preparer Tax Identification Number (PTIN) User Fee Update [TD 9742] (RIN: 1545-BN03) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3475. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — General Allocation and Accounting Regulations Under Section 141; Remedial Actions for Tax-Exempt Bonds [TD 9741] (RIN: 1545-BB23; 1545-BC07; 1545-BH48] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3476. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Salvage Discount Factors and Payment Patterns for 2015 (Rev. Proc. 2015-54) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3477. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Unpaid Losses Discount Factors and Payment Patterns for 2015 (Rev. Proc. 2015-52) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3478. A letter from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Customs and Border Protection's Bond Program [CBP Dec. 15-15] [USCBP-2006-0013] (RIN: 1515-AD56 [formerly 1505-AB54]) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Homeland Security.

3479. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Report to Congress on the Administration, Cost and Impact of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2013'', pursuant to 42 U.S.C. 1320c-10; Aug. 14, 1935, ch. 531, title XI, Sec. 1161 (as amended by Public Law 97-248, Sec. 143); (96 Stat. 392); jointly to the Committees on Energy and Commerce and Ways and Means.

3480. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting legislative proposals which would significantly strengthen the protections afforded to servicemembers and their families under existing civil rights laws; jointly to the Committees on Armed Services, Veterans' Affairs, the Judiciary, House Administration, and Natural Resources.

## ¶141.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOODALL, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 5, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 5, 2015 at 2:05 p.m.:

That the Senate agreed to S.J. Res. 22.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

## ¶141.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOODALL, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 6, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 6, 2015 at 9:38 a.m.:

That the Senate agreed to S. Con. Res. 24.

That the Senate agreed to (relative to the death of Fred Thompson) S. Res. 309.

That the Senate agreed to without amendment H. Con. Res. 92.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶141.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOODALL, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 10, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 10, 2015 at 11:20 a.m.:

That the Senate passed S. 1004.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶141.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOODALL, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 10, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 10, 2015 at 1:58 p.m.:

That the Senate concur in the House amendment to the bill S. 1356.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶141.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOODALL, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 10, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 10, 2015 at 5:16 p.m.:

That the Senate disagree to House amendment to Senate amendment to text of the bill H.R. 22.

Senate agree to conference asked by the House, Senate appointed conferees.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶141.9 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOODALL, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 12, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 12, 2015 at 3:25 p.m.:

That the Senate passed S. 1203.

That the Senate passed with an amendment H. Con. Res. 90.

That the Senate passed with an amendment. H.R. 2029.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶141.10 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOODALL, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 16, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 16, 2015 at 10:21 a.m.:

That the Senate passed S. 2280.

That the Senate passed with an amendment H.R. 2262.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶141.11 RECESS—2:15 P.M.

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 15 minutes p.m., until approximately 3 p.m.

¶141.12 AFTER RECESS—3 P.M.

The SPEAKER pro tempore, Mr. COLLINS of New York, called the House to order.

¶141.13 KEEP THE PROMISE

Mr. YOUNG of Alaska, moved to suspend the rules and pass the bill (H.R. 308) to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. YOUNG of Alaska, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. WALKER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GRIJALVA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WALKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶141.14 FAIRNESS TO VETERANS FOR INFRASTRUCTURE INVESTMENT

Mr. FITZPATRICK moved to suspend the rules and pass the bill (H.R. 1694) to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes.

The SPEAKER pro tempore, Mr. WALKER, recognized Mr. FITZPATRICK and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FITZPATRICK demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, November 17, 2015.

¶141.15 ARMY CORPS OF ENGINEERS TO HIRE VETERANS AND MEMBERS OF THE ARMED FORCES

Mr. GIBBS moved to suspend the rules and pass the bill (H.R. 3114) to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. GIBBS and Mrs. NAPOLITANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that

two-thirds of the Members present had voted in the affirmative.

Mrs. NAPOLITANO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, November 17, 2015.

¶141.16 PARTNERS FOR AVIATION SECURITY

Mr. CARTER of Georgia, moved to suspend the rules and pass the bill (H.R. 3144) to require consultation with the Aviation Security Advisory Committee regarding modifications to the prohibited item list, require a report on the Transportation Security Oversight Board, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. CARTER of Georgia, and Mr. PAYNE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶141.17 CRITICAL INFRASTRUCTURE PROTECTION

Mr. CARTER of Georgia, moved to suspend the rules and pass the bill (H.R. 1073) to amend the Homeland Security Act of 2002 to secure critical infrastructure against electromagnetic threats, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. CARTER of Georgia, and Mr. PAYNE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶141.18 DIGNIFIED INTERMENT OF OUR VETERANS

Mr. MILLER of Florida, moved to suspend the rules and pass the bill (H.R. 1338) to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. MILLER of Florida, and Ms. BROWN of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

Mr. COSTELLO of Pennsylvania, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶141.19 HONOR GUARD-RESERVE RETIREES

Mr. COSTELLO of Pennsylvania, moved to suspend the rules and pass the bill (H.R. 1384) to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. COSTELLO of Pennsylvania, and Ms. BROWN of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

Mr. COSTELLO of Pennsylvania, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶141.20 IMPROVING ACCESS TO EMERGENCY PSYCHIATRIC CARE

Mr. PITTS moved to suspend the rules and pass the bill of the Senate (S. 599) to extend and expand the Medicaid emergency psychiatric demonstration project; as amended.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. PITTS and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said amendment.

¶141.21 PROTECTING OUR INFANTS

Mr. PITTS moved to suspend the rules and pass the bill of the Senate (S. 799) to address problems related to prenatal opioid use.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. PITTS and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶141.22 FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM

Mr. WALDEN moved to suspend the rules and pass the bill (H.R. 2583) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. WALDEN and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and

said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶141.23 AMENDMENT OF THE SENATE TO H.R. 2262

Mr. MCCARTHY moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes:

Strike all after the enacting clause and insert the following:

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.***

*(a) SHORT TITLE.—This Act may be cited as the ''U.S. Commercial Space Launch Competitiveness Act''.*

*(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:*



*(c) REFERENCES TO TITLE 51, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 51, United States Code.*

***TITLE I—SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP***

***SEC. 101. SHORT TITLE.***

*This title may be cited as the ''Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015'' or ''SPACE Act of 2015''.*

***SEC. 102. INTERNATIONAL LAUNCH COMPETITIVENESS.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that it is in the public interest to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, with a validated risk profile approach in order to consistently compute valid and reasonable maximum probable loss values.*

*(b) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the commercial space sector and insurance providers, shall—*

*(1) evaluate the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, and, if necessary, develop a plan to update that methodology;*

*(2) in evaluating or developing a plan under paragraph (1)—*

*(A) ensure that the Federal Government is not exposed to greater costs than intended and that launch companies are not required to purchase more insurance coverage than necessary; and*

*(B) consider the impact of the cost to both the industry and the Government of implementing an updated methodology; and*

*(3) submit the evaluation, and any plan, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.*

*(c) INDEPENDENT ASSESSMENT.—Not later than 270 days after the date the evaluation is submitted under subsection (b)(3), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives an assessment of—*

*(1) the analysis and conclusions provided by the Secretary of Transportation in the evaluation, and any plan, under subsection (b);*

*(2) the implementation schedule proposed by the Secretary in the plan described in paragraph (1);*

*(3) the suitability of the plan described in paragraph (1) for implementation; and*

*(4) any further actions needed to implement the plan described in paragraph (1) or otherwise accomplish the purpose of this section.*

*(d) LAUNCH LIABILITY EXTENSION.—Section 50915(f) is amended by striking ''December 31, 2016'' and inserting ''September 30, 2025''.*

***SEC. 103. INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.***

*(a) IN GENERAL.—Chapter 509 is amended—*

*(1) in section 50914(a)—*

*(A) in paragraph (4), by adding at the end the following:*

*''(E) space flight participants.''; and*

*(B) by adding at the end the following:*

*''(5) Subparagraph (E) of paragraph (4) ceases to be effective September 30, 2025.''; and*

*(2) in section 50915(a)—*

*(A) in paragraph (1), by striking ''a licensee or transferee under this chapter, a contractor, subcontractor, or customer of the licensee or transferee, or a contractor or subcontractor of a customer, but not against a space flight participant,'' and inserting ''a person described in paragraph (3)(A)''; and*

*(B) by adding at the end the following:*

*''(3)(A) A person described in this subparagraph is—*

*''(i) a licensee or transferee under this chapter;*

*''(ii) a contractor, subcontractor, or customer of the licensee or transferee;*

*''(iii) a contractor or subcontractor of a customer; or*

*''(iv) a space flight participant.*

*''(B) Clause (iv) of subparagraph (A) ceases to be effective September 30, 2025.''.*

***SEC. 104. LAUNCH LICENSE FLEXIBILITY.***

*Section 50906 is amended—*

*(1) in subsection (d)—*

*(A) in the matter preceding paragraph (1), by striking ''that will be launched or reentered'' and inserting ''or reusable launch vehicles that will be launched into a suborbital trajectory or reentered under that permit'';*

*(B) by amending paragraph (1) to read as follows:*

*''(1) research and development to test design concepts, equipment, or operating techniques;''; and*

*(C) in paragraph (3)—*

*(i) by striking ''prior to obtaining a license''; and*

*(ii) by inserting ''or vehicle'' after ''design of the rocket'';*

*(2) in subsection (e)—*

*(A) in paragraph (1), by striking ''suborbital rocket design'' and inserting ''suborbital rocket or suborbital rocket design, or for a particular reusable launch vehicle or reusable launch vehicle design,''; and*

*(B) in paragraph (2), by inserting ''or launch vehicle'' after ''the suborbital rocket'';*

*(3) by amending subsection (g) to read as follows:*

*''(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter may not invalidate a permit issued under this section.''; and*

*(4) in subsection (h), by inserting ''or reusable launch vehicle'' after ''suborbital rocket''.*

***SEC. 105. LICENSING REPORT.***

*Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on approaches for streamlining the licensing and permitting process of launch vehicles, reentry vehicles, or components of launch or reentry vehicles, to enable non-launch flight operations related to space transportation. The report shall include approaches to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints. The report shall also include an assessment of existing private and government infrastructure, as appropriate, in future licensing activities.*

***SEC. 106. FEDERAL JURISDICTION.***

*Section 50914 is amended by adding at the end the following:*

*''(g) FEDERAL JURISDICTION.—Any claim by a third party or space flight participant for death, bodily injury, or property damage or loss resulting from an activity carried out under the license shall be the exclusive jurisdiction of the Federal courts.''.*

***SEC. 107. CROSS WAIVERS.***

*Section 50914(b)(1) is amended to read as follows:*

*''(1)(A) A launch or reentry license issued or transferred under this chapter shall contain a provision requiring the licensee or transferee to make a reciprocal waiver of claims with applicable parties involved in launch services or reentry services under which each party to the waiver agrees to be responsible for personal injury to, death of, or property damage or loss sustained by it or its own employees resulting from an activity carried out under the applicable license.*

*''(B) In this paragraph, the term 'applicable parties' means—*

*''(i) contractors, subcontractors, and customers of the licensee or transferee;*

*''(ii) contractors and subcontractors of the customers; and*

*''(iii) space flight participants.*

*''(C) Clause (iii) of subparagraph (B) ceases to be effective September 30, 2025.''.*

***SEC. 108. SPACE AUTHORITY.***

*(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with the Secretary of State, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other relevant Federal agencies, and the commercial space sector, shall—*

*(1) assess current, and proposed near-term, commercial non-governmental activities conducted in space;*

*(2) identify appropriate authorization and supervision authorities for the activities described in paragraph (1);*

*(3) recommend an authorization and supervision approach that would prioritize safety, utilize existing authorities, minimize burdens to the industry, promote the U.S. commercial space sector, and meet the United States obligations under international treaties; and*

*(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the activities described in paragraphs (1), (2), and (3).*

*(b) EXCEPTION.—Nothing in this section shall apply to the activities of the ISS national laboratory as described in section 504 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354), including any research or development projects utilizing the ISS national laboratory.*

***SEC. 109. ORBITAL TRAFFIC MANAGEMENT.***

*(a) SENSE OF CONGRESS.—It is the sense of the Congress that an improved framework may be necessary for space traffic management of United States Government assets and United States private sector assets in outer space and orbital debris mitigation.*

*(b) STUDY.—Not later than 90 days after the date of enactment of this Act, the Administrator of the National Aeronautics and Space Administration, in consultation with the Secretary of Transportation, the Chair of the Federal Communications Commission, the Secretary of Commerce, and the Secretary of Defense, shall enter into an arrangement with an independent systems engineering and technical assistance organization to study alternate frameworks for the management of space traffic and orbital activities.*

*(c) CONTENTS.—The study shall include the following:*

*(1) An assessment of current regulations, best practices, and industry standards that apply to space traffic management and orbital debris mitigation.*

*(2) An assessment of current statutory authorities granted to the Federal Communications Commission, the Department of Transportation, and the Department of Commerce that apply to space traffic management and orbital debris mitigation and how those agencies utilize and coordinate those authorities.*

*(3) A review of all space traffic management and orbital debris requirements under treaties and other international agreements to which the United States is a signatory, and other nonbinding international arrangements in which the United States participates, and the manner and extent to which the Federal Government complies with those requirements and arrangements.*

*(4) An assessment of existing Federal Government assets used to conduct space traffic management and space situational awareness.*

*(5) An assessment of the risk to space traffic management associated with smallsats and any necessary Government coordination for their launch and utilization to avoid congestion of the orbital environment and improve space situational awareness.*

*(6) An assessment of existing private sector information sharing activities associated with space situational awareness and space traffic management.*

*(7) Recommendations related to the appropriate framework for the protection of the health, safety, and welfare of the public and economic vitality of the space industry.*

*(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives the study required in subsection (b).*

*(e) DEPARTMENT OF DEFENSE AUTHORITIES.—*

*(1) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense plays a vital and unique role in protecting national security assets in space.*

*(2) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the authority of the Secretary of Defense as it relates to safeguarding the national security.*

***SEC. 110. SPACE SURVEILLANCE AND SITUATIONAL AWARENESS DATA.***

*Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation in concurrence with the Secretary of Defense shall—*

*(1) in consultation with the heads of other relevant Federal agencies, study the feasibility of processing and releasing safety-related space situational awareness data and information to any entity consistent with national security interests and public safety obligations of the United States; and*

*(2) submit a report on the feasibility study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.*

***SEC. 111. CONSENSUS STANDARDS AND EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.***

*Section 50905(c) is amended—*

*(1) in paragraph (1), by inserting ''IN GENERAL.—'' before ''The Secretary'';*

*(2) in paragraph (2), by inserting ''REGULATIONS.—'' before ''Regulations'';*

*(3) by striking paragraph (3);*

*(4) by redesignating paragraph (4) as paragraph (10);*

*(5) by inserting after paragraph (2) the following:*

*''(3) FACILITATION OF STANDARDS.—The Secretary shall continue to work with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, to facilitate the development of voluntary industry consensus standards based on recommended best practices to improve the safety of crew, government astronauts, and space flight participants as the commercial space sector continues to mature.*

*''(4) COMMUNICATION AND TRANSPARENCY.—Nothing in this subsection shall be construed to limit the authority of the Secretary to discuss potential regulatory approaches, potential performance standards, or any other topic related to this subsection with the commercial space industry, including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, or its successor organization, prior to the issuance of a notice of proposed rulemaking. Such discussions shall not be construed to permit the Secretary to promulgate industry regulations except as otherwise provided in this section.*

*''(5) INTERIM VOLUNTARY INDUSTRY CONSENSUS STANDARDS REPORTS.—*

*''(A) IN GENERAL.—Not later than December 31, 2016, and every 30 months thereafter until December 31, 2021, the Secretary, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress of the commercial space transportation industry in developing voluntary industry consensus standards that promote best practices to improve industry safety.*

*''(B) CONTENTS.—The report shall include, at a minimum—*

*''(i) any voluntary industry consensus standards that have been accepted by the industry at large;*

*''(ii) the identification of areas that have the potential to become voluntary industry consensus standards that are currently under consideration by the industry at large;*

*''(iii) an assessment from the Secretary on the general progress of the industry in adopting voluntary industry consensus standards;*

*''(iv) any lessons learned about voluntary industry consensus standards, best practices, and commercial space launch operations;*

*''(v) any lessons learned associated with the development, potential application, and acceptance of voluntary industry consensus standards, best practices, and commercial space launch operations; and*

*''(vi) recommendations, findings, or observations from the Commercial Space Transportation Advisory Committee, or its successor organization, on the progress of the industry in developing voluntary industry consensus standards that promote best practices to improve industry safety.*

*''(6) REPORT.—Not later than 270 days after the date of enactment of the SPACE Act of 2015, the Secretary, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report specifying key industry metrics that might indicate readiness of the commercial space sector and the Department of Transportation to transition to a safety framework that may include regulations under paragraph (9) that considers space flight participant, government astronaut, and crew safety.*

*''(7) REPORTS.—Not later than March 31 of each of 2018 and 2022, the Secretary, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that identifies the activities, described in this subsection and subsection (d) most appropriate for a new safety framework that may include regulatory action, if any, and a proposed transition plan for such safety framework.*

*''(8) INDEPENDENT REVIEW.—Not later than December 31, 2022, an independent systems engineering and technical assistance organization or standards development organization contracted by the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives an assessment of the readiness of the commercial space industry and the Federal Government to transition to a safety framework that may include regulations. As part of the review, the contracted organization shall evaluate—*

*''(A) the progress of the commercial space industry in adopting voluntary industry consensus standards as reported by the Secretary in the interim assessments included in the reports under paragraph (5);*

*''(B) the progress of the commercial space industry toward meeting the key industry metrics identified by the report under paragraph (6), including the knowledge and operational experience obtained by the commercial space industry while providing services for compensation or hire; and*

*''(C) whether the areas identified in the reports under paragraph (5) are appropriate for regulatory action, or further development of voluntary industry consensus standards, considering the progress evaluated in subparagraphs (A) and (B) of this paragraph.*

*''(9) LEARNING PERIOD.—Beginning on October 1, 2023, the Secretary may propose regulations under this subsection without regard to subparagraphs (C) and (D) of paragraph (2). The development of any such regulations shall take into consideration the evolving standards of the*

*commercial space flight industry as identified in the reports published under paragraphs (5), (6), and (7).''; and*

*(6) in paragraph (10), as redesignated, by inserting ''RULE OF CONSTRUCTION.—'' before ''Nothing''.*

***SEC. 112. GOVERNMENT ASTRONAUTS.***

*(a) FINDINGS AND PURPOSE.—Section 50901(15) is amended by inserting '', government astronauts,'' after ''crew'' each place it appears.*

*(b) SENSE OF CONGRESS.—The National Aeronautics and Space Administration has a need to fly government astronauts (as defined in section 50902 of title 51, United States Code, as amended) within commercial launch vehicles and reentry vehicles under chapter 509 of that title. This need was identified by the Secretary of Transportation and the Administrator of the National Aeronautics and Space Administration due to the intended use of commercial launch vehicles and reentry vehicles developed under the Commercial Crew Development Program, authorized in section 402 of the National Aeronautics and Space Administration Authorization Act of 2010 (124 Stat. 2820; Public Law 111–267). It is the sense of Congress that the authority delegated to the Administration by the amendment made by subsection (d) of this section should be used for that purpose.*

*(c) DEFINITION OF GOVERNMENT ASTRONAUT.—Section 50902 is amended—*

*(1) by redesignating paragraphs (4) through (22) as paragraphs (7) through (25), respectively; and*

*(2) by inserting after paragraph (3) the following:*

*''(4) 'government astronaut' means an individual who—*

*''(A) is designated by the National Aeronautics and Space Administration under section 20113(n);*

*''(B) is carried within a launch vehicle or reentry vehicle in the course of his or her employment, which may include performance of activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle; and*

*''(C) is either—*

*''(i) an employee of the United States Government, including the uniformed services, engaged in the performance of a Federal function under authority of law or an Executive act; or*

*''(ii) an international partner astronaut.*

*''(5) 'international partner astronaut' means an individual designated under Article 11 of the International Space Station Intergovernmental Agreement, by a partner to that agreement other than the United States, as qualified to serve as an International Space Station crew member.*

*''(6) 'International Space Station Intergovernmental Agreement' means the Agreement Concerning Cooperation on the International Space Station, signed at Washington January 29, 1998 (TIAS 12927).''.*

*(d) POWERS OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION IN PERFORMANCE OF FUNCTIONS.—Section 20113 is amended by adding at the end the following:*

*''(n) IDENTIFICATION OF GOVERNMENT ASTRONAUTS.—For purposes of a license issued or transferred by the Secretary of Transportation under chapter 509 to launch a launch vehicle or to reenter a reentry vehicle carrying a government astronaut (as defined in section 50902), the Administration shall designate a government astronaut in accordance with requirements prescribed by the Administration.''.*

*(e) DEFINITION OF LAUNCH.—Paragraph (7) of section 50902, as redesignated, is amended by striking ''and any payload, crew, or space flight participant'' and inserting ''and any payload or human being''.*

*(f) DEFINITION OF LAUNCH SERVICES.—Paragraph (9) of section 50902, as redesignated, is amended by striking ''payload, crew (including crew training), or space flight participant'' and inserting ''payload, crew (including crew training), government astronaut, or space flight participant''.*

*(g) DEFINITION OF REENTER AND REENTRY.—Paragraph (16) of section 50902, as redesignated, is amended by striking ''and its payload, crew, or space flight participants, if any,'' and inserting ''and its payload or human beings, if any,''.*

*(h) DEFINITION OF REENTRY SERVICES.—Paragraph (17) of section 50902, as redesignated, is amended by striking ''payload, crew (including crew training), or space flight participant, if any,'' and inserting ''payload, crew (including crew training), government astronaut, or space flight participant, if any,''.*

*(i) DEFINITION OF SPACE FLIGHT PARTICIPANT.—Paragraph (20) of section 50902, as redesignated, is amended to read as follows:*

*''(20) 'space flight participant' means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.''.*

*(j) DEFINITION OF THIRD PARTY.—Paragraph (24)(E) of section 50902, as redesignated, is amended by inserting '', government astronauts,'' after ''crew''.*

*(k) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES; SINGLE LICENSE OR PERMIT.—Section 50904(d) is amended by striking ''activities involving crew or space flight participants'' and inserting ''activities involving crew, government astronauts, or space flight participants''.*

*(l) LICENSE APPLICATIONS AND REQUIREMENTS; APPLICATIONS.—Section 50905 is amended—*

*(1) in subsection (a)(2), by striking ''crews and space flight participants'' and inserting ''crew, government astronauts, and space flight participants'';*

*(2) in subsection (b)(2)(D), by striking ''crew or space flight participants'' and inserting ''crew, government astronauts, or space flight participants''; and*

*(3) in subsection (c)—*

*(A) in paragraph (1), by striking ''crew and space flight participants'' and inserting ''crew, government astronauts, and space flight participants''; and*

*(B) in paragraph (2), by striking ''to crew or space flight participants'' each place it appears and inserting ''to crew, government astronauts, or space flight participants''.*

*(m) MONITORING ACTIVITIES.—Section 50907(a) is amended by striking ''at a site used for crew or space flight participant training'' and inserting ''at a site not owned or operated by the Federal Government or a foreign government used for crew, government astronaut, or space flight participant training''.*

*(n) ADDITIONAL SUSPENSIONS.—Section 50908(d)(1) is amended by striking ''to crew or space flight participants'' each place it appears and inserting ''to any human being''.*

*(o) RELATIONSHIP TO OTHER EXECUTIVE AGENCIES, LAWS, AND INTERNATIONAL OBLIGATIONS; NONAPPLICATION.—Section 50919(g) is amended to read as follows:*

*''(g) NONAPPLICATION.—*

*''(1) IN GENERAL.—This chapter does not apply to—*

*''(A) a launch, reentry, operation of a launch vehicle or reentry vehicle, operation of a launch site or reentry site, or other space activity the Government carries out for the Government; or*

*''(B) planning or policies related to the launch, reentry, operation, or activity under subparagraph (A).*

*''(2) RULE OF CONSTRUCTION.—The following activities are not space activities the Government carries out for the Government under paragraph (1):*

*''(A) A government astronaut being carried within a launch vehicle or reentry vehicle under this chapter.*

*''(B) A government astronaut performing activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle under this chapter.''.*

***SEC. 113. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.*

*(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—*

*(1) promote commercial space launches and reentries by the private sector;*

*(2) facilitate Government, State, and private sector involvement in enhancing U.S. launch sites and facilities;*

*(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and*

*(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.*

*(c) REQUIREMENTS.—*

*(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—*

*(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and*

*(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—*

*(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and*

*(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.*

*(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:*

*(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—*

*(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and*

*(ii) any inconsistent, outmoded, or duplicative requirements or approvals.*

*(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.*

*(C) Recommendations for legislation that may further—*

*(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and*

*(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).*

*(3) DEFINITIONS.—For purposes of this subsection—*

*(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;*

*(B) the terms ''launch'', ''reenter'', and ''reentry'' include landing of a launch vehicle or reentry vehicle; and*

*(C) the terms ''United States Government launch site'' and ''United States Government reentry site'' include any necessary facility, at that location, that is commercially operated on United States Government property.*

***SEC. 114. OPERATION AND UTILIZATION OF THE ISS.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) maximum utilization of partnerships, scientific research, commercial applications, and exploration test bed capabilities of the ISS is essential to ensuring the greatest return on investments made by the United States and its international partners in the development, assembly, and operations of that unique facility; and*

*(2) every effort should be made to ensure that decisions regarding the service life of the ISS are based on the station's projected capability to continue providing effective and productive research and exploration test bed capabilities.*

*(b) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—*

*(1) IN GENERAL.—Section 501 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351) is amended—*

*(A) in the heading, by striking ''**THROUGH 2020**''; and*

*(B) in subsection (a), by striking ''through at least 2020'' and inserting ''through at least 2024''.*

*(2) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353) is amended—*

*(A) in subsection (a), by striking ''through at least September 30, 2020'' and inserting ''through at least September 30, 2024''; and*

*(B) in subsection (b)(1), by striking ''In carrying out subsection (a), the Administrator'' and inserting ''The Administrator''.*

*(3) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''September 30, 2020'' each place it appears and inserting ''at least September 30, 2024''.*

*(4) MAINTAINING USE THROUGH AT LEAST 2024.—Section 70907 is amended to read as follows:*

***''§ 70907. Maintaining use through at least 2024***

*''(a) POLICY.—The Administrator shall take all necessary steps to ensure that the International Space Station remains a viable and productive facility capable of potential United States utilization through at least September 30, 2024.*

*''(b) NASA ACTIONS.—In furtherance of the policy under subsection (a), the Administrator shall ensure, to the extent practicable, that the International Space Station, as a designated national laboratory—*

*''(1) remains viable as an element of overall exploration and partnership strategies and approaches;*

*''(2) is considered for use by all NASA mission directorates, as appropriate, for technically appropriate scientific data gathering or technology risk reduction demonstrations; and*

*''(3) remains an effective, functional vehicle providing research and test bed capabilities for the United States through at least September 30, 2024.''.*

*(5) TECHNICAL AND CONFORMING AMENDMENTS.—*

*(A) TABLE OF CONTENTS OF 2010 ACT.—The item relating to section 501 in the table of contents in section 1(b) of the National Aeronautics and Space Administration Authorization Act of 2010 (124 Stat. 2806) is amended by striking ''through 2020''.*

*(B) TABLE OF CONTENTS OF CHAPTER 709.—The table of contents for chapter 709 is amended by amending the item relating to section 70907 to read as follows:*

*''70907. Maintaining use through at least 2024.''.*

***SEC. 115. STATE COMMERCIAL LAUNCH FACILITIES.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) State involvement, development, ownership, and operation of launch facilities can enable growth of the Nation's commercial suborbital and orbital space endeavors and support both commercial and Government space programs;*

*(2) State launch facilities and the people and property in the affected launch areas of those facilities may be subject to risks resulting from an activity carried out under a license under chapter 509 of title 51, United States Code; and*

*(3) to ensure the success of the commercial launch industry and the safety of the people and property in the affected launch areas of those facilities, States and State launch facilities should seek to take proper measures to protect themselves, to the extent of their potential liability for involvement in launch services or reentry services, and compensate third parties for possible death, bodily injury, or property damage or loss resulting from an activity carried out under a license under chapter 509 of title 51, United States Code, to which the State or State launch facility is involved in the launch services or reentry services.*

*(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the potential inclusion of all government property, including State and municipal property, in the existing indemnification regime established under section 50914 of title 51, United States Code.*

***SEC. 116. SPACE SUPPORT VEHICLES STUDY.***

*(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the use of space support vehicle services in the commercial space industry.*

*(b) CONTENTS.—This report shall include—*

*(1) the extent to which launch providers rely on such services as part of their business models;*

*(2) the statutory, regulatory, and market barriers to the use of such services; and*

*(3) recommendations for legislative or regulatory action that may be needed to ensure reduced barriers to the use of such services if such use is a requirement of the industry.*

***SEC. 117. SPACE LAUNCH SYSTEM UPDATE.***

*(a) IN GENERAL.—Chapter 701 is amended—*

*(1) in the heading by striking ''**SPACE SHUTTLE**'' and inserting ''**SPACE LAUNCH SYSTEM**'';*

*(2) in section 70101—*

*(A) in the heading, by striking ''**space shuttle**'' and inserting ''**space launch system**''; and*

*(B) by striking ''space shuttle'' and inserting ''space launch system'';*

*(3) by amending section 70102 to read as follows:*

***''§ 70102. Space launch system use policy***

*''(a) IN GENERAL.—The Space Launch System may be used for the following circumstances:*

*''(1) Payloads and missions that contribute to extending human presence beyond low-Earth orbit and substantially benefit from the unique capabilities of the Space Launch System.*

*''(2) Other payloads and missions that substantially benefit from the unique capabilities of the Space Launch System.*

*''(3) On a space available basis, Federal Government or educational payloads that are consistent with NASA's mission for exploration beyond low-Earth orbit.*

*''(4) Compelling circumstances, as determined by the Administrator.*

*''(b) AGREEMENTS WITH FOREIGN ENTITIES.—The Administrator may plan, negotiate, or implement agreements with foreign entities for the launch of payloads for international collaborative efforts relating to science and technology using the Space Launch System.*

*''(c) COMPELLING CIRCUMSTANCES.—Not later than 30 days after the date the Administrator makes a determination under subsection (a)(4), the Administrator shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives written notification of the Administrator's intent to select the Space Launch System for a specific mission under that subsection, including justification for the determination.'';*

*(4) in section 70103—*

*(A) in the heading, by striking ''**SPACE SHUTTLE**'' and inserting ''**SPACE LAUNCH SYSTEM**''; and*

*(B) in subsection (b), by striking ''space shuttle'' each place it appears and inserting ''space launch system''; and*

*(5) by adding at the end the following:*

***''§ 70104. Definition of Space Launch System***

*''In this chapter, the term 'Space Launch System' means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322).''.*

*(b) TECHNICAL AND CONFORMING AMENDMENTS.—*

*(1) TABLE OF CHAPTERS.—The table of chapters of title 51 is amended by amending the item relating to chapter 701 to read as follows:*

*''701. Use of space launch system or alternatives ..... 70101''.*

*(2) TABLE OF CONTENTS OF CHAPTER 701.—The table of contents of chapter 701 is amended—*

*(A) in the item relating to section 70101, by striking ''space shuttle'' and inserting ''space launch system'';*

*(B) in the item relating to section 70102, by striking ''Space shuttle'' and inserting ''Space launch system'';*

*(C) in the item relating to section 70103, by striking ''space shuttle'' and inserting ''space launch system''; and*

*(D) by adding at the end the following:*

*''70104. Definition of Space Launch System.''.*

*(3) REQUIREMENT TO PROCURE COMMERCIAL SPACE TRANSPORTATION SERVICES.—Section 50131(a) of chapter 51 is amended by inserting ''or in section 70102'' after ''in this section''.*

***TITLE II—COMMERCIAL REMOTE SENSING***

***SEC. 201. ANNUAL REPORTS.***

*(a) IN GENERAL.—Subchapter III of chapter 601 is amended by adding at the end the following:*

***''§ 60126. Annual reports***

*''(a) IN GENERAL.—The Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives not later than 180 days after the date of enactment of the U.S. Commercial Space Launch Competitiveness Act, and annually thereafter, on—*

*''(1) the Secretary's implementation of section 60121, including—*

*''(A) a list of all applications received in the previous calendar year;*

''(B) a list of all applications that resulted in a license under section 60121;

''(C) a list of all applications denied and an explanation of why each application was denied, including any information relevant to the interagency adjudication process of a licensing request;

''(D) a list of all applications that required additional information; and

''(E) a list of all applications whose disposition exceeded the 120 day deadline established in section 60121(c), the total days overdue for each application that exceeded such deadline, and an explanation for the delay;

''(2) all notifications and information provided to the Secretary under section 60122; and

''(3) a description of all actions taken by the Secretary under the administrative authority granted by paragraphs (4), (5), and (6) of section 60123(a).

''(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

''(c) SUNSET.—The reporting requirement under this section terminates effective September 30, 2020.''.

(b) TABLE OF CONTENTS.—The table of contents of chapter 601 is amended by inserting after the item relating to section 60125 the following:

''60126. Annual reports.''.

***SEC. 202. STATUTORY UPDATE REPORT.***

Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the heads of other appropriate Federal agencies and the National Oceanic and Atmospheric Administration's Advisory Committee on Commercial Remote Sensing, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on statutory updates necessary to license private remote sensing space systems. In preparing the report, the Secretary shall take into account the need to protect national security while maintaining United States private sector leadership in the field, and reflect the current state of the art of remote sensing systems, instruments, or technologies.

***TITLE III—OFFICE OF SPACE COMMERCE***

***SEC. 301. RENAMING OF OFFICE OF SPACE COMMERCIALIZATION.***

(a) CHAPTER HEADING.—

(1) AMENDMENT.—The heading for chapter 507 is amended by striking ''**COMMERCIALIZATION**'' and inserting ''**COMMERCE**''.

(2) CONFORMING AMENDMENT.—The item relating to chapter 507 in the table of chapters for title 51 is amended by striking ''Commercialization'' and inserting ''Commerce''.

(b) DEFINITION OF OFFICE.—Section 50701 is amended by striking ''Commercialization'' and inserting ''Commerce''.

(c) RENAMING.—Section 50702(a) is amended by striking ''Commercialization'' and inserting ''Commerce''.

***SEC. 302. FUNCTIONS OF THE OFFICE OF SPACE COMMERCE.***

Section 50702(c) is amended by striking ''Commerce.'' and inserting ''Commerce, including—

''(1) to foster the conditions for the economic growth and technological advancement of the United States space commerce industry;

''(2) to coordinate space commerce policy issues and actions within the Department of Commerce;

''(3) to represent the Department of Commerce in the development of United States policies and in negotiations with foreign countries to promote United States space commerce;

''(4) to promote the advancement of United States geospatial technologies related to space commerce, in cooperation with relevant interagency working groups; and

''(5) to provide support to Federal Government organizations working on Space-Based Positioning Navigation, and Timing policy, including the National Coordination Office for Space-Based Position, Navigation, and Timing.''.

***TITLE IV—SPACE RESOURCE EXPLORATION AND UTILIZATION***

***SEC. 401. SHORT TITLE.***

This title may be cited as the ''Space Resource Exploration and Utilization Act of 2015''.

***SEC. 402. TITLE 51 AMENDMENT.***

(a) IN GENERAL.—Subtitle V is amended by adding at the end the following:

***''CHAPTER 513—SPACE RESOURCE COMMERCIAL EXPLORATION AND UTILIZATION***

''Sec.
''51301. Definitions.
''51302. Commercial exploration and commercial recovery.
''51303. Asteroid resource and space resource rights.

***''§ 51301. Definitions***

''In this chapter:

''(1) ASTEROID RESOURCE.—The term 'asteroid resource' means a space resource found on or within a single asteroid.

''(2) SPACE RESOURCE.—

''(A) IN GENERAL.—The term 'space resource' means an abiotic resource in situ in outer space.

''(B) INCLUSIONS.—The term 'space resource' includes water and minerals.

''(3) UNITED STATES CITIZEN.—The term 'United States citizen' has the meaning given the term 'citizen of the United States' in section 50902.

***''§ 51302. Commercial exploration and commercial recovery***

''(a) IN GENERAL.—The President, acting through appropriate Federal agencies, shall—

''(1) facilitate commercial exploration for and commercial recovery of space resources by United States citizens;

''(2) discourage government barriers to the development in the United States of economically viable, safe, and stable industries for commercial exploration for and commercial recovery of space resources in manners consistent with the international obligations of the United States; and

''(3) promote the right of United States citizens to engage in commercial exploration for and commercial recovery of space resources free from harmful interference, in accordance with the international obligations of the United States and subject to authorization and continuing supervision by the Federal Government.

''(b) REPORT.—Not later than 180 days after the date of enactment of this section, the President shall submit to Congress a report on commercial exploration for and commercial recovery of space resources by United States citizens that specifies—

''(1) the authorities necessary to meet the international obligations of the United States, including authorization and continuing supervision by the Federal Government; and

''(2) recommendations for the allocation of responsibilities among Federal agencies for the activities described in paragraph (1).

***''§ 51303. Asteroid resource and space resource rights***

''A United States citizen engaged in commercial recovery of an asteroid resource or a space resource under this chapter shall be entitled to any asteroid resource or space resource obtained, including to possess, own, transport, use, and sell the asteroid resource or space resource obtained in accordance with applicable law, including the international obligations of the United States.''.

(b) TABLE OF CHAPTERS.—The table of chapters for title 51 is amended by adding at the end of the items for subtitle V the following:

''513. Space resource commercial exploration and utilization ..... 51301''.

***SEC. 403. DISCLAIMER OF EXTRATERRITORIAL SOVEREIGNTY.***

It is the sense of Congress that by the enactment of this Act, the United States does not thereby assert sovereignty or sovereign or exclusive rights or jurisdiction over, or the ownership of, any celestial body.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. MCCARTHY and Ms. EDWARDS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

## ¶141.24 AMENDMENT OF THE SENATE TO H. CON. RES. 90

On motion of Mr. ROGERS of Alabama, by unanimous consent, the concurrent resolution (H. Con. Res. 90) directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike the matter following the resolving clause and insert the following:

*That in the enrollment of the bill S. 1356, the Secretary of the Senate shall make the following corrections:*

*(1) Amend the title so as to read: ''An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''.*

*(2) In the table of contents in section 2, in the item relating to section 1242, amend ''Ukrainian Republic'' so as to read ''Ukraine''.*

*(3) In the table of contents for title XII before section 1201, in the item relating to section 1242, amend ''Ukrainian Republic'' so as to read ''Ukraine''.*

*(4) In the section heading of section 1242, amend ''***UKRAINIAN REPUBLIC***'' so as to read ''***UKRAINE***''.*

*(5) In section 1242, amend ''the Ukrainian Republic'' so as to read ''Ukraine'' each place it appears in subsections (a)(1) and (b).*

*(6) Strike section 4201 and insert the following:*

***''SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.***

"SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2016 Request | Agreement Authorized |
|---|---|---|---|---|
| | | **RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | | |
| | | **BASIC RESEARCH** | | |
| 001 | 0601101A | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 13,018 | 13,018 |
| 002 | 0601102A | DEFENSE RESEARCH SCIENCES | 239,118 | 259,118 |
| | | Basic research program increase | | [20,000] |
| 003 | 0601103A | UNIVERSITY RESEARCH INITIATIVES | 72,603 | 72,603 |
| 004 | 0601104A | UNIVERSITY AND INDUSTRY RESEARCH CENTERS | 100,340 | 100,340 |
| | | **SUBTOTAL BASIC RESEARCH** | **425,079** | **445,079** |
| | | **APPLIED RESEARCH** | | |
| 005 | 0602105A | MATERIALS TECHNOLOGY | 28,314 | 28,314 |
| 006 | 0602120A | SENSORS AND ELECTRONIC SURVIVABILITY | 38,374 | 38,374 |
| 007 | 0602122A | TRACTOR HIP | 6,879 | 6,879 |
| 008 | 0602211A | AVIATION TECHNOLOGY | 56,884 | 56,884 |
| 009 | 0602270A | ELECTRONIC WARFARE TECHNOLOGY | 19,243 | 19,243 |
| 010 | 0602303A | MISSILE TECHNOLOGY | 45,053 | 53,053 |
| | | A2/AD Anti-Ship Missile Study | | [8,000] |
| 011 | 0602307A | ADVANCED WEAPONS TECHNOLOGY | 29,428 | 29,428 |
| 012 | 0602308A | ADVANCED CONCEPTS AND SIMULATION | 27,862 | 27,862 |
| 013 | 0602601A | COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY | 68,839 | 68,839 |
| 014 | 0602618A | BALLISTICS TECHNOLOGY | 92,801 | 92,801 |
| 015 | 0602622A | CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY | 3,866 | 3,866 |
| 016 | 0602623A | JOINT SERVICE SMALL ARMS PROGRAM | 5,487 | 5,487 |
| 017 | 0602624A | WEAPONS AND MUNITIONS TECHNOLOGY | 48,340 | 48,340 |
| 018 | 0602705A | ELECTRONICS AND ELECTRONIC DEVICES | 55,301 | 55,301 |
| 019 | 0602709A | NIGHT VISION TECHNOLOGY | 33,807 | 33,807 |
| 020 | 0602712A | COUNTERMINE SYSTEMS | 25,068 | 25,068 |
| 021 | 0602716A | HUMAN FACTORS ENGINEERING TECHNOLOGY | 23,681 | 23,681 |
| 022 | 0602720A | ENVIRONMENTAL QUALITY TECHNOLOGY | 20,850 | 20,850 |
| 023 | 0602782A | COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY | 36,160 | 36,160 |
| 024 | 0602783A | COMPUTER AND SOFTWARE TECHNOLOGY | 12,656 | 12,656 |
| 025 | 0602784A | MILITARY ENGINEERING TECHNOLOGY | 63,409 | 63,409 |
| 026 | 0602785A | MANPOWER/PERSONNEL/TRAINING TECHNOLOGY | 24,735 | 24,735 |
| 027 | 0602786A | WARFIGHTER TECHNOLOGY | 35,795 | 35,795 |
| 028 | 0602787A | MEDICAL TECHNOLOGY | 76,853 | 76,853 |
| | | **SUBTOTAL APPLIED RESEARCH** | **879,685** | **887,685** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 029 | 0603001A | WARFIGHTER ADVANCED TECHNOLOGY | 46,973 | 46,973 |
| 030 | 0603002A | MEDICAL ADVANCED TECHNOLOGY | 69,584 | 69,584 |
| 031 | 0603003A | AVIATION ADVANCED TECHNOLOGY | 89,736 | 89,736 |
| 032 | 0603004A | WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY | 57,663 | 57,663 |
| 033 | 0603005A | COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY | 113,071 | 113,071 |
| 034 | 0603006A | SPACE APPLICATION ADVANCED TECHNOLOGY | 5,554 | 5,554 |
| 035 | 0603007A | MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY | 12,636 | 12,636 |
| 037 | 0603009A | TRACTOR HIKE | 7,502 | 7,502 |
| 038 | 0603015A | NEXT GENERATION TRAINING & SIMULATION SYSTEMS | 17,425 | 17,425 |
| 039 | 0603020A | TRACTOR ROSE | 11,912 | 11,912 |
| 040 | 0603125A | COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT | 27,520 | 27,520 |
| 041 | 0603130A | TRACTOR NAIL | 2,381 | 2,381 |
| 042 | 0603131A | TRACTOR EGGS | 2,431 | 2,431 |
| 043 | 0603270A | ELECTRONIC WARFARE TECHNOLOGY | 26,874 | 26,874 |
| 044 | 0603313A | MISSILE AND ROCKET ADVANCED TECHNOLOGY | 49,449 | 49,449 |
| 045 | 0603322A | TRACTOR CAGE | 10,999 | 10,999 |
| 046 | 0603461A | HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM | 177,159 | 177,159 |
| 047 | 0603606A | LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY | 13,993 | 13,993 |
| 048 | 0603607A | JOINT SERVICE SMALL ARMS PROGRAM | 5,105 | 5,105 |
| 049 | 0603710A | NIGHT VISION ADVANCED TECHNOLOGY | 40,929 | 40,929 |
| 050 | 0603728A | ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS | 10,727 | 10,727 |
| 051 | 0603734A | MILITARY ENGINEERING ADVANCED TECHNOLOGY | 20,145 | 20,145 |
| 052 | 0603772A | ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY | 38,163 | 38,163 |
| 053 | 0603794A | C3 ADVANCED TECHNOLOGY | 37,816 | 37,816 |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | **895,747** | **895,747** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 054 | 0603305A | ARMY MISSLE DEFENSE SYSTEMS INTEGRATION | 10,347 | 10,347 |
| 055 | 0603308A | ARMY SPACE SYSTEMS INTEGRATION | 25,061 | 25,061 |
| 056 | 0603619A | LANDMINE WARFARE AND BARRIER—ADV DEV | 49,636 | 49,636 |
| 057 | 0603627A | SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV | 13,426 | 13,426 |
| 058 | 0603639A | TANK AND MEDIUM CALIBER AMMUNITION | 46,749 | 46,749 |
| 060 | 0603747A | SOLDIER SUPPORT AND SURVIVABILITY | 6,258 | 6,258 |
| 061 | 0603766A | TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV | 13,472 | 13,472 |
| 062 | 0603774A | NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT | 7,292 | 7,292 |
| 063 | 0603779A | ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL | 8,813 | 8,813 |
| 065 | 0603790A | NATO RESEARCH AND DEVELOPMENT | 6,075 | 6,075 |
| 067 | 0603804A | LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV | 21,233 | 21,233 |
| 068 | 0603807A | MEDICAL SYSTEMS—ADV DEV | 31,962 | 31,962 |
| 069 | 0603827A | SOLDIER SYSTEMS—ADVANCED DEVELOPMENT | 22,194 | 22,194 |
| 071 | 0604100A | ANALYSIS OF ALTERNATIVES | 9,805 | 9,805 |
| 072 | 0604115A | TECHNOLOGY MATURATION INITIATIVES | 40,917 | 40,917 |
| 073 | 0604120A | ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) | 30,058 | 30,058 |
| 074 | 0604319A | INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2) | 155,361 | 155,361 |

"SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2016 Request | Agreement Authorized |
|---|---|---|---|---|
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **498,659** | **498,659** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 076 | 0604201A | AIRCRAFT AVIONICS | 12,939 | 12,939 |
| 078 | 0604270A | ELECTRONIC WARFARE DEVELOPMENT | 18,843 | 18,843 |
| 079 | 0604280A | JOINT TACTICAL RADIO | 9,861 | 9,861 |
| 080 | 0604290A | MID-TIER NETWORKING VEHICULAR RADIO (MNVR) | 8,763 | 8,763 |
| 081 | 0604321A | ALL SOURCE ANALYSIS SYSTEM | 4,309 | 4,309 |
| 082 | 0604328A | TRACTOR CAGE | 15,138 | 15,138 |
| 083 | 0604601A | INFANTRY SUPPORT WEAPONS | 74,128 | 80,628 |
| | | *Army requested realignment* | | [1,500] |
| | | *Soldier Enhancement Program* | | [5,000] |
| 085 | 0604611A | JAVELIN | 3,945 | 3,945 |
| 087 | 0604633A | AIR TRAFFIC CONTROL | 10,076 | 10,076 |
| 088 | 0604641A | TACTICAL UNMANNED GROUND VEHICLE (TUGV) | 40,374 | 40,374 |
| 089 | 0604710A | NIGHT VISION SYSTEMS—ENG DEV | 67,582 | 67,582 |
| 090 | 0604713A | COMBAT FEEDING, CLOTHING, AND EQUIPMENT | 1,763 | 1,763 |
| 091 | 0604715A | NON-SYSTEM TRAINING DEVICES—ENG DEV | 27,155 | 27,155 |
| 092 | 0604741A | AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV | 24,569 | 24,569 |
| 093 | 0604742A | CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT | 23,364 | 23,364 |
| 094 | 0604746A | AUTOMATIC TEST EQUIPMENT DEVELOPMENT | 8,960 | 8,960 |
| 095 | 0604760A | DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV | 9,138 | 9,138 |
| 096 | 0604780A | COMBINED ARMS TACTICAL TRAINER (CATT) CORE | 21,622 | 21,622 |
| 097 | 0604798A | BRIGADE ANALYSIS, INTEGRATION AND EVALUATION | 99,242 | 99,242 |
| 098 | 0604802A | WEAPONS AND MUNITIONS—ENG DEV | 21,379 | 21,379 |
| 099 | 0604804A | LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV | 48,339 | 48,339 |
| 100 | 0604805A | COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV | 2,726 | 2,726 |
| 101 | 0604807A | MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV | 45,412 | 45,412 |
| 102 | 0604808A | LANDMINE WARFARE/BARRIER—ENG DEV | 55,215 | 55,215 |
| 104 | 0604818A | ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE | 163,643 | 163,643 |
| 105 | 0604820A | RADAR DEVELOPMENT | 12,309 | 12,309 |
| 106 | 0604822A | GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS) | 15,700 | 15,700 |
| 107 | 0604823A | FIREFINDER | 6,243 | 6,243 |
| 108 | 0604827A | SOLDIER SYSTEMS—WARRIOR DEM/VAL | 18,776 | 18,776 |
| 109 | 0604854A | ARTILLERY SYSTEMS—EMD | 1,953 | 1,953 |
| 110 | 0605013A | INFORMATION TECHNOLOGY DEVELOPMENT | 67,358 | 67,358 |
| 111 | 0605018A | INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) | 136,011 | 121,011 |
| | | *Restructure program* | | [–15,000] |
| 112 | 0605028A | ARMORED MULTI-PURPOSE VEHICLE (AMPV) | 230,210 | 230,210 |
| 113 | 0605030A | JOINT TACTICAL NETWORK CENTER (JTNC) | 13,357 | 13,357 |
| 114 | 0605031A | JOINT TACTICAL NETWORK (JTN) | 18,055 | 18,055 |
| 115 | 0605032A | TRACTOR TIRE | 5,677 | 5,677 |
| 116 | 0605035A | COMMON INFRARED COUNTERMEASURES (CIRCM) | 77,570 | 101,570 |
| | | *Apache Survivability Enhancements—Army Unfunded Requirement* | | [24,000] |
| 117 | 0605051A | AIRCRAFT SURVIVABILITY DEVELOPMENT | 18,112 | 78,112 |
| | | *Apache Survivability Enhancements—Army Unfunded Requirement* | | [60,000] |
| 118 | 0605350A | WIN-T INCREMENT 3—FULL NETWORKING | 39,700 | 39,700 |
| 119 | 0605380A | AMF JOINT TACTICAL RADIO SYSTEM (JTRS) | 12,987 | 12,987 |
| 120 | 0605450A | JOINT AIR-TO-GROUND MISSILE (JAGM) | 88,866 | 74,966 |
| | | *EMD contract delays* | | [–13,900] |
| 121 | 0605456A | PAC–3/MSE MISSILE | 2,272 | 2,272 |
| 122 | 0605457A | ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) | 214,099 | 214,099 |
| 123 | 0605625A | MANNED GROUND VEHICLE | 49,247 | 39,247 |
| | | *Funding ahead of need* | | [–10,000] |
| 124 | 0605626A | AERIAL COMMON SENSOR | 2 | 2 |
| 125 | 0605766A | NATIONAL CAPABILITIES INTEGRATION (MIP) | 10,599 | 10,599 |
| 126 | 0605812A | JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. | 32,486 | 32,486 |
| 127 | 0605830A | AVIATION GROUND SUPPORT EQUIPMENT | 8,880 | 8,880 |
| 128 | 0210609A | PALADIN INTEGRATED MANAGEMENT (PIM) | 152,288 | 152,288 |
| 129 | 0303032A | TROJAN—RH12 | 5,022 | 5,022 |
| 130 | 0304270A | ELECTRONIC WARFARE DEVELOPMENT | 12,686 | 12,686 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | **2,068,950** | **2,120,550** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 131 | 0604256A | THREAT SIMULATOR DEVELOPMENT | 20,035 | 20,035 |
| 132 | 0604258A | TARGET SYSTEMS DEVELOPMENT | 16,684 | 16,684 |
| 133 | 0604759A | MAJOR T&E INVESTMENT | 62,580 | 62,580 |
| 134 | 0605103A | RAND ARROYO CENTER | 20,853 | 20,853 |
| 135 | 0605301A | ARMY KWAJALEIN ATOLL | 205,145 | 205,145 |
| 136 | 0605326A | CONCEPTS EXPERIMENTATION PROGRAM | 19,430 | 19,430 |
| 138 | 0605601A | ARMY TEST RANGES AND FACILITIES | 277,646 | 277,646 |
| 139 | 0605602A | ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS | 51,550 | 51,550 |
| 140 | 0605604A | SURVIVABILITY/LETHALITY ANALYSIS | 33,246 | 33,246 |
| 141 | 0605606A | AIRCRAFT CERTIFICATION | 4,760 | 4,760 |
| 142 | 0605702A | METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES | 8,303 | 8,303 |
| 143 | 0605706A | MATERIEL SYSTEMS ANALYSIS | 20,403 | 20,403 |
| 144 | 0605709A | EXPLOITATION OF FOREIGN ITEMS | 10,396 | 10,396 |
| 145 | 0605712A | SUPPORT OF OPERATIONAL TESTING | 49,337 | 49,337 |
| 146 | 0605716A | ARMY EVALUATION CENTER | 52,694 | 52,694 |
| 147 | 0605718A | ARMY MODELING & SIM X-CMD COLLABORATION & INTEG | 938 | 938 |
| 148 | 0605801A | PROGRAMWIDE ACTIVITIES | 60,319 | 60,319 |

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(In Thousands of Dollars)

| Line | Program Element | Item | FY 2016 Request | Agreement Authorized |
|---|---|---|---|---|
| 149 | 0605803A | TECHNICAL INFORMATION ACTIVITIES | 28,478 | 28,478 |
| 150 | 0605805A | MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY | 32,604 | 24,604 |
| | | Program reduction | | [–8,000] |
| 151 | 0605857A | ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT | 3,186 | 3,186 |
| 152 | 0605898A | MANAGEMENT HQ—R&D | 48,955 | 48,955 |
| | | **SUBTOTAL RDT&E MANAGEMENT SUPPORT** | **1,027,542** | **1,019,542** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 154 | 0603778A | MLRS PRODUCT IMPROVEMENT PROGRAM | 18,397 | 18,397 |
| 155 | 0603813A | TRACTOR PULL | 9,461 | 9,461 |
| 156 | 0607131A | WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS | 4,945 | 4,945 |
| 157 | 0607133A | TRACTOR SMOKE | 7,569 | 7,569 |
| 158 | 0607135A | APACHE PRODUCT IMPROVEMENT PROGRAM | 69,862 | 69,862 |
| 159 | 0607136A | BLACKHAWK PRODUCT IMPROVEMENT PROGRAM | 66,653 | 66,653 |
| 160 | 0607137A | CHINOOK PRODUCT IMPROVEMENT PROGRAM | 37,407 | 37,407 |
| 161 | 0607138A | FIXED WING PRODUCT IMPROVEMENT PROGRAM | 1,151 | 1,151 |
| 162 | 0607139A | IMPROVED TURBINE ENGINE PROGRAM | 51,164 | 51,164 |
| 163 | 0607140A | EMERGING TECHNOLOGIES FROM NIE | 2,481 | 2,481 |
| 164 | 0607141A | LOGISTICS AUTOMATION | 1,673 | 1,673 |
| 166 | 0607665A | FAMILY OF BIOMETRICS | 13,237 | 13,237 |
| 167 | 0607865A | PATRIOT PRODUCT IMPROVEMENT | 105,816 | 105,816 |
| 169 | 0202429A | AEROSTAT JOINT PROJECT—COCOM EXERCISE | 40,565 | 40,565 |
| 171 | 0203728A | JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS) | 35,719 | 35,719 |
| 172 | 0203735A | COMBAT VEHICLE IMPROVEMENT PROGRAMS | 257,167 | 354,167 |
| | | Stryker Lethality Upgrades | | [97,000] |
| 173 | 0203740A | MANEUVER CONTROL SYSTEM | 15,445 | 15,445 |
| 175 | 0203752A | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM | 364 | 364 |
| 176 | 0203758A | DIGITIZATION | 4,361 | 4,361 |
| 177 | 0203801A | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM | 3,154 | 3,154 |
| 178 | 0203802A | OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS | 35,951 | 35,951 |
| 179 | 0203808A | TRACTOR CARD | 34,686 | 34,686 |
| 180 | 0205402A | INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV | 10,750 | 10,750 |
| 181 | 0205410A | MATERIALS HANDLING EQUIPMENT | 402 | 402 |
| 183 | 0205456A | LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM | 64,159 | 64,159 |
| 184 | 0205778A | GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS) | 17,527 | 17,527 |
| 185 | 0208053A | JOINT TACTICAL GROUND SYSTEM | 20,515 | 20,515 |
| 187 | 0303028A | SECURITY AND INTELLIGENCE ACTIVITIES | 12,368 | 12,368 |
| 188 | 0303140A | INFORMATION SYSTEMS SECURITY PROGRAM | 31,154 | 31,154 |
| 189 | 0303141A | GLOBAL COMBAT SUPPORT SYSTEM | 12,274 | 12,274 |
| 190 | 0303142A | SATCOM GROUND ENVIRONMENT (SPACE) | 9,355 | 9,355 |
| 191 | 0303150A | WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM | 7,053 | 7,053 |
| 193 | 0305179A | INTEGRATED BROADCAST SERVICE (IBS) | 750 | 750 |
| 194 | 0305204A | TACTICAL UNMANNED AERIAL VEHICLES | 13,225 | 13,225 |
| 195 | 0305206A | AIRBORNE RECONNAISSANCE SYSTEMS | 22,870 | 22,870 |
| 196 | 0305208A | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 25,592 | 25,592 |
| 199 | 0305233A | RQ–7 UAV | 7,297 | 7,297 |
| 201 | 0310349A | WIN-T INCREMENT 2—INITIAL NETWORKING | 3,800 | 3,800 |
| 202 | 0708045A | END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES | 48,442 | 48,442 |
| 202A | 9999999999 | CLASSIFIED PROGRAMS | 4,536 | 4,536 |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **1,129,297** | **1,226,297** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | **6,924,959** | **7,093,559** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY** | | |
| | | **BASIC RESEARCH** | | |
| 001 | 0601103N | UNIVERSITY RESEARCH INITIATIVES | 116,196 | 125,196 |
| | | Defense University Research Instumentation Program increase | | [9,000] |
| 002 | 0601152N | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 19,126 | 19,126 |
| 003 | 0601153N | DEFENSE RESEARCH SCIENCES | 451,606 | 479,106 |
| | | Basic research program increase | | [27,500] |
| | | **SUBTOTAL BASIC RESEARCH** | **586,928** | **623,428** |
| | | **APPLIED RESEARCH** | | |
| 004 | 0602114N | POWER PROJECTION APPLIED RESEARCH | 68,723 | 68,723 |
| 005 | 0602123N | FORCE PROTECTION APPLIED RESEARCH | 154,963 | 154,963 |
| 006 | 0602131M | MARINE CORPS LANDING FORCE TECHNOLOGY | 49,001 | 49,001 |
| 007 | 0602235N | COMMON PICTURE APPLIED RESEARCH | 42,551 | 42,551 |
| 008 | 0602236N | WARFIGHTER SUSTAINMENT APPLIED RESEARCH | 45,056 | 45,056 |
| 009 | 0602271N | ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH | 115,051 | 115,051 |
| 010 | 0602435N | OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH | 42,252 | 62,252 |
| | | Service Life Extension for the AGOR Ship | | [20,000] |
| 011 | 0602651M | JOINT NON-LETHAL WEAPONS APPLIED RESEARCH | 6,119 | 6,119 |
| 012 | 0602747N | UNDERSEA WARFARE APPLIED RESEARCH | 123,750 | 142,350 |
| | | Accelerate undersea warfare research | | [18,600] |
| 013 | 0602750N | FUTURE NAVAL CAPABILITIES APPLIED RESEARCH | 179,686 | 179,686 |
| 014 | 0602782N | MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH | 37,418 | 37,418 |
| | | **SUBTOTAL APPLIED RESEARCH** | **864,570** | **903,170** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 015 | 0603114N | POWER PROJECTION ADVANCED TECHNOLOGY | 37,093 | 37,093 |
| 016 | 0603123N | FORCE PROTECTION ADVANCED TECHNOLOGY | 38,044 | 38,044 |
| 017 | 0603271N | ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY | 34,899 | 34,899 |
| 018 | 0603640M | USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) | 137,562 | 137,562 |

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| Line | Program Element | Item | FY 2016 Request | Agreement Authorized |
|---|---|---|---|---|
| 019 | 0603651M | JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT | 12,745 | 12,745 |
| 020 | 0603673N | FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT | 258,860 | 258,860 |
| 021 | 0603680N | MANUFACTURING TECHNOLOGY PROGRAM | 57,074 | 57,074 |
| 022 | 0603729N | WARFIGHTER PROTECTION ADVANCED TECHNOLOGY | 4,807 | 4,807 |
| 023 | 0603747N | UNDERSEA WARFARE ADVANCED TECHNOLOGY | 13,748 | 13,748 |
| 024 | 0603758N | NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS | 66,041 | 66,041 |
| 025 | 0603782N | MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY | 1,991 | 1,991 |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | **662,864** | **662,864** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 026 | 0603207N | AIR/OCEAN TACTICAL APPLICATIONS | 41,832 | 41,832 |
| 027 | 0603216N | AVIATION SURVIVABILITY | 5,404 | 5,404 |
| 028 | 0603237N | DEPLOYABLE JOINT COMMAND AND CONTROL | 3,086 | 3,086 |
| 029 | 0603251N | AIRCRAFT SYSTEMS | 11,643 | 11,643 |
| 030 | 0603254N | ASW SYSTEMS DEVELOPMENT | 5,555 | 5,555 |
| 031 | 0603261N | TACTICAL AIRBORNE RECONNAISSANCE | 3,087 | 3,087 |
| 032 | 0603382N | ADVANCED COMBAT SYSTEMS TECHNOLOGY | 1,636 | 1,636 |
| 033 | 0603502N | SURFACE AND SHALLOW WATER MINE COUNTERMEASURES | 118,588 | 113,588 |
| | | LDUUV development growth | | [–5,000] |
| 034 | 0603506N | SURFACE SHIP TORPEDO DEFENSE | 77,385 | 77,385 |
| 035 | 0603512N | CARRIER SYSTEMS DEVELOPMENT | 8,348 | 8,348 |
| 036 | 0603525N | PILOT FISH | 123,246 | 123,246 |
| 037 | 0603527N | RETRACT LARCH | 28,819 | 28,819 |
| 038 | 0603536N | RETRACT JUNIPER | 112,678 | 112,678 |
| 039 | 0603542N | RADIOLOGICAL CONTROL | 710 | 710 |
| 040 | 0603553N | SURFACE ASW | 1,096 | 1,096 |
| 041 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 87,160 | 93,360 |
| | | Accelerate unmanned underwater vehicle development | | [10,000] |
| | | Universal launch and recovery module unfunded outyear tail | | [–3,800] |
| 042 | 0603562N | SUBMARINE TACTICAL WARFARE SYSTEMS | 10,371 | 10,371 |
| 043 | 0603563N | SHIP CONCEPT ADVANCED DESIGN | 11,888 | 11,888 |
| 044 | 0603564N | SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES | 4,332 | 4,332 |
| 045 | 0603570N | ADVANCED NUCLEAR POWER SYSTEMS | 482,040 | 482,040 |
| 046 | 0603573N | ADVANCED SURFACE MACHINERY SYSTEMS | 25,904 | 25,904 |
| 047 | 0603576N | CHALK EAGLE | 511,802 | 511,802 |
| 048 | 0603581N | LITTORAL COMBAT SHIP (LCS) | 118,416 | 118,416 |
| 049 | 0603582N | COMBAT SYSTEM INTEGRATION | 35,901 | 35,901 |
| 050 | 0603595N | OHIO REPLACEMENT | 971,393 | 971,393 |
| 051 | 0603596N | LCS MISSION MODULES | 206,149 | 206,149 |
| 052 | 0603597N | AUTOMATED TEST AND RE-TEST (ATRT) | 8,000 | 8,000 |
| 053 | 0603609N | CONVENTIONAL MUNITIONS | 7,678 | 7,678 |
| 054 | 0603611M | MARINE CORPS ASSAULT VEHICLES | 219,082 | 219,082 |
| 055 | 0603635M | MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM | 623 | 623 |
| 056 | 0603654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 18,260 | 18,260 |
| 057 | 0603658N | COOPERATIVE ENGAGEMENT | 76,247 | 76,247 |
| 058 | 0603713N | OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT | 4,520 | 4,520 |
| 059 | 0603721N | ENVIRONMENTAL PROTECTION | 20,711 | 20,711 |
| 060 | 0603724N | NAVY ENERGY PROGRAM | 47,761 | 47,761 |
| 061 | 0603725N | FACILITIES IMPROVEMENT | 5,226 | 5,226 |
| 062 | 0603734N | CHALK CORAL | 182,771 | 182,771 |
| 063 | 0603739N | NAVY LOGISTIC PRODUCTIVITY | 3,866 | 3,866 |
| 064 | 0603746N | RETRACT MAPLE | 360,065 | 360,065 |
| 065 | 0603748N | LINK PLUMERIA | 237,416 | 237,416 |
| 066 | 0603751N | RETRACT ELM | 37,944 | 37,944 |
| 067 | 0603764N | LINK EVERGREEN | 47,312 | 47,312 |
| 068 | 0603787N | SPECIAL PROCESSES | 17,408 | 17,408 |
| 069 | 0603790N | NATO RESEARCH AND DEVELOPMENT | 9,359 | 9,359 |
| 070 | 0603795N | LAND ATTACK TECHNOLOGY | 887 | 887 |
| 071 | 0603851M | JOINT NON-LETHAL WEAPONS TESTING | 29,448 | 29,448 |
| 072 | 0603860N | JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL | 91,479 | 91,479 |
| 073 | 0603925N | DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS | 67,360 | 67,360 |
| 074 | 0604112N | GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80) | 48,105 | 127,205 |
| | | Full ship shock trials for CVN–78 | | [79,100] |
| 075 | 0604122N | REMOTE MINEHUNTING SYSTEM (RMS) | 20,089 | 20,089 |
| 076 | 0604272N | TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) | 18,969 | 18,969 |
| 077 | 0604279N | ASE SELF-PROTECTION OPTIMIZATION | 7,874 | 7,874 |
| 078 | 0604292N | MH-XX | 5,298 | 5,298 |
| 079 | 0604454N | LX (R) | 46,486 | 75,486 |
| | | LX(R) Acceleration | | [29,000] |
| 080 | 0604653N | JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW) | 3,817 | 3,817 |
| 081 | 0604659N | PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM | 9,595 | 9,595 |
| 082 | 0604707N | SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT | 29,581 | 25,246 |
| | | Maritime concept generation and development growth | | [–4,335] |
| 083 | 0604786N | OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT | 285,849 | 285,849 |
| 084 | 0605812M | JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. | 36,656 | 36,656 |
| 085 | 0303354N | ASW SYSTEMS DEVELOPMENT—MIP | 9,835 | 9,835 |
| 086 | 0304270N | ELECTRONIC WARFARE DEVELOPMENT—MIP | 580 | 580 |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **5,024,626** | **5,129,591** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 087 | 0603208N | TRAINING SYSTEM AIRCRAFT | 21,708 | 21,708 |
| 088 | 0604212N | OTHER HELO DEVELOPMENT | 11,101 | 11,101 |

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| Line | Program Element | Item | FY 2016 Request | Agreement Authorized |
|---|---|---|---|---|
| 089 | 0604214N | AV–8B AIRCRAFT—ENG DEV | 39,878 | 39,878 |
| 090 | 0604215N | STANDARDS DEVELOPMENT | 53,059 | 53,059 |
| 091 | 0604216N | MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT | 21,358 | 21,358 |
| 092 | 0604218N | AIR/OCEAN EQUIPMENT ENGINEERING | 4,515 | 4,515 |
| 093 | 0604221N | P–3 MODERNIZATION PROGRAM | 1,514 | 1,514 |
| 094 | 0604230N | WARFARE SUPPORT SYSTEM | 5,875 | 5,875 |
| 095 | 0604231N | TACTICAL COMMAND SYSTEM | 81,553 | 81,553 |
| 096 | 0604234N | ADVANCED HAWKEYE | 272,149 | 264,149 |
| | | Cost growth | | [–8,000] |
| 097 | 0604245N | H–1 UPGRADES | 27,235 | 27,235 |
| 098 | 0604261N | ACOUSTIC SEARCH SENSORS | 35,763 | 35,763 |
| 099 | 0604262N | V–22A | 87,918 | 87,918 |
| 100 | 0604264N | AIR CREW SYSTEMS DEVELOPMENT | 12,679 | 12,679 |
| 101 | 0604269N | EA–18 | 56,921 | 56,921 |
| 102 | 0604270N | ELECTRONIC WARFARE DEVELOPMENT | 23,685 | 23,685 |
| 103 | 0604273N | EXECUTIVE HELO DEVELOPMENT | 507,093 | 507,093 |
| 104 | 0604274N | NEXT GENERATION JAMMER (NGJ) | 411,767 | 403,767 |
| | | Contract delays | | [–8,000] |
| 105 | 0604280N | JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) | 25,071 | 25,071 |
| 106 | 0604307N | SURFACE COMBATANT COMBAT SYSTEM ENGINEERING | 443,433 | 421,133 |
| | | Aegis development support growth | | [–22,300] |
| 107 | 0604311N | LPD–17 CLASS SYSTEMS INTEGRATION | 747 | 747 |
| 108 | 0604329N | SMALL DIAMETER BOMB (SDB) | 97,002 | 84,644 |
| | | F–18 integration contract delay | | [–12,358] |
| 109 | 0604366N | STANDARD MISSILE IMPROVEMENTS | 129,649 | 129,649 |
| 110 | 0604373N | AIRBORNE MCM | 11,647 | 11,647 |
| 111 | 0604376M | MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION | 2,778 | 2,778 |
| 112 | 0604378N | NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING | 23,695 | 23,695 |
| 113 | 0604404N | UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM. | 134,708 | 484,708 |
| | | Competitive air vehicle risk reduction activities | | [300,000] |
| | | Government and industry source selection preparation | | [50,000] |
| 114 | 0604501N | ADVANCED ABOVE WATER SENSORS | 43,914 | 43,914 |
| 115 | 0604503N | SSN–688 AND TRIDENT MODERNIZATION | 109,908 | 109,908 |
| 116 | 0604504N | AIR CONTROL | 57,928 | 57,928 |
| 117 | 0604512N | SHIPBOARD AVIATION SYSTEMS | 120,217 | 120,217 |
| 118 | 0604522N | AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM | 241,754 | 241,754 |
| 119 | 0604558N | NEW DESIGN SSN | 122,556 | 122,556 |
| 120 | 0604562N | SUBMARINE TACTICAL WARFARE SYSTEM | 48,213 | 60,213 |
| | | Accelerate submarine combat and weapon system modernization | | [12,000] |
| 121 | 0604567N | SHIP CONTRACT DESIGN/ LIVE FIRE T&E | 49,712 | 49,712 |
| 122 | 0604574N | NAVY TACTICAL COMPUTER RESOURCES | 4,096 | 4,096 |
| 123 | 0604580N | VIRGINIA PAYLOAD MODULE (VPM) | 167,719 | 167,719 |
| 124 | 0604601N | MINE DEVELOPMENT | 15,122 | 15,122 |
| 125 | 0604610N | LIGHTWEIGHT TORPEDO DEVELOPMENT | 33,738 | 33,738 |
| 126 | 0604654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 8,123 | 8,123 |
| 127 | 0604703N | PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS | 7,686 | 7,686 |
| 128 | 0604727N | JOINT STANDOFF WEAPON SYSTEMS | 405 | 405 |
| 129 | 0604755N | SHIP SELF DEFENSE (DETECT & CONTROL) | 153,836 | 153,836 |
| 130 | 0604756N | SHIP SELF DEFENSE (ENGAGE: HARD KILL) | 99,619 | 99,619 |
| 131 | 0604757N | SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) | 116,798 | 116,798 |
| 132 | 0604761N | INTELLIGENCE ENGINEERING | 4,353 | 4,353 |
| 133 | 0604771N | MEDICAL DEVELOPMENT | 9,443 | 9,443 |
| 134 | 0604777N | NAVIGATION/ID SYSTEM | 32,469 | 32,469 |
| 135 | 0604800M | JOINT STRIKE FIGHTER (JSF)—EMD | 537,901 | 537,901 |
| 136 | 0604800N | JOINT STRIKE FIGHTER (JSF)—EMD | 504,736 | 504,736 |
| 137 | 0604810M | JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS | 59,265 | 20,800 |
| | | Program delay | | [–38,465] |
| 138 | 0604810N | JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY | 47,579 | 21,244 |
| | | Program delay | | [–26,335] |
| 139 | 0605013M | INFORMATION TECHNOLOGY DEVELOPMENT | 5,914 | 5,914 |
| 140 | 0605013N | INFORMATION TECHNOLOGY DEVELOPMENT | 89,711 | 89,711 |
| 141 | 0605212N | CH–53K RDTE | 632,092 | 632,092 |
| 142 | 0605220N | SHIP TO SHORE CONNECTOR (SSC) | 7,778 | 7,778 |
| 143 | 0605450N | JOINT AIR-TO-GROUND MISSILE (JAGM) | 25,898 | 25,898 |
| 144 | 0605500N | MULTI-MISSION MARITIME AIRCRAFT (MMA) | 247,929 | 247,929 |
| 145 | 0204202N | DDG–1000 | 103,199 | 103,199 |
| 146 | 0304231N | TACTICAL COMMAND SYSTEM—MIP | 998 | 998 |
| 147 | 0304785N | TACTICAL CRYPTOLOGIC SYSTEMS | 17,785 | 17,785 |
| 148 | 0305124N | SPECIAL APPLICATIONS PROGRAM | 35,905 | 35,905 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | **6,308,800** | **6,555,342** |
| | | **MANAGEMENT SUPPORT** | | |
| 149 | 0604256N | THREAT SIMULATOR DEVELOPMENT | 30,769 | 30,769 |
| 150 | 0604258N | TARGET SYSTEMS DEVELOPMENT | 112,606 | 112,606 |
| 151 | 0604759N | MAJOR T&E INVESTMENT | 61,234 | 61,234 |
| 152 | 0605126N | JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION | 6,995 | 6,995 |
| 153 | 0605152N | STUDIES AND ANALYSIS SUPPORT—NAVY | 4,011 | 4,011 |
| 154 | 0605154N | CENTER FOR NAVAL ANALYSES | 48,563 | 48,563 |
| 155 | 0605285N | NEXT GENERATION FIGHTER | 5,000 | 5,000 |
| 157 | 0605804N | TECHNICAL INFORMATION SERVICES | 925 | 925 |
| 158 | 0605853N | MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT | 78,143 | 78,143 |
| 159 | 0605856N | STRATEGIC TECHNICAL SUPPORT | 3,258 | 3,258 |

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(In Thousands of Dollars)

| Line | Program Element | Item | FY 2016 Request | Agreement Authorized |
|---|---|---|---|---|
| 160 | 0605861N | RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT | 76,948 | 76,948 |
| 161 | 0605863N | RDT&E SHIP AND AIRCRAFT SUPPORT | 132,122 | 132,122 |
| 162 | 0605864N | TEST AND EVALUATION SUPPORT | 351,912 | 351,912 |
| 163 | 0605865N | OPERATIONAL TEST AND EVALUATION CAPABILITY | 17,985 | 17,985 |
| 164 | 0605866N | NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT | 5,316 | 5,316 |
| 165 | 0605867N | SEW SURVEILLANCE/RECONNAISSANCE SUPPORT | 6,519 | 6,519 |
| 166 | 0605873M | MARINE CORPS PROGRAM WIDE SUPPORT | 13,649 | 13,649 |
| | | **SUBTOTAL MANAGEMENT SUPPORT** | **955,955** | **955,955** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 174 | 0101221N | STRATEGIC SUB & WEAPONS SYSTEM SUPPORT | 107,039 | 107,039 |
| 175 | 0101224N | SSBN SECURITY TECHNOLOGY PROGRAM | 46,506 | 46,506 |
| 176 | 0101226N | SUBMARINE ACOUSTIC WARFARE DEVELOPMENT | 3,900 | 4,700 |
| | | Accelerate combat rapid attack weapon | | [800] |
| 177 | 0101402N | NAVY STRATEGIC COMMUNICATIONS | 16,569 | 16,569 |
| 178 | 0203761N | RAPID TECHNOLOGY TRANSITION (RTT) | 18,632 | 11,132 |
| | | TIPS program growth | | [–7,500] |
| 179 | 0204136N | F/A–18 SQUADRONS | 133,265 | 133,265 |
| 181 | 0204163N | FLEET TELECOMMUNICATIONS (TACTICAL) | 62,867 | 51,067 |
| | | Joint aerial layer network growth | | [–11,800] |
| 182 | 0204228N | SURFACE SUPPORT | 36,045 | 36,045 |
| 183 | 0204229N | TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) | 25,228 | 25,228 |
| 184 | 0204311N | INTEGRATED SURVEILLANCE SYSTEM | 54,218 | 54,218 |
| 185 | 0204413N | AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) | 11,335 | 11,335 |
| 186 | 0204460M | GROUND/AIR TASK ORIENTED RADAR (G/ATOR) | 80,129 | 65,629 |
| | | Block II test assets early to need | | [–14,500] |
| 187 | 0204571N | CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT | 39,087 | 39,087 |
| 188 | 0204574N | CRYPTOLOGIC DIRECT SUPPORT | 1,915 | 1,915 |
| 189 | 0204575N | ELECTRONIC WARFARE (EW) READINESS SUPPORT | 46,609 | 46,609 |
| 190 | 0205601N | HARM IMPROVEMENT | 52,708 | 16,164 |
| | | AARGM extended range program growth | | [–36,544] |
| 191 | 0205604N | TACTICAL DATA LINKS | 149,997 | 149,997 |
| 192 | 0205620N | SURFACE ASW COMBAT SYSTEM INTEGRATION | 24,460 | 24,460 |
| 193 | 0205632N | MK–48 ADCAP | 42,206 | 47,706 |
| | | Accelerate torpedo upgrades | | [5,500] |
| 194 | 0205633N | AVIATION IMPROVEMENTS | 117,759 | 117,759 |
| 195 | 0205675N | OPERATIONAL NUCLEAR POWER SYSTEMS | 101,323 | 101,323 |
| 196 | 0206313M | MARINE CORPS COMMUNICATIONS SYSTEMS | 67,763 | 67,763 |
| 197 | 0206335M | COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S) | 13,431 | 13,431 |
| 198 | 0206623M | MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS | 56,769 | 48,669 |
| | | Project delays | | [–8,100] |
| 199 | 0206624M | MARINE CORPS COMBAT SERVICES SUPPORT | 20,729 | 20,729 |
| 200 | 0206625M | USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) | 13,152 | 13,152 |
| 201 | 0206629M | AMPHIBIOUS ASSAULT VEHICLE | 48,535 | 48,535 |
| 202 | 0207161N | TACTICAL AIM MISSILES | 76,016 | 76,016 |
| 203 | 0207163N | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) | 32,172 | 32,172 |
| 208 | 0303109N | SATELLITE COMMUNICATIONS (SPACE) | 53,239 | 53,239 |
| 209 | 0303138N | CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) | 21,677 | 21,677 |
| 210 | 0303140N | INFORMATION SYSTEMS SECURITY PROGRAM | 28,102 | 28,102 |
| 211 | 0303150M | WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM | 294 | 294 |
| 213 | 0305160N | NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC) | 599 | 599 |
| 214 | 0305192N | MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES | 6,207 | 6,207 |
| 215 | 0305204N | TACTICAL UNMANNED AERIAL VEHICLES | 8,550 | 8,550 |
| 216 | 0305205N | UAS INTEGRATION AND INTEROPERABILITY | 41,831 | 41,831 |
| 217 | 0305208M | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 1,105 | 1,105 |
| 218 | 0305208N | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 33,149 | 33,149 |
| 219 | 0305220N | RQ–4 UAV | 227,188 | 227,188 |
| 220 | 0305231N | MQ–8 UAV | 52,770 | 52,770 |
| 221 | 0305232M | RQ–11 UAV | 635 | 635 |
| 222 | 0305233N | RQ–7 UAV | 688 | 688 |
| 223 | 0305234N | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 4,647 | 4,647 |
| 224 | 0305239M | RQ–21A | 6,435 | 6,435 |
| 225 | 0305241N | MULTI-INTELLIGENCE SENSOR DEVELOPMENT | 49,145 | 49,145 |
| 226 | 0305242M | UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP) | 9,246 | 9,246 |
| 227 | 0305421N | RQ–4 MODERNIZATION | 150,854 | 150,854 |
| 228 | 0308601N | MODELING AND SIMULATION SUPPORT | 4,757 | 4,757 |
| 229 | 0702207N | DEPOT MAINTENANCE (NON-IF) | 24,185 | 24,185 |
| 231 | 0708730N | MARITIME TECHNOLOGY (MARITECH) | 4,321 | 4,321 |
| 231A | 9999999999 | CLASSIFIED PROGRAMS | 1,252,185 | 1,252,185 |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **3,482,173** | **3,410,029** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY** | **17,885,916** | **18,240,379** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVAL, AF** | | |
| | | **BASIC RESEARCH** | | |
| 001 | 0601102F | DEFENSE RESEARCH SCIENCES | 329,721 | 352,221 |
| | | Basic research program increase | | [22,500] |
| 002 | 0601103F | UNIVERSITY RESEARCH INITIATIVES | 141,754 | 141,754 |
| 003 | 0601108F | HIGH ENERGY LASER RESEARCH INITIATIVES | 13,778 | 13,778 |
| | | **SUBTOTAL BASIC RESEARCH** | **485,253** | **507,753** |
| | | **APPLIED RESEARCH** | | |
| 004 | 0602102F | MATERIALS | 125,234 | 125,234 |

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|---|---|---|---|---|
| 005 | 0602201F | AEROSPACE VEHICLE TECHNOLOGIES | 123,438 | 123,438 |
| 006 | 0602202F | HUMAN EFFECTIVENESS APPLIED RESEARCH | 100,530 | 100,530 |
| 007 | 0602203F | AEROSPACE PROPULSION | 182,326 | 182,326 |
| 008 | 0602204F | AEROSPACE SENSORS | 147,291 | 147,291 |
| 009 | 0602601F | SPACE TECHNOLOGY | 116,122 | 116,122 |
| 010 | 0602602F | CONVENTIONAL MUNITIONS | 99,851 | 99,851 |
| 011 | 0602605F | DIRECTED ENERGY TECHNOLOGY | 115,604 | 115,604 |
| 012 | 0602788F | DOMINANT INFORMATION SCIENCES AND METHODS | 164,909 | 164,909 |
| 013 | 0602890F | HIGH ENERGY LASER RESEARCH | 42,037 | 42,037 |
| | | **SUBTOTAL APPLIED RESEARCH** | **1,217,342** | **1,217,342** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 014 | 0603112F | ADVANCED MATERIALS FOR WEAPON SYSTEMS | 37,665 | 47,665 |
| | | Metals Affordability Initiative | | [10,000] |
| 015 | 0603199F | SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) | 18,378 | 18,378 |
| 016 | 0603203F | ADVANCED AEROSPACE SENSORS | 42,183 | 42,183 |
| 017 | 0603211F | AEROSPACE TECHNOLOGY DEV/DEMO | 100,733 | 100,733 |
| 018 | 0603216F | AEROSPACE PROPULSION AND POWER TECHNOLOGY | 168,821 | 168,821 |
| 019 | 0603270F | ELECTRONIC COMBAT TECHNOLOGY | 47,032 | 47,032 |
| 020 | 0603401F | ADVANCED SPACECRAFT TECHNOLOGY | 54,897 | 54,897 |
| 021 | 0603444F | MAUI SPACE SURVEILLANCE SYSTEM (MSSS) | 12,853 | 12,853 |
| 022 | 0603456F | HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT | 25,448 | 25,448 |
| 023 | 0603601F | CONVENTIONAL WEAPONS TECHNOLOGY | 48,536 | 48,536 |
| 024 | 0603605F | ADVANCED WEAPONS TECHNOLOGY | 30,195 | 30,195 |
| 025 | 0603680F | MANUFACTURING TECHNOLOGY PROGRAM | 42,630 | 52,630 |
| | | Maturation of advanced manufacturing for low-cost sustainment | | [10,000] |
| 026 | 0603788F | BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION | 46,414 | 46,414 |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | **675,785** | **695,785** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 027 | 0603260F | INTELLIGENCE ADVANCED DEVELOPMENT | 5,032 | 5,032 |
| 029 | 0603438F | SPACE CONTROL TECHNOLOGY | 4,070 | 4,070 |
| 030 | 0603742F | COMBAT IDENTIFICATION TECHNOLOGY | 21,790 | 21,790 |
| 031 | 0603790F | NATO RESEARCH AND DEVELOPMENT | 4,736 | 4,736 |
| 033 | 0603830F | SPACE SECURITY AND DEFENSE PROGRAM | 30,771 | 30,771 |
| 034 | 0603851F | INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL | 39,765 | 39,765 |
| 036 | 0604015F | LONG RANGE STRIKE | 1,246,228 | 556,228 |
| | | Delayed EMD contract award | | [–690,000] |
| 037 | 0604317F | TECHNOLOGY TRANSFER | 3,512 | 8,512 |
| | | Technology transfer program increase | | [5,000] |
| 038 | 0604327F | HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM | 54,637 | 54,637 |
| 040 | 0604422F | WEATHER SYSTEM FOLLOW-ON | 76,108 | 51,108 |
| | | Unjustified increase and analysis of alternatives | | [–25,000] |
| 044 | 0604857F | OPERATIONALLY RESPONSIVE SPACE | 6,457 | 19,957 |
| | | SSA, Weather, or Launch Activities | | [13,500] |
| 045 | 0604858F | TECH TRANSITION PROGRAM | 246,514 | 246,514 |
| 046 | 0605230F | GROUND BASED STRATEGIC DETERRENT | 75,166 | 75,166 |
| 049 | 0207110F | NEXT GENERATION AIR DOMINANCE | 8,830 | 8,830 |
| 050 | 0207455F | THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) | 14,939 | 14,939 |
| 051 | 0305164F | NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) | 142,288 | 142,288 |
| 052 | 0306250F | CYBER OPERATIONS TECHNOLOGY DEVELOPMENT | 81,732 | 96,732 |
| | | Increase USCC Cyber Operations Technology Development | | [15,000] |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **2,062,575** | **1,381,075** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 055 | 0604270F | ELECTRONIC WARFARE DEVELOPMENT | 929 | 929 |
| 056 | 0604281F | TACTICAL DATA NETWORKS ENTERPRISE | 60,256 | 60,256 |
| 057 | 0604287F | PHYSICAL SECURITY EQUIPMENT | 5,973 | 5,973 |
| 058 | 0604329F | SMALL DIAMETER BOMB (SDB)—EMD | 32,624 | 32,624 |
| 059 | 0604421F | COUNTERSPACE SYSTEMS | 24,208 | 24,208 |
| 060 | 0604425F | SPACE SITUATION AWARENESS SYSTEMS | 32,374 | 32,374 |
| 061 | 0604426F | SPACE FENCE | 243,909 | 243,909 |
| 062 | 0604429F | AIRBORNE ELECTRONIC ATTACK | 8,358 | 8,358 |
| 063 | 0604441F | SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD | 292,235 | 292,235 |
| 064 | 0604602F | ARMAMENT/ORDNANCE DEVELOPMENT | 40,154 | 40,154 |
| 065 | 0604604F | SUBMUNITIONS | 2,506 | 2,506 |
| 066 | 0604617F | AGILE COMBAT SUPPORT | 57,678 | 57,678 |
| 067 | 0604706F | LIFE SUPPORT SYSTEMS | 8,187 | 8,187 |
| 068 | 0604735F | COMBAT TRAINING RANGES | 15,795 | 15,795 |
| 069 | 0604800F | F–35—EMD | 589,441 | 589,441 |
| 071 | 0604853F | EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD | 84,438 | 184,438 |
| | | EELV Program—Rocket Propulsion System Development | | [100,000] |
| 072 | 0604932F | LONG RANGE STANDOFF WEAPON | 36,643 | 16,143 |
| | | Contract delay | | [–20,500] |
| 073 | 0604933F | ICBM FUZE MODERNIZATION | 142,551 | 142,551 |
| 074 | 0605213F | F–22 MODERNIZATION INCREMENT 3.2B | 140,640 | 140,640 |
| 075 | 0605214F | GROUND ATTACK WEAPONS FUZE DEVELOPMENT | 3,598 | 3,598 |
| 076 | 0605221F | KC–46 | 602,364 | 402,364 |
| | | Program decrease | | [–200,000] |
| 077 | 0605223F | ADVANCED PILOT TRAINING | 11,395 | 11,395 |
| 078 | 0605229F | CSAR HH–60 RECAPITALIZATION | 156,085 | 156,085 |
| 080 | 0605431F | ADVANCED EHF MILSATCOM (SPACE) | 228,230 | 228,230 |
| 081 | 0605432F | POLAR MILSATCOM (SPACE) | 72,084 | 72,084 |

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| Line | Program Element | Item | FY 2016 Request | Agreement Authorized |
|---|---|---|---|---|
| 082 | 0605433F | WIDEBAND GLOBAL SATCOM (SPACE) | 56,343 | 52,343 |
| | | Excess to need | | [–4,000] |
| 083 | 0605458F | AIR & SPACE OPS CENTER 10.2 RDT&E | 47,629 | 47,629 |
| 084 | 0605931F | B–2 DEFENSIVE MANAGEMENT SYSTEM | 271,961 | 271,961 |
| 085 | 0101125F | NUCLEAR WEAPONS MODERNIZATION | 212,121 | 212,121 |
| 086 | 0207171F | F–15 EPAWSS | 186,481 | 186,481 |
| 087 | 0207701F | FULL COMBAT MISSION TRAINING | 18,082 | 18,082 |
| 088 | 0305176F | COMBAT SURVIVOR EVADER LOCATOR | 993 | 993 |
| 089 | 0307581F | NEXTGEN JSTARS | 44,343 | 44,343 |
| 091 | 0401319F | PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR) | 102,620 | 102,620 |
| 092 | 0701212F | AUTOMATED TEST SYSTEMS | 14,563 | 14,563 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | **3,847,791** | **3,723,291** |
| | | **MANAGEMENT SUPPORT** | | |
| 093 | 0604256F | THREAT SIMULATOR DEVELOPMENT | 23,844 | 23,844 |
| 094 | 0604759F | MAJOR T&E INVESTMENT | 68,302 | 73,302 |
| | | Airborne Sensor Data Correlation Project | | [5,000] |
| 095 | 0605101F | RAND PROJECT AIR FORCE | 34,918 | 34,918 |
| 097 | 0605712F | INITIAL OPERATIONAL TEST & EVALUATION | 10,476 | 10,476 |
| 098 | 0605807F | TEST AND EVALUATION SUPPORT | 673,908 | 673,908 |
| 099 | 0605860F | ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) | 21,858 | 21,858 |
| 100 | 0605864F | SPACE TEST PROGRAM (STP) | 28,228 | 28,228 |
| 101 | 0605976F | FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT | 40,518 | 40,518 |
| 102 | 0605978F | FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT | 27,895 | 27,895 |
| 103 | 0606017F | REQUIREMENTS ANALYSIS AND MATURATION | 16,507 | 16,507 |
| 104 | 0606116F | SPACE TEST AND TRAINING RANGE DEVELOPMENT | 18,997 | 18,997 |
| 106 | 0606392F | SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE | 185,305 | 176,727 |
| | | Excess to need | | [–8,578] |
| 107 | 0308602F | ENTEPRISE INFORMATION SERVICES (EIS) | 4,841 | 4,841 |
| 108 | 0702806F | ACQUISITION AND MANAGEMENT SUPPORT | 15,357 | 15,357 |
| 109 | 0804731F | GENERAL SKILL TRAINING | 1,315 | 1,315 |
| 111 | 1001004F | INTERNATIONAL ACTIVITIES | 2,315 | 2,315 |
| | | **SUBTOTAL MANAGEMENT SUPPORT** | **1,174,584** | **1,171,006** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 112 | 0603423F | GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT | 350,232 | 350,232 |
| 113 | 0604233F | SPECIALIZED UNDERGRADUATE FLIGHT TRAINING | 10,465 | 10,465 |
| 114 | 0604445F | WIDE AREA SURVEILLANCE | 24,577 | 24,577 |
| 117 | 0605018F | AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) | 69,694 | 10,694 |
| | | Forward financing, excluding funding for audit readiness | | [–59,000] |
| 118 | 0605024F | ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY | 26,718 | 26,718 |
| 119 | 0605278F | HC/MC–130 RECAP RDT&E | 10,807 | 10,807 |
| 121 | 0101113F | B–52 SQUADRONS | 74,520 | 74,520 |
| 122 | 0101122F | AIR-LAUNCHED CRUISE MISSILE (ALCM) | 451 | 451 |
| 123 | 0101126F | B–1B SQUADRONS | 2,245 | 2,245 |
| 124 | 0101127F | B–2 SQUADRONS | 108,183 | 108,183 |
| 125 | 0101213F | MINUTEMAN SQUADRONS | 178,929 | 178,929 |
| 126 | 0101313F | STRAT WAR PLANNING SYSTEM—USSTRATCOM | 28,481 | 28,481 |
| 127 | 0101314F | NIGHT FIST—USSTRATCOM | 87 | 87 |
| 128 | 0101316F | WORLDWIDE JOINT STRATEGIC COMMUNICATIONS | 5,315 | 5,315 |
| 131 | 0105921F | SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES | 8,090 | 8,090 |
| 132 | 0205219F | MQ–9 UAV | 123,439 | 123,439 |
| 134 | 0207131F | A–10 SQUADRONS | | 16,200 |
| | | A–10 restoration: operational flight program development | | [16,200] |
| 135 | 0207133F | F–16 SQUADRONS | 148,297 | 198,297 |
| | | AESA Radar Integration | | [50,000] |
| 136 | 0207134F | F–15E SQUADRONS | 179,283 | 192,079 |
| | | Transfer from procurement | | [12,796] |
| 137 | 0207136F | MANNED DESTRUCTIVE SUPPRESSION | 14,860 | 14,860 |
| 138 | 0207138F | F–22A SQUADRONS | 262,552 | 262,552 |
| 139 | 0207142F | F–35 SQUADRONS | 115,395 | 53,921 |
| | | Program delay | | [–61,474] |
| 140 | 0207161F | TACTICAL AIM MISSILES | 43,360 | 43,360 |
| 141 | 0207163F | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) | 46,160 | 46,160 |
| 143 | 0207224F | COMBAT RESCUE AND RECOVERY | 412 | 412 |
| 144 | 0207227F | COMBAT RESCUE—PARARESCUE | 657 | 657 |
| 145 | 0207247F | AF TENCAP | 31,428 | 31,428 |
| 146 | 0207249F | PRECISION ATTACK SYSTEMS PROCUREMENT | 1,105 | 1,105 |
| 147 | 0207253F | COMPASS CALL | 14,249 | 14,249 |
| 148 | 0207268F | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM | 103,942 | 103,942 |
| 149 | 0207325F | JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) | 12,793 | 12,793 |
| 150 | 0207410F | AIR & SPACE OPERATIONS CENTER (AOC) | 21,193 | 21,193 |
| 151 | 0207412F | CONTROL AND REPORTING CENTER (CRC) | 559 | 559 |
| 152 | 0207417F | AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) | 161,812 | 161,812 |
| 153 | 0207418F | TACTICAL AIRBORNE CONTROL SYSTEMS | 6,001 | 6,001 |
| 155 | 0207431F | COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES | 7,793 | 7,793 |
| 156 | 0207444F | TACTICAL AIR CONTROL PARTY-MOD | 12,465 | 12,465 |
| 157 | 0207448F | C2ISR TACTICAL DATA LINK | 1,681 | 1,681 |
| 159 | 0207452F | DCAPES | 16,796 | 16,796 |
| 161 | 0207590F | SEEK EAGLE | 21,564 | 21,564 |
| 162 | 0207601F | USAF MODELING AND SIMULATION | 24,994 | 24,994 |
| 163 | 0207605F | WARGAMING AND SIMULATION CENTERS | 6,035 | 6,035 |
| 164 | 0207697F | DISTRIBUTED TRAINING AND EXERCISES | 4,358 | 4,358 |

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|---|---|---|---|---|
| 165 | 0208006F | MISSION PLANNING SYSTEMS | 55,835 | 55,835 |
| 167 | 0208087F | AF OFFENSIVE CYBERSPACE OPERATIONS | 12,874 | 12,874 |
| 168 | 0208088F | AF DEFENSIVE CYBERSPACE OPERATIONS | 7,681 | 7,681 |
| 171 | 0301017F | GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) | 5,974 | 5,974 |
| 177 | 0301400F | SPACE SUPERIORITY INTELLIGENCE | 13,815 | 13,815 |
| 178 | 0302015F | E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) | 80,360 | 80,360 |
| 179 | 0303001F | FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) | 3,907 | 3,907 |
| 180 | 0303131F | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) | 75,062 | 75,062 |
| 181 | 0303140F | INFORMATION SYSTEMS SECURITY PROGRAM | 46,599 | 46,599 |
| 183 | 0303142F | GLOBAL FORCE MANAGEMENT—DATA INITIATIVE | 2,470 | 2,470 |
| 186 | 0304260F | AIRBORNE SIGINT ENTERPRISE | 112,775 | 112,775 |
| 189 | 0305099F | GLOBAL AIR TRAFFIC MANAGEMENT (GATM) | 4,235 | 4,235 |
| 192 | 0305110F | SATELLITE CONTROL NETWORK (SPACE) | 7,879 | 5,879 |
| | | *Unjustified increase in systems engineering* | | [–2,000] |
| 193 | 0305111F | WEATHER SERVICE | 29,955 | 29,955 |
| 194 | 0305114F | AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) | 21,485 | 21,485 |
| 195 | 0305116F | AERIAL TARGETS | 2,515 | 2,515 |
| 198 | 0305128F | SECURITY AND INVESTIGATIVE ACTIVITIES | 472 | 472 |
| 199 | 0305145F | ARMS CONTROL IMPLEMENTATION | 12,137 | 12,137 |
| 200 | 0305146F | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | 361 | 361 |
| 203 | 0305173F | SPACE AND MISSILE TEST AND EVALUATION CENTER | 3,162 | 3,162 |
| 204 | 0305174F | SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT | 1,543 | 1,543 |
| 205 | 0305179F | INTEGRATED BROADCAST SERVICE (IBS) | 7,860 | 7,860 |
| 206 | 0305182F | SPACELIFT RANGE SYSTEM (SPACE) | 6,902 | 6,902 |
| 207 | 0305202F | DRAGON U–2 | 34,471 | 34,471 |
| 209 | 0305206F | AIRBORNE RECONNAISSANCE SYSTEMS | 50,154 | 60,154 |
| | | *Wide Area Surveillance Capability* | | [10,000] |
| 210 | 0305207F | MANNED RECONNAISSANCE SYSTEMS | 13,245 | 13,245 |
| 211 | 0305208F | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 22,784 | 22,784 |
| 212 | 0305219F | MQ–1 PREDATOR A UAV | 716 | 716 |
| 213 | 0305220F | RQ–4 UAV | 208,053 | 203,053 |
| | | *Program delays* | | [–5,000] |
| 214 | 0305221F | NETWORK-CENTRIC COLLABORATIVE TARGETING | 21,587 | 21,587 |
| 215 | 0305236F | COMMON DATA LINK EXECUTIVE AGENT (CDL EA) | 43,986 | 43,986 |
| 216 | 0305238F | NATO AGS | 197,486 | 138,400 |
| | | *Transfer to Procurement for NATO AWACS* | | [–59,086] |
| 217 | 0305240F | SUPPORT TO DCGS ENTERPRISE | 28,434 | 28,434 |
| 218 | 0305265F | GPS III SPACE SEGMENT | 180,902 | 180,902 |
| 220 | 0305614F | JSPOC MISSION SYSTEM | 81,911 | 81,911 |
| 221 | 0305881F | RAPID CYBER ACQUISITION | 3,149 | 3,149 |
| 222 | 0305913F | NUDET DETECTION SYSTEM (SPACE) | 14,447 | 14,447 |
| 223 | 0305940F | SPACE SITUATION AWARENESS OPERATIONS | 20,077 | 20,077 |
| 225 | 0308699F | SHARED EARLY WARNING (SEW) | 853 | 853 |
| 226 | 0401115F | C–130 AIRLIFT SQUADRON | 33,962 | 33,962 |
| 227 | 0401119F | C–5 AIRLIFT SQUADRONS (IF) | 42,864 | 22,864 |
| | | *Forward financing* | | [–20,000] |
| 228 | 0401130F | C–17 AIRCRAFT (IF) | 54,807 | 54,807 |
| 229 | 0401132F | C–130J PROGRAM | 31,010 | 31,010 |
| 230 | 0401134F | LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) | 6,802 | 6,802 |
| 231 | 0401219F | KC–10S | 1,799 | 1,799 |
| 232 | 0401314F | OPERATIONAL SUPPORT AIRLIFT | 48,453 | 48,453 |
| 233 | 0401318F | CV–22 | 36,576 | 36,576 |
| 235 | 0408011F | SPECIAL TACTICS / COMBAT CONTROL | 7,963 | 7,963 |
| 236 | 0702207F | DEPOT MAINTENANCE (NON-IF) | 1,525 | 1,525 |
| 237 | 0708610F | LOGISTICS INFORMATION TECHNOLOGY (LOGIT) | 112,676 | 68,400 |
| | | *Program growth* | | [–44,276] |
| 238 | 0708611F | SUPPORT SYSTEMS DEVELOPMENT | 12,657 | 12,657 |
| 239 | 0804743F | OTHER FLIGHT TRAINING | 1,836 | 1,836 |
| 240 | 0808716F | OTHER PERSONNEL ACTIVITIES | 121 | 121 |
| 241 | 0901202F | JOINT PERSONNEL RECOVERY AGENCY | 5,911 | 5,911 |
| 242 | 0901218F | CIVILIAN COMPENSATION PROGRAM | 3,604 | 3,604 |
| 243 | 0901220F | PERSONNEL ADMINISTRATION | 4,598 | 4,598 |
| 244 | 0901226F | AIR FORCE STUDIES AND ANALYSIS AGENCY | 1,103 | 1,103 |
| 246 | 0901538F | FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT | 101,840 | 101,840 |
| 246A | 9999999999 | CLASSIFIED PROGRAMS | 12,780,142 | 12,780,142 |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **17,010,339** | **16,848,499** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF** | **26,473,669** | **25,544,751** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVAL, DW** | | |
| | | **BASIC RESEARCH** | | |
| 001 | 0601000BR | DTRA BASIC RESEARCH INITIATIVE | 38,436 | 38,436 |
| 002 | 0601101E | DEFENSE RESEARCH SCIENCES | 333,119 | 333,119 |
| 003 | 0601110D8Z | BASIC RESEARCH INITIATIVES | 42,022 | 42,022 |
| 004 | 0601117E | BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE | 56,544 | 56,544 |
| 005 | 0601120D8Z | NATIONAL DEFENSE EDUCATION PROGRAM | 49,453 | 54,453 |
| | | *STEM program increase* | | [5,000] |
| 006 | 0601228D8Z | HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS | 25,834 | 35,834 |
| | | *Program increase* | | [10,000] |
| 007 | 0601384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 46,261 | 46,261 |
| | | **SUBTOTAL BASIC RESEARCH** | **591,669** | **606,669** |
| | | **APPLIED RESEARCH** | | |

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(In Thousands of Dollars)

| Line | Program Element | Item | FY 2016 Request | Agreement Authorized |
|---|---|---|---|---|
| 008 | 0602000D8Z | JOINT MUNITIONS TECHNOLOGY | 19,352 | 19,352 |
| 009 | 0602115E | BIOMEDICAL TECHNOLOGY | 114,262 | 114,262 |
| 010 | 0602234D8Z | LINCOLN LABORATORY RESEARCH PROGRAM | 51,026 | 51,026 |
| 011 | 0602251D8Z | APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES | 48,226 | 48,226 |
| 012 | 0602303E | INFORMATION & COMMUNICATIONS TECHNOLOGY | 356,358 | 356,358 |
| 014 | 0602383E | BIOLOGICAL WARFARE DEFENSE | 29,265 | 29,265 |
| 015 | 0602384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 208,111 | 208,111 |
| 016 | 0602668D8Z | CYBER SECURITY RESEARCH | 13,727 | 13,727 |
| 018 | 0602702E | TACTICAL TECHNOLOGY | 314,582 | 309,582 |
| | | Multi-azimuth defense fast intercept round engagement system | | [–5,000] |
| 019 | 0602715E | MATERIALS AND BIOLOGICAL TECHNOLOGY | 220,115 | 201,721 |
| | | Program decrease | | [–18,394] |
| 020 | 0602716E | ELECTRONICS TECHNOLOGY | 174,798 | 174,798 |
| 021 | 0602718BR | WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES | 155,415 | 155,415 |
| 022 | 0602751D8Z | SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH | 8,824 | 8,824 |
| 023 | 1160401BB | SOF TECHNOLOGY DEVELOPMENT | 37,517 | 37,517 |
| | | **SUBTOTAL APPLIED RESEARCH** | **1,751,578** | **1,728,184** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 024 | 0603000D8Z | JOINT MUNITIONS ADVANCED TECHNOLOGY | 25,915 | 25,915 |
| 026 | 0603122D8Z | COMBATING TERRORISM TECHNOLOGY SUPPORT | 71,171 | 111,171 |
| | | Program increase | | [40,000] |
| 027 | 0603133D8Z | FOREIGN COMPARATIVE TESTING | 21,782 | 21,782 |
| 028 | 0603160BR | COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT | 290,654 | 290,654 |
| 030 | 0603176C | ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT | 12,139 | 12,139 |
| 031 | 0603177C | DISCRIMINATION SENSOR TECHNOLOGY | 28,200 | 28,200 |
| 032 | 0603178C | WEAPONS TECHNOLOGY | 45,389 | 7,367 |
| | | High Power Directed Energy—Missile Destruct | | [–26,055] |
| | | Move to support Multiple Object Kill Vehicle | | [–11,967] |
| 033 | 0603179C | ADVANCED C4ISR | 9,876 | 9,876 |
| 034 | 0603180C | ADVANCED RESEARCH | 17,364 | 17,364 |
| 035 | 0603225D8Z | JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT | 18,802 | 18,802 |
| 036 | 0603264S | AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY | 2,679 | 2,679 |
| 037 | 0603274C | SPECIAL PROGRAM—MDA TECHNOLOGY | 64,708 | 51,458 |
| | | Unjustified growth | | [–13,250] |
| 038 | 0603286E | ADVANCED AEROSPACE SYSTEMS | 185,043 | 185,043 |
| 039 | 0603287E | SPACE PROGRAMS AND TECHNOLOGY | 126,692 | 126,692 |
| 040 | 0603288D8Z | ANALYTIC ASSESSMENTS | 14,645 | 14,645 |
| 041 | 0603289D8Z | ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS | 59,830 | 49,830 |
| | | Program decrease | | [–10,000] |
| 042 | 0603294C | COMMON KILL VEHICLE TECHNOLOGY | 46,753 | 7,195 |
| | | MOKV Concept Development | | [–39,558] |
| 043 | 0603384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT | 140,094 | 140,094 |
| 044 | 0603527D8Z | RETRACT LARCH | 118,666 | 108,666 |
| | | Program decrease | | [–10,000] |
| 045 | 0603618D8Z | JOINT ELECTRONIC ADVANCED TECHNOLOGY | 43,966 | 23,966 |
| | | Program decrease | | [–20,000] |
| 046 | 0603648D8Z | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS | 141,540 | 116,540 |
| | | Program decrease | | [–25,000] |
| 047 | 0603662D8Z | NETWORKED COMMUNICATIONS CAPABILITIES | 6,980 | 6,980 |
| 050 | 0603680D8Z | DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM | 157,056 | 142,056 |
| | | Unjustified growth | | [–15,000] |
| 051 | 0603699D8Z | EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT | 33,515 | 41,015 |
| | | Efforts to counter-ISIL and Russian aggression | | [7,500] |
| 052 | 0603712S | GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS | 16,543 | 16,543 |
| 053 | 0603713S | DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY | 29,888 | 29,888 |
| 054 | 0603716D8Z | STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM | 65,836 | 65,836 |
| 055 | 0603720S | MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT | 79,037 | 89,037 |
| | | Trusted Source Implementation for Field Programmable Gate Arrays Study | | [10,000] |
| 056 | 0603727D8Z | JOINT WARFIGHTING PROGRAM | 9,626 | 5,000 |
| | | Program decrease | | [–4,626] |
| 057 | 0603739E | ADVANCED ELECTRONICS TECHNOLOGIES | 79,021 | 79,021 |
| 058 | 0603760E | COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS | 201,335 | 201,335 |
| 059 | 0603766E | NETWORK-CENTRIC WARFARE TECHNOLOGY | 452,861 | 432,861 |
| | | Excessive program growth | | [–20,000] |
| 060 | 0603767E | SENSOR TECHNOLOGY | 257,127 | 257,127 |
| 061 | 0603769SE | DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT | 10,771 | 10,771 |
| 062 | 0603781D8Z | SOFTWARE ENGINEERING INSTITUTE | 15,202 | 15,202 |
| 063 | 0603826D8Z | QUICK REACTION SPECIAL PROJECTS | 90,500 | 65,500 |
| | | Unjustified growth | | [–25,000] |
| 066 | 0603833D8Z | ENGINEERING SCIENCE & TECHNOLOGY | 18,377 | 18,377 |
| 067 | 0603941D8Z | TEST & EVALUATION SCIENCE & TECHNOLOGY | 82,589 | 82,589 |
| 068 | 0604055D8Z | OPERATIONAL ENERGY CAPABILITY IMPROVEMENT | 37,420 | 37,420 |
| 069 | 0303310D8Z | CWMD SYSTEMS | 42,488 | 42,488 |
| 070 | 1160402BB | SOF ADVANCED TECHNOLOGY DEVELOPMENT | 57,741 | 57,741 |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | **3,229,821** | **3,066,865** |
| | | **ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES** | | |
| 071 | 0603161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P | 31,710 | 31,710 |
| 073 | 0603600D8Z | WALKOFF | 90,567 | 90,567 |
| 074 | 0603714D8Z | ADVANCED SENSORS APPLICATION PROGRAM | 15,900 | 15,900 |
| 075 | 0603851D8Z | ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM | 52,758 | 52,758 |
| 076 | 0603881C | BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT | 228,021 | 228,021 |

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|---|---|---|---|---|
| 077 | 0603882C | BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT | 1,284,891 | 1,284,891 |
| 077A | 0603XXXX | MULTIPLE-OBJECT KILL VEHICLE | | 81,525 |
| | | Divert attitude control systems technology to support Multi-Object Kill Vehicle | | [10,000] |
| | | Establish MOKV Program of Record | | [71,525] |
| 078 | 0603884BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL | 172,754 | 172,754 |
| 079 | 0603884C | BALLISTIC MISSILE DEFENSE SENSORS | 233,588 | 233,588 |
| 080 | 0603890C | BMD ENABLING PROGRAMS | 409,088 | 409,088 |
| 080A | 0603XXXC | WEAPONS TECHNOLOGY—HIGH POWER DE | | 26,055 |
| | | High Power Directed Energy—Missile Destruct | | [26,055] |
| 081 | 0603891C | SPECIAL PROGRAMS—MDA | 400,387 | 400,387 |
| 082 | 0603892C | AEGIS BMD | 843,355 | 843,355 |
| 083 | 0603893C | SPACE TRACKING & SURVEILLANCE SYSTEM | 31,632 | 31,632 |
| 084 | 0603895C | BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS | 23,289 | 23,289 |
| 085 | 0603896C | BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI. | 450,085 | 437,785 |
| | | Future Spirals concurrency with multiple ongoing efforts and excess growth | | [–12,300] |
| 086 | 0603898C | BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT | 49,570 | 49,570 |
| 087 | 0603904C | MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) | 49,211 | 49,211 |
| 088 | 0603906C | REGARDING TRENCH | 9,583 | 9,583 |
| 089 | 0603907C | SEA BASED X-BAND RADAR (SBX) | 72,866 | 72,866 |
| 090 | 0603913C | ISRAELI COOPERATIVE PROGRAMS | 102,795 | 267,595 |
| | | Arrow 3 | | [19,500] |
| | | Arrow System Improvement Program | | [45,500] |
| | | David's Sling | | [99,800] |
| 091 | 0603914C | BALLISTIC MISSILE DEFENSE TEST | 274,323 | 274,323 |
| 092 | 0603915C | BALLISTIC MISSILE DEFENSE TARGETS | 513,256 | 513,256 |
| 093 | 0603920D8Z | HUMANITARIAN DEMINING | 10,129 | 10,129 |
| 094 | 0603923D8Z | COALITION WARFARE | 10,350 | 10,350 |
| 095 | 0604016D8Z | DEPARTMENT OF DEFENSE CORROSION PROGRAM | 1,518 | 11,518 |
| | | Program Increase | | [10,000] |
| 096 | 0604115C | TECHNOLOGY MATURATION INITIATIVES | 96,300 | 96,300 |
| 097 | 0604250D8Z | ADVANCED INNOVATIVE TECHNOLOGIES | 469,798 | 469,798 |
| 098 | 0604400D8Z | DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT. | 3,129 | 3,129 |
| 103 | 0604826J | JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS. | 25,200 | 25,200 |
| 105 | 0604873C | LONG RANGE DISCRIMINATION RADAR (LRDR) | 137,564 | 137,564 |
| 106 | 0604874C | IMPROVED HOMELAND DEFENSE INTERCEPTORS | 278,944 | 298,944 |
| | | Redesigned kill vehicle development | | [20,000] |
| 107 | 0604876C | BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST | 26,225 | 26,225 |
| 108 | 0604878C | AEGIS BMD TEST | 55,148 | 55,148 |
| 109 | 0604879C | BALLISTIC MISSILE DEFENSE SENSOR TEST | 86,764 | 86,764 |
| 110 | 0604880C | LAND-BASED SM–3 (LBSM3) | 34,970 | 34,970 |
| 111 | 0604881C | AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT | 172,645 | 172,645 |
| 112 | 0604887C | BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST | 64,618 | 64,618 |
| 114 | 0303191D8Z | JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM | 2,660 | 2,660 |
| 115 | 0305103C | CYBER SECURITY INITIATIVE | 963 | 963 |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES** | **6,816,554** | **7,106,634** |
| | | **SYSTEM DEVELOPMENT AND DEMONSTRATION** | | |
| 116 | 0604161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD | 8,800 | 8,800 |
| 117 | 0604165D8Z | PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT | 78,817 | 88,817 |
| | | Concept development by the Army of a CPGS option | | [5,000] |
| | | Concept development by the Navy of a CPGS option | | [5,000] |
| 118 | 0604384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD | 303,647 | 303,647 |
| 119 | 0604764K | ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO) | 23,424 | 23,424 |
| 120 | 0604771D8Z | JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) | 14,285 | 14,285 |
| 121 | 0605000BR | WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES | 7,156 | 7,156 |
| 122 | 0605013BL | INFORMATION TECHNOLOGY DEVELOPMENT | 12,542 | 42 |
| | | DCMA program decrease | | [–12,500] |
| 123 | 0605021SE | HOMELAND PERSONNEL SECURITY INITIATIVE | 191 | 191 |
| 124 | 0605022D8Z | DEFENSE EXPORTABILITY PROGRAM | 3,273 | 3,273 |
| 125 | 0605027D8Z | OUSD(C) IT DEVELOPMENT INITIATIVES | 5,962 | 5,962 |
| 126 | 0605070S | DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION | 13,412 | 13,412 |
| 127 | 0605075D8Z | DCMO POLICY AND INTEGRATION | 2,223 | 2,223 |
| 128 | 0605080S | DEFENSE AGENCY INTIATIVES (DAI)—FINANCIAL SYSTEM | 31,660 | 31,660 |
| 129 | 0605090S | DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS) | 13,085 | 13,085 |
| 130 | 0605210D8Z | DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES | 7,209 | 7,209 |
| 131 | 0303141K | GLOBAL COMBAT SUPPORT SYSTEM | 15,158 | 13,794 |
| | | Early to need | | [–1,364] |
| 132 | 0305304D8Z | DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM) | 4,414 | 4,414 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION** | **545,258** | **541,394** |
| | | **MANAGEMENT SUPPORT** | | |
| 133 | 0604774D8Z | DEFENSE READINESS REPORTING SYSTEM (DRRS) | 5,581 | 5,581 |
| 134 | 0604875D8Z | JOINT SYSTEMS ARCHITECTURE DEVELOPMENT | 3,081 | 3,081 |
| 135 | 0604940D8Z | CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) | 229,125 | 229,125 |
| 136 | 0604942D8Z | ASSESSMENTS AND EVALUATIONS | 28,674 | 21,674 |
| | | Program decrease | | [–7,000] |
| 138 | 0605100D8Z | JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) | 45,235 | 45,235 |
| 139 | 0605104D8Z | TECHNICAL STUDIES, SUPPORT AND ANALYSIS | 24,936 | 24,936 |
| 141 | 0605126J | JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO) | 35,471 | 35,471 |
| 144 | 0605142D8Z | SYSTEMS ENGINEERING | 37,655 | 37,655 |

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|---|---|---|---|---|
| 145 | 0605151D8Z | STUDIES AND ANALYSIS SUPPORT—OSD | 3,015 | 3,015 |
| 146 | 0605161D8Z | NUCLEAR MATTERS-PHYSICAL SECURITY | 5,287 | 5,287 |
| 147 | 0605170D8Z | SUPPORT TO NETWORKS AND INFORMATION INTEGRATION | 5,289 | 5,289 |
| 148 | 0605200D8Z | GENERAL SUPPORT TO USD (INTELLIGENCE) | 2,120 | 2,120 |
| 149 | 0605384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 102,264 | 102,264 |
| 158 | 0605790D8Z | SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER. | 2,169 | 2,169 |
| 159 | 0605798D8Z | DEFENSE TECHNOLOGY ANALYSIS | 13,960 | 13,960 |
| 160 | 0605801KA | DEFENSE TECHNICAL INFORMATION CENTER (DTIC) | 51,775 | 51,775 |
| 161 | 0605803SE | R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION | 9,533 | 9,533 |
| 162 | 0605804D8Z | DEVELOPMENT TEST AND EVALUATION | 17,371 | 21,371 |
| | | Program increase | | [4,000] |
| 163 | 0605898E | MANAGEMENT HQ—R&D | 71,571 | 71,571 |
| 164 | 0606100D8Z | BUDGET AND PROGRAM ASSESSMENTS | 4,123 | 4,123 |
| 165 | 0203345D8Z | DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) | 1,946 | 1,946 |
| 166 | 0204571J | JOINT STAFF ANALYTICAL SUPPORT | 7,673 | 7,673 |
| 169 | 0303166J | SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES | 10,413 | 10,413 |
| 170 | 0303260D8Z | DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO) | 971 | 971 |
| 171 | 0305193D8Z | CYBER INTELLIGENCE | 6,579 | 6,579 |
| 173 | 0804767D8Z | COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA | 43,811 | 43,811 |
| 174 | 0901598C | MANAGEMENT HQ—MDA | 35,871 | 35,871 |
| 176 | 0903230D8W | WHS—MISSION OPERATIONS SUPPORT—IT | 1,072 | 1,072 |
| 177A | 9999999999 | CLASSIFIED PROGRAMS | 49,500 | 49,500 |
| | | **SUBTOTAL MANAGEMENT SUPPORT** | **856,071** | **853,071** |
| | | **OPERATIONAL SYSTEM DEVELOPMENT** | | |
| 178 | 0604130V | ENTERPRISE SECURITY SYSTEM (ESS) | 7,929 | 7,929 |
| 179 | 0605127T | REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA. | 1,750 | 1,750 |
| 180 | 0605147T | OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS) | 294 | 294 |
| 181 | 0607210D8Z | INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT | 22,576 | 22,576 |
| 182 | 0607310D8Z | CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT | 1,901 | 1,901 |
| 183 | 0607327T | GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS). | 8,474 | 8,474 |
| 184 | 0607384BP | CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) | 33,561 | 33,561 |
| 186 | 0208043J | PLANNING AND DECISION AID SYSTEM (PDAS) | 3,061 | 3,061 |
| 187 | 0208045K | C4I INTEROPERABILITY | 64,921 | 64,921 |
| 189 | 0301144K | JOINT/ALLIED COALITION INFORMATION SHARING | 3,645 | 3,645 |
| 193 | 0302016K | NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT | 963 | 963 |
| 194 | 0302019K | DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION | 10,186 | 10,186 |
| 195 | 0303126K | LONG-HAUL COMMUNICATIONS—DCS | 36,883 | 36,883 |
| 196 | 0303131K | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) | 13,735 | 13,735 |
| 197 | 0303135G | PUBLIC KEY INFRASTRUCTURE (PKI) | 6,101 | 6,101 |
| 198 | 0303136G | KEY MANAGEMENT INFRASTRUCTURE (KMI) | 43,867 | 43,867 |
| 199 | 0303140D8Z | INFORMATION SYSTEMS SECURITY PROGRAM | 8,957 | 8,957 |
| 200 | 0303140G | INFORMATION SYSTEMS SECURITY PROGRAM | 146,890 | 146,890 |
| 201 | 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 21,503 | 21,503 |
| 202 | 0303153K | DEFENSE SPECTRUM ORGANIZATION | 20,342 | 20,342 |
| 203 | 0303170K | NET-CENTRIC ENTERPRISE SERVICES (NCES) | 444 | 444 |
| 205 | 0303610K | TELEPORT PROGRAM | 1,736 | 1,736 |
| 206 | 0304210BB | SPECIAL APPLICATIONS FOR CONTINGENCIES | 65,060 | 65,060 |
| 210 | 0305103K | CYBER SECURITY INITIATIVE | 2,976 | 2,976 |
| 215 | 0305186D8Z | POLICY R&D PROGRAMS | 4,182 | 4,182 |
| 216 | 0305199D8Z | NET CENTRICITY | 18,130 | 18,130 |
| 218 | 0305208BB | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 5,302 | 5,302 |
| 221 | 0305208K | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 3,239 | 3,239 |
| 225 | 0305327V | INSIDER THREAT | 11,733 | 11,733 |
| 226 | 0305387D8Z | HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM | 2,119 | 2,119 |
| 234 | 0708011S | INDUSTRIAL PREPAREDNESS | 24,605 | 19,245 |
| | | DLA Uniform Research | | [–5,360] |
| 235 | 0708012S | LOGISTICS SUPPORT ACTIVITIES | 1,770 | 1,770 |
| 236 | 0902298J | MANAGEMENT HQ—OJCS | 2,978 | 2,978 |
| 237 | 1105219BB | MQ–9 UAV | 18,151 | 23,151 |
| | | Medium Altitude Long Endurance Tactical (MALET) MQ–9 Unmanned Aerial Vehicle | | [5,000] |
| 238 | 1105232BB | RQ–11 UAV | 758 | 758 |
| 240 | 1160403BB | AVIATION SYSTEMS | 173,934 | 189,134 |
| | | MC–130 Terrain Following/Terrain Avoidance Radar Program | | [15,200] |
| 241 | 1160405BB | INTELLIGENCE SYSTEMS DEVELOPMENT | 6,866 | 6,866 |
| 242 | 1160408BB | OPERATIONAL ENHANCEMENTS | 63,008 | 63,008 |
| 243 | 1160431BB | WARRIOR SYSTEMS | 25,342 | 25,342 |
| 244 | 1160432BB | SPECIAL PROGRAMS | 3,401 | 3,401 |
| 245 | 1160480BB | SOF TACTICAL VEHICLES | 3,212 | 3,212 |
| 246 | 1160483BB | MARITIME SYSTEMS | 63,597 | 63,597 |
| 247 | 1160489BB | GLOBAL VIDEO SURVEILLANCE ACTIVITIES | 3,933 | 3,933 |
| 248 | 1160490BB | OPERATIONAL ENHANCEMENTS INTELLIGENCE | 10,623 | 10,623 |
| 248A | 9999999999 | CLASSIFIED PROGRAMS | 3,564,272 | 3,564,272 |
| | | **SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT** | **4,538,910** | **4,553,750** |
| | | **UNDISTRIBUTED** | | |
| 249 | XXXXXXX | DEFENSE WIDE CYBER VULNERABILITY ASSESSMENT | | 200,000 |
| | | Assess all major weapon systems for cyber vulnerability | | [200,000] |
| 251 | XXXXXXX | TECHNOLOGY OFFSET INITIATIVE | | 300,000 |
| | | Supports innovative technology development | | [300,000] |

*"SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*
*(In Thousands of Dollars)*

| *Line* | *Program Element* | *Item* | *FY 2016 Request* | *Agreement Authorized* |
|---|---|---|---|---|
| | | ***SUBTOTAL UNDISTRIBUTED*** | | ***500,000*** |
| | | ***TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW*** | ***18,329,861*** | ***18,956,567*** |
| | | ***OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT*** | | |
| *001* | *0605118OTE* | *OPERATIONAL TEST AND EVALUATION* | *76,838* | *76,838* |
| *002* | *0605131OTE* | *LIVE FIRE TEST AND EVALUATION* | *46,882* | *46,882* |
| *003* | *0605814OTE* | *OPERATIONAL TEST ACTIVITIES AND ANALYSES* | *46,838* | *46,838* |
| | | ***SUBTOTAL MANAGEMENT SUPPORT*** | ***170,558*** | ***170,558*** |
| | | ***TOTAL OPERATIONAL TEST & EVAL, DEFENSE*** | ***170,558*** | ***170,558*** |
| | | ***TOTAL RDT&E*** | ***69,784,963*** | ***70,005,814***''. |

On motion of Mr. ROGERS of Alabama, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶141.25 H.R. 308—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 308) to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 263 / Nays ..... 146

¶141.26 [Roll No. 626]

YEAS—263

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

NAYS—146

Adams
Amash
Bass
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kilmer
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis
Loebsack
Lujan Grisham (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McDermott
McSally
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Rangel
Rice (NY)
Roybal-Allard
Sánchez, Linda T.
Sarbanes
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—24

Beatty
Cleaver
DeFazio
Fattah
Gutiérrez
Hinojosa
Hultgren
King (IA)
Lawrence
Lieu, Ted
Lowey
Marchant
McGovern
Richmond
Rohrabacher
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Schakowsky
Takai
Titus
Wagner
Whitfield

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶141.27 MOMENT OF SILENCE IN MEMORY OF THE VICTIMS OF THE TERRORIST ATTACKS IN FRANCE

The SPEAKER announced that all Members stand and observe a moment of silence in memory of the victims of the terrorist attacks in France.

¶141.28 H.R. 1338—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1338) to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 409 / Nays ..... 0

¶141.29 [Roll No. 627]

YEAS—409

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—24

Cleaver
DeFazio
Fattah
Gutiérrez
Hinojosa
Hultgren
King (IA)
Lawrence
Lieu, Ted
Lowey
Marchant
McGovern
Richmond
Rohrabacher
Ruppersberger
Rush
Sanchez, Loretta
Schakowsky
Stivers
Takai
Titus
Wagner
Webster (FL)
Whitfield

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶141.30 H.R. 1384—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1384) to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays ..... 0

¶141.31 [Roll No. 628]

YEAS—407

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
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Long
Loudermilk
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Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
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Palazzo
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Palmer
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Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
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Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
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Simpson
Sinema
Sires
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Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Torres
Trott
Tsongas
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Upton
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Walters, Mimi
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Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
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Westerman
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Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
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Cleaver
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Eshoo
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King (IA)
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Lieu, Ted
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Rush
Sanchez, Loretta
Schakowsky
Scott, David
Takai
Titus
Wagner
Whitfield

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶141.32 PROVIDING FOR CONSIDERATION OF H.R. 1737 AND H.R. 511

Mr. COLE, by direction of the Committee on Rules, reported (Rept. No. 114–340) the resolution (H. Res. 526) providing for consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending; providing for consideration of the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶141.33 AMENDMENT OF THE SENATE TO H.R. 639

On motion of Mr. GRIFFITH, by unanimous consent, the bill (H.R. 639) to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Improving Regulatory Transparency for New Medical Therapies Act''.*

***SEC. 2. SCHEDULING OF SUBSTANCES INCLUDED IN NEW FDA-APPROVED DRUGS.***

*(a) EFFECTIVE DATE OF APPROVAL.—*

*(1) EFFECTIVE DATE OF DRUG APPROVAL.—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended by adding at the end the following:*

*''(x) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—*

*''(1) IN GENERAL.—In the case of an application under subsection (b) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.*

*''(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), the term 'date of approval' shall mean the later of—*

*''(A) the date an application under subsection (b) is approved under subsection (c); or*

*''(B) the date of issuance of the interim final rule controlling the drug.''.*

*(2) EFFECTIVE DATE OF APPROVAL OF BIOLOGICAL PRODUCTS.—Section 351 of the Public Health Service Act (42 U.S.C. 262) is amended by adding at the end the following:*

*''(n) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—*

*''(1) IN GENERAL.—In the case of an application under subsection (a) with respect to a biological product for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the biological product is issued in accordance with section 201(j) of the Controlled Substances Act.*

*''(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), references to the date of approval of such application, or licensure of the product subject to such application, shall mean the later of—*

*''(A) the date an application is approved under subsection (a); or*

*''(B) the date of issuance of the interim final rule controlling the biological product.''.*

*(3) EFFECTIVE DATE OF APPROVAL OF ANIMAL DRUGS.—*

*(A) IN GENERAL.—Section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) is amended by adding at the end the following:*

*''(q) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—*

*''(1) IN GENERAL.—In the case of an application under subsection (b) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.*

*''(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), the term 'date of approval' shall mean the later of—*

*''(A) the date an application under subsection (b) is approved under subsection (c); or*

*''(B) the date of issuance of the interim final rule controlling the drug.''.*

*(B) CONDITIONAL APPROVAL.—Section 571(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc(d)) is amended by adding at the end the following:*

*''(4)(A) In the case of an application under subsection (a) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, conditional approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.*

*''(B) For purposes of this section, with respect to an application described in subparagraph (A), the term 'date of approval' shall mean the later of—*

*''(i) the date an application under subsection (a) is conditionally approved under subsection (b); or*

*''(ii) the date of issuance of the interim final rule controlling the drug.''.*

*(C) INDEXING OF LEGALLY MARKETED UNAPPROVED NEW ANIMAL DRUGS.—Section 572 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc–1) is amended by adding at the end the following:*

*''(k) In the case of a request under subsection (d) to add a drug to the index under subsection (a) with respect to a drug for which the Secretary provides notice to the person filing the request that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, a determination to grant the request to add such drug to the index shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.''.*

*(4) DATE OF APPROVAL FOR DESIGNATED NEW ANIMAL DRUGS.—Section 573(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc–2(c)) is amended by adding at the end the following:*

*''(3) For purposes of determining the 7-year period of exclusivity under paragraph (1) for a drug for which the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, the drug shall not be considered approved or conditionally approved until the date that the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.''.*

*(b) SCHEDULING OF NEWLY APPROVED DRUGS.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by inserting after subsection (i) the following:*

*''(j)(1) With respect to a drug referred to in subsection (f), if the Secretary of Health and Human Services recommends that the Attorney General control the drug in schedule II, III, IV, or V pursuant to subsections (a) and (b), the Attorney General shall, not later than 90 days after the date described in paragraph (2), issue an interim final rule controlling the drug in accordance with such subsections and section 202(b) using the procedures described in paragraph (3).*

*''(2) The date described in this paragraph shall be the later of—*

*''(A) the date on which the Attorney General receives the scientific and medical evaluation and the scheduling recommendation from the Secretary of Health and Human Services in accordance with subsection (b); or*

*''(B) the date on which the Attorney General receives notification from the Secretary of Health and Human Services that the Secretary has approved an application under section 505(c), 512, or 571 of the Federal Food, Drug, and Cosmetic Act or section 351(a) of the Public*

*Health Service Act, or indexed a drug under section 572 of the Federal Food, Drug, and Cosmetic Act, with respect to the drug described in paragraph (1).*

*''(3) A rule issued by the Attorney General under paragraph (1) shall become immediately effective as an interim final rule without requiring the Attorney General to demonstrate good cause therefor. The interim final rule shall give interested persons the opportunity to comment and to request a hearing. After the conclusion of such proceedings, the Attorney General shall issue a final rule in accordance with the scheduling criteria of subsections (b), (c), and (d) of this section and section 202(b).''.*

*(c) EXTENSION OF PATENT TERM.—Section 156 of title 35, United States Code, is amended—*

*(1) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting '', or in the case of a drug product described in subsection (i), within the sixty-day period beginning on the covered date (as defined in subsection (i))'' after ''marketing or use''; and*

*(2) by adding at the end the following:*

*''(i)(1) For purposes of this section, if the Secretary of Health and Human Services provides notice to the sponsor of an application or request for approval, conditional approval, or indexing of a drug product for which the Secretary intends to recommend controls under the Controlled Substances Act, beginning on the covered date, the drug product shall be considered to—*

*''(A) have been approved or indexed under the relevant provision of the Public Health Service Act or Federal Food, Drug, and Cosmetic Act; and*

*''(B) have permission for commercial marketing or use.*

*''(2) In this subsection, the term 'covered date' means the later of—*

*''(A) the date an application is approved—*

*''(i) under section 351(a)(2)(C) of the Public Health Service Act; or*

*''(ii) under section 505(b) or 512(c) of the Federal Food, Drug, and Cosmetic Act;*

*''(B) the date an application is conditionally approved under section 571(b) of the Federal Food, Drug, and Cosmetic Act;*

*''(C) the date a request for indexing is granted under section 572(d) of the Federal Food, Drug, and Cosmetic Act; or*

*''(D) the date of issuance of the interim final rule controlling the drug under section 201(j) of the Controlled Substances Act.''.*

***SEC. 3. ENHANCING NEW DRUG DEVELOPMENT.***

*Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:*

*''(i)(1) For purposes of registration to manufacture a controlled substance under subsection (d) for use only in a clinical trial, the Attorney General shall register the applicant, or serve an order to show cause upon the applicant in accordance with section 304(c), not later than 180 days after the date on which the application is accepted for filing.*

*''(2) For purposes of registration to manufacture a controlled substance under subsection (a) for use only in a clinical trial, the Attorney General shall, in accordance with the regulations issued by the Attorney General, issue a notice of application not later than 90 days after the application is accepted for filing. Not later than 90 days after the date on which the period for comment pursuant to such notice ends, the Attorney General shall register the applicant, or serve an order to show cause upon the applicant in accordance with section 304(c), unless the Attorney General has granted a hearing on the application under section 1008(i) of the Controlled Substances Import and Export Act.''.*

***SEC. 4. RE-EXPORTATION AMONG MEMBERS OF THE EUROPEAN ECONOMIC AREA.***

*Section 1003 of the Controlled Substances Import and Export Act (21 U.S.C. 953) is amended—*

*(1) in subsection(f)—*

*(A) in paragraph (5)—*

*(i) by striking ''(5)'' and inserting ''(5)(A)'';*

*(ii) by inserting '', except that the controlled substance may be exported from a second country that is a member of the European Economic Area to another country that is a member of the European Economic Area, provided that the first country is also a member of the European Economic Area'' before the period at the end; and*

*(iii) by adding at the end the following:*

*''(B) Subsequent to any re-exportation described in subparagraph (A), a controlled substance may continue to be exported from any country that is a member of the European Economic Area to any other such country, if—*

*''(i) the conditions applicable with respect to the first country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subsequent country from which the controlled substance is exported pursuant to this paragraph; and*

*''(ii) the conditions applicable with respect to the second country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subsequent country to which the controlled substance is exported pursuant to this paragraph.''; and*

*(B) in paragraph (6)—*

*(i) by striking ''(6)'' and inserting ''(6)(A)''; and*

*(ii) by adding at the end the following:*

*''(B) In the case of re-exportation among members of the European Economic Area, within 30 days after each re-exportation, the person who exported the controlled substance from the United States delivers to the Attorney General—*

*''(i) documentation certifying that such re-exportation has occurred; and*

*''(ii) information concerning the consignee, country, and product.''; and*

*(2) by adding at the end the following:*

*''(g) LIMITATION.—Subject to paragraphs (5) and (6) of subsection (f) in the case of any controlled substance in schedule I or II or any narcotic drug in schedule III or IV, the Attorney General shall not promulgate nor enforce any regulation, subregulatory guidance, or enforcement policy which impedes re-exportation of any controlled substance among European Economic Area countries, including by promulgating or enforcing any requirement that—*

*''(1) re-exportation from the first country to the second country or re-exportation from the second country to another country occur within a specified period of time; or*

*''(2) information concerning the consignee, country, and product be provided prior to exportation of the controlled substance from the United States or prior to each re-exportation among members of the European Economic Area.''.*

On motion of Mr. GRIFFITH, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶141.34 EMANCIPATION HALL

On motion of Mrs. COMSTOCK, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 24):

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. USE OF EMANCIPATION HALL FOR THE UNVEILING OF THE MARBLE BUST OF VICE PRESIDENT RICHARD CHENEY.**

(a) IN GENERAL.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for a ceremony to unveil the marble bust of Vice President Richard Cheney on December 3, 2015.

(b) PREPARATIONS.—The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony described in subsection (a).

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶141.35 EMANCIPATION HALL

On motion of Mrs. COMSTOCK, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution (H. Con. Res. 93):

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO COMMEMORATE 150TH ANNIVERSARY OF RATIFICATION OF 13TH AMENDMENT.**

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on December 9, 2015, for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment to the Constitution of the United States, which abolished slavery in the United States.

(b) PREPARATIONS.— Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶141.36 SURFACE TRANSPORTATION EXTENSION

Mr. HARDY moved to suspend the rules and pass the bill (H.R. 3996) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The SPEAKER pro tempore, Mr. RATCLIFFE, recognized Mr. HARDY and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. RATCLIFFE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶141.37 POLICYHOLDER PROTECTION

Mr. POSEY moved to suspend the rules and pass the bill (H.R. 1478) to

provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RATCLIFFE, recognized Mr. POSEY and Ms. MOORE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RATCLIFFE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶141.38 SECURITIES AND EXCHANGE COMMISSION REPORTING MODERNIZATION

Mr. HENSARLING moved to suspend the rules and pass the bill (H.R. 3032) to amend the Securities Exchange Act of 1934 to repeal a certain reporting requirement of the Securities and Exchange Commission.

The SPEAKER pro tempore, Mr. RATCLIFFE, recognized Mr. HENSARLING and Ms. MOORE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. RATCLIFFE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶141.39 CLEARING REQUIREMENTS TO CERTAIN AFFILIATE TRANSACTIONS

Mr. HENSARLING moved to suspend the rules and pass the bill (H.R. 1317) to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RATCLIFFE, recognized Mr. HENSARLING and Ms. MOORE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RATCLIFFE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶141.40 EQUITY IN GOVERNMENT COMPENSATION

Mr. HENSARLING moved to suspend the rules and pass the bill of the Senate (S. 2036) to suspend the current compensation packages for the chief executive officers of Fannie Mae and Freddie Mac, and for other purposes.

The SPEAKER pro tempore, Mr. RATCLIFFE, recognized Mr. HENSARLING and Ms. MOORE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. RATCLIFFE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶141.41 AMENDMENTS OF THE SENATE TO H.R. 208

Mr. CHABOT moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 208) to improve the disaster assistance programs of the Small Business Administration:

*(1) On page 2, strike lines 1 through 5 and insert the following:*

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Recovery Improvements for Small Entities After Disaster Act of 2015'' or the ''RISE After Disaster Act of 2015''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*



***DIVISION A—SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENTS***

***SEC. 1001. SHORT TITLE.***

*This division may be cited as the ''Superstorm Sandy Relief and Disaster Loan Program Improvement Act of 2015''.*

***SEC. 1002. FINDINGS.***

*(2) On page 3, strike line 5 and insert the following:*

***TITLE I—DISASTER ASSISTANCE IMPROVEMENTS***

***SEC. 1101. REVISED DISASTER DEADLINE.***

*(3) On page 3, line 14, insert ''nonprofit entity,'' after ''homeowner,''.*

*(4) On page 4, line 9, strike the quotation marks and the second period and insert the following:*

*''(C) INSPECTOR GENERAL REVIEW.—Not later than 6 months after the date on which the Administrator begins carrying out this authority, the Inspector General of the Administration shall initiate a review of the controls for ensuring applicant eligibility for loans made under this paragraph.''.*

*(5) On page 4, line 10, strike ''**SEC. 4.**'' and insert ''**SEC. 1102.**''.*

*(6) On page 4, line 24, insert '', if such safe room or similar storm shelter is constructed in accordance with applicable standards issued by the Federal Emergency Management Agency'' after ''disasters''.*

*(7) On page 5, strike lines 1 through 21 and insert the following:*

***SEC. 1103. REDUCING DELAYS ON CLOSING AND DISBURSEMENT OF LOANS.***

*Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (9) the following:*

*(8) On page 5, line 22, strike ''(11)'' and insert ''(10)''.*

*(9) On page 6, strike lines 5 through 8 and insert the following:*

***SEC. 1104. SAFEGUARDING TAXPAYER INTERESTS AND INCREASING TRANSPARENCY IN LOAN APPROVALS.***

*Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (10), as added by section 1103 of this Act, the following:*

*(10) On page 6, line 9, strike ''(12)'' and insert ''(11)''.*

(11) Beginning on page 6, strike line 14 and all that follows through page 7, line 20, and insert the following:

**SEC. 1105. DISASTER PLAN IMPROVEMENTS.**

(12) Beginning on page 8, strike line 6 and all that follows through page 9, line 6, and insert the following:

## DIVISION B—RECOVERY IMPROVEMENTS FOR SMALL ENTITIES

**SECTION 2001. SHORT TITLE.**

This division may be cited as the ''Recovery Improvements for Small Entities After Disaster Act of 2015'' or the ''RISE After Disaster Act of 2015''.

## TITLE I—IMPROVEMENTS OF DISASTER RESPONSE AND LOANS

**SEC. 2101. ADDITIONAL AWARDS TO SMALL BUSINESS DEVELOPMENT CENTERS, WOMEN'S BUSINESS CENTERS, AND SCORE FOR DISASTER RECOVERY.**

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (11), as added by section 1104 of this Act, the following:

''(12) ADDITIONAL AWARDS TO SMALL BUSINESS DEVELOPMENT CENTERS, WOMEN'S BUSINESS CENTERS, AND SCORE FOR DISASTER RECOVERY.—

''(A) IN GENERAL.—The Administration may provide financial assistance to a small business development center, a women's business center described in section 29, the Service Corps of Retired Executives, or any proposed consortium of such individuals or entities to spur disaster recovery and growth of small business concerns located in an area for which the President has declared a major disaster.

''(B) FORM OF FINANCIAL ASSISTANCE.—Financial assistance provided under this paragraph shall be in the form of a grant, contract, or cooperative agreement.

''(C) NO MATCHING FUNDS REQUIRED.—Matching funds shall not be required for any grant, contract, or cooperative agreement under this paragraph.

''(D) REQUIREMENTS.—A recipient of financial assistance under this paragraph shall provide counseling, training, and other related services, such as promoting long-term resiliency, to small business concerns and entrepreneurs impacted by a major disaster.

''(E) PERFORMANCE.—

''(i) IN GENERAL.—The Administrator, in cooperation with the recipients of financial assistance under this paragraph, shall establish metrics and goals for performance of grants, contracts, and cooperative agreements under this paragraph, which shall include recovery of sales, recovery of employment, reestablishment of business premises, and establishment of new small business concerns.

''(ii) USE OF ESTIMATES.—The Administrator shall base the goals and metrics for performance established under clause (i), in part, on the estimates of disaster impact prepared by the Office of Disaster Assistance for purposes of estimating loan-making requirements.

''(F) TERM.—

''(i) IN GENERAL.—The term of any grant, contract, or cooperative agreement under this paragraph shall be for not more than 2 years.

''(ii) EXTENSION.—The Administrator may make 1 extension of a grant, contract, or cooperative agreement under this paragraph for a period of not more than 1 year, upon a showing of good cause and need for the extension.

''(G) EXEMPTION FROM OTHER PROGRAM REQUIREMENTS.—Financial assistance provided under this paragraph is in addition to, and wholly separate from, any other form of assistance provided by the Administrator under this Act.

''(H) COMPETITIVE BASIS.—The Administration shall award financial assistance under this paragraph on a competitive basis.''.

**SEC. 2102. COLLATERAL REQUIREMENTS FOR DISASTER LOANS.**

(a) IN GENERAL.—Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended in the third proviso—

(1) by striking ''$14,000'' and inserting ''$25,000''; and

(2) by striking ''major disaster'' and inserting ''disaster''.

(b) SUNSET.—Effective on the date that is 3 years after the date of enactment of this Act, section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended in the third proviso—

(1) by striking ''$25,000'' and inserting ''$14,000''; and

(2) by inserting ''major'' before ''disaster''.

(c) REPORT.—Not later than 180 days before the date on which the amendments made by subsection (b) are to take effect, the Administrator of the Small Business Administration shall submit to Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the effects of the amendments made by subsection (a), which shall include—

(1) an assessment of the impact and benefits resulting from the amendments; and

(2) a recommendation as to whether the amendments should be made permanent.

**SEC. 2103. ASSISTANCE TO OUT-OF-STATE BUSINESS CONCERNS TO AID IN DISASTER RECOVERY.**

(a) IN GENERAL.—Section 21(b)(3) of the Small Business Act (15 U.S.C. 648(b)(3)) is amended—

(1) by striking ''(3) At the discretion'' and inserting the following:

''(3) ASSISTANCE TO OUT-OF-STATE SMALL BUSINESS CONCERNS.—

''(A) IN GENERAL.—At the discretion''; and

(2) by adding at the end the following:

''(B) DISASTER RECOVERY ASSISTANCE.—

''(i) IN GENERAL.—At the discretion of the Administrator, the Administrator may authorize a small business development center to provide advice, information, and assistance, as described in subsection (c), to a small business concern located outside of the State, without regard to geographic proximity to the small business development center, if the small business concern is located in an area for which the President has declared a major disaster.

''(ii) TERM.—

''(I) IN GENERAL.—A small business development center may provide advice, information, and assistance to a small business concern under clause (i) for a period of not more than 2 years after the date on which the President declared a major disaster for the area in which the small business concern is located.

''(II) EXTENSION.—The Administrator may, at the discretion of the Administrator, extend the period described in subclause (I).

''(iii) CONTINUITY OF SERVICES.—A small business development center that provides counselors to an area described in clause (i) shall, to the maximum extent practicable, ensure continuity of services in any State in which the small business development center otherwise provides services.

''(iv) ACCESS TO DISASTER RECOVERY FACILITIES.—For purposes of this subparagraph, the Administrator shall, to the maximum extent practicable, permit the personnel of a small business development center to use any site or facility designated by the Administrator for use to provide disaster recovery assistance.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, subject to the availability of funds, the Administrator of the Small Business Administration should, to the extent practicable, ensure that a small business development center is appropriately reimbursed for any legitimate expenses incurred in carrying out activities under section 21(b)(3)(B) of the Small Business Act, as added by subsection (a).

**SEC. 2104. FAST PROGRAM.**

(a) DEFINITIONS.—Section 34(a) of the Small Business Act (15 U.S.C. 657d(a)) is amended—

(1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

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

''(3) CATASTROPHIC INCIDENT.—The term 'catastrophic incident' means a major disaster that is comparable to the description of a catastrophic incident in the National Response Plan of the Administration, or any successor thereto.''.

(b) PRIORITY.—Section 34(c)(2) of the Small Business Act (15 U.S.C. 657d(c)(2)) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

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

(3) by adding at the end the following:

''(C) shall give special consideration to an applicant that is located in an area affected by a catastrophic incident.''.

(c) ADDITIONAL ASSISTANCE.—Section 34(c) of the Small Business Act (15 U.S.C. 657d(c)) is amended by adding at the end the following:

''(5) ADDITIONAL ASSISTANCE FOR CATASTROPHIC INCIDENTS.—Upon application by an applicant that receives an award or has in effect a cooperative agreement under this section and that is located in an area affected by a catastrophic incident, the Administrator may—

''(A) provide additional assistance to the applicant; and

''(B) waive the matching requirements under subsection (e)(2).''.

**SEC. 2105. USE OF FEDERAL SURPLUS PROPERTY IN DISASTER AREAS.**

Section 7(j)(13)(F) of the Small Business Act (15 U.S.C. 636(j)(13)(F)) is amended—

(1) by inserting ''(i)'' after ''(F)''; and

(2) by adding at the end the following:

''(ii)(I) In this clause—

''(aa) the term 'covered period' means the 2-year period beginning on the date on which the President declared the applicable major disaster; and

''(bb) the term 'disaster area' means the area for which the President has declared a major disaster, during the covered period.

''(II) The Administrator may transfer technology or surplus property under clause (i) on a priority basis to a small business concern located in a disaster area if—

''(aa) the small business concern meets the requirements for such a transfer, without regard to whether the small business concern is a Program Participant; and

''(bb) for a small business concern that is a Program Participant, on and after the date on which the President declared the applicable major disaster, the small business concern has not received property under this subparagraph on the basis of the status of the small business concern as a Program Participant.

''(III) For any transfer of property under this clause to a small business concern, the terms and conditions shall be the same as a transfer to a Program Participant, except that the small business concern shall agree not to sell or transfer the property to any party other than the Federal Government during the covered period.

''(IV) A small business concern that receives a transfer of property under this clause may not receive a transfer of property under clause (i) during the covered period.

''(V) If a small business concern sells or transfers property in violation of the agreement described in subclause (III), the Administrator may initiate proceedings to prohibit the small business concern from receiving a transfer of property under this clause or clause (i), in addition to any other remedy available to the Administrator.''.

**SEC. 2106. RECOVERY OPPORTUNITY LOANS.**

Section 7(a)(31) of the Small Business Act (15 U.S.C. 636(a)(31)) is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively; and

(B) by inserting before clause (ii), as so redesignated, the following:

''(i) The term 'disaster area' means the area for which the President has declared a major disaster, during the 5-year period beginning on the date of the declaration.''; and

*(2) by adding at the end the following:*

*''(H) RECOVERY OPPORTUNITY LOANS.—*

*''(i) IN GENERAL.—The Administrator may guarantee an express loan to a small business concern located in a disaster area in accordance with this subparagraph.*

*''(ii) MAXIMUMS.—For a loan guaranteed under clause (i)—*

*''(I) the maximum loan amount is $150,000; and*

*''(II) the guarantee rate shall be not more than 85 percent.*

*''(iii) OVERALL CAP.—A loan guaranteed under clause (i) shall not be counted in determining the amount of loans made to a borrower for purposes of subparagraph (D).*

*''(iv) OPERATIONS.—A small business concern receiving a loan guaranteed under clause (i) shall certify that the small business concern was in operation on the date on which the applicable major disaster occurred as a condition of receiving the loan.*

*''(v) REPAYMENT ABILITY.—A loan guaranteed under clause (i) may only be made to a small business concern that demonstrates, to the satisfaction of the Administrator, sufficient capacity to repay the loan.*

*''(vi) TIMING OF PAYMENT OF GUARANTEES.—*

*''(I) IN GENERAL.—Not later than 90 days after the date on which a request for purchase is filed with the Administrator, the Administrator shall determine whether to pay the guaranteed portion of the loan.*

*''(II) RECAPTURE.—Notwithstanding any other provision of law, unless there is a subsequent finding of fraud by a court of competent jurisdiction relating to a loan guaranteed under clause (i), on and after the date that is 6 months after the date on which the Administrator determines to pay the guaranteed portion of the loan, the Administrator may not attempt to recapture the paid guarantee.*

*''(vii) FEES.—*

*''(I) IN GENERAL.—Unless the Administrator has waived the guarantee fee that would otherwise be collected by the Administrator under paragraph (18) for a loan guaranteed under clause (i), and except as provided in subclause (II), the guarantee fee for the loan shall be equal to the guarantee fee that the Administrator would collect if the guarantee rate for the loan was 50 percent.*

*''(II) EXCEPTION.—Subclause (I) shall not apply if the cost of carrying out the program under this subsection in a fiscal year is more than zero and such cost is directly attributable to the cost of guaranteeing loans under clause (i).*

*''(viii) RULES.—Not later than 270 days after the date of enactment of this subparagraph, the Administrator shall promulgate rules to carry out this subparagraph.''.*

***SEC. 2107. CONTRACTOR MALFEASANCE.***

*Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (12), as added by section 2101 of this Act, the following:*

*''(13) SUPPLEMENTAL ASSISTANCE FOR CONTRACTOR MALFEASANCE.—*

*''(A) IN GENERAL.—If a contractor or other person engages in malfeasance in connection with repairs to, rehabilitation of, or replacement of real or personal property relating to which a loan was made under this subsection and the malfeasance results in substantial economic damage to the recipient of the loan or substantial risks to health or safety, upon receiving documentation of the substantial economic damage or the substantial risk to health and safety from an independent loss verifier, and subject to subparagraph (B), the Administrator may increase the amount of the loan under this subsection, as necessary for the cost of repairs, rehabilitation, or replacement needed to address the cause of the economic damage or health or safety risk.*

*''(B) REQUIREMENTS.—The Administrator may only increase the amount of a loan under subparagraph (A) upon receiving an appropriate certification from the borrower and person performing the mitigation attesting to the reasonableness of the mitigation costs and an assignment of any proceeds received from the person engaging in the malfeasance. The assignment of proceeds recovered from the person engaging in the malfeasance shall be equal to the amount of the loan under this section. Any mitigation activities shall be subject to audit and independent verification of completeness and cost reasonableness.''.*

***SEC. 2108. LOCAL CONTRACTING PREFERENCES AND INCENTIVES.***

*Section 15 of the Small Business Act (15 U.S.C. 644) is amended by inserting after subsection (e) the following:*

*''(f) CONTRACTING PREFERENCE FOR SMALL BUSINESS CONCERNS IN A MAJOR DISASTER AREA.—*

*''(1) DEFINITION.—In this subsection, the term 'disaster area' means the area for which the President has declared a major disaster, during the period of the declaration.*

*''(2) CONTRACTING PREFERENCE.—An agency shall provide a contracting preference for a small business concern located in a disaster area if the small business concern will perform the work required under the contract in the disaster area.*

*''(3) CREDIT FOR MEETING CONTRACTING GOALS.—If an agency awards a contract to a small business concern under the circumstances described in paragraph (2), the value of the contract shall be doubled for purposes of determining compliance with the goals for procurement contracts under subsection (g)(1)(A).''.*

***SEC. 2109. CLARIFICATION OF COLLATERAL REQUIREMENTS.***

*Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended by inserting after ''which are made under paragraph (1) of subsection (b)'' the following: '': Provided further, That the Administrator, in obtaining the best available collateral for a loan of not more than $200,000 under paragraph (1) or (2) of subsection (b) relating to damage to or destruction of the property of, or economic injury to, a small business concern, shall not require the owner of the small business concern to use the primary residence of the owner as collateral if the Administrator determines that the owner has other assets of equal quality and with a value equal to or greater than the amount of the loan that could be used as collateral for the loan: Provided further, That nothing in the preceding proviso may be construed to reduce the amount of collateral required by the Administrator in connection with a loan described in the preceding proviso or to modify the standards used to evaluate the quality (rather than the type) of such collateral''.*

***TITLE II—DISASTER PLANNING AND MITIGATION***

***SEC. 2201. BUSINESS RECOVERY CENTERS.***

*Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (13), as added by section 2108 of this Act, the following:*

*''(14) BUSINESS RECOVERY CENTERS.—*

*''(A) IN GENERAL.—The Administrator, acting through the district offices of the Administration, shall identify locations that may be used as recovery centers by the Administration in the event of a disaster declared under this subsection or a major disaster.*

*''(B) REQUIREMENTS FOR IDENTIFICATION.—Each district office of the Administration shall—*

*''(i) identify a location described in subparagraph (A) in each county, parish, or similar unit of general local government in the area served by the district office; and*

*''(ii) ensure that the locations identified under subparagraph (A) may be used as a recovery center without cost to the Government, to the extent practicable.''.*

***TITLE III—OTHER PROVISIONS***

***SEC. 2301. INCREASED OVERSIGHT OF ECONOMIC INJURY DISASTER LOANS.***

*(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (14), as added by section 2201 of this Act, the following:*

*''(15) INCREASED OVERSIGHT OF ECONOMIC INJURY DISASTER LOANS.—The Administrator shall increase oversight of entities receiving loans under paragraph (2), and may consider—*

*''(A) scheduled site visits to ensure borrower eligibility and compliance with requirements established by the Administrator; and*

*''(B) reviews of the use of the loan proceeds by an entity described in paragraph (2) to ensure compliance with requirements established by the Administrator.''.*

*(b) SENSE OF CONGRESS RELATING TO USING EXISTING FUNDS.—It is the sense of Congress that no additional Federal funds should be made available to carry out the amendments made by this section.*

***SEC. 2302. GAO REPORT ON PAPERWORK REDUCTION.***

*Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report evaluating steps that the Small Business Administration has taken, with respect to the application for disaster assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)), to comply with subchapter I of chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'') and related guidance.*

***SEC. 2303. REPORT ON WEB PORTAL FOR DISASTER LOAN APPLICANTS.***

*Section 38 of the Small Business Act (15 U.S.C. 657j) is amended by adding at the end the following:*

*''(c) REPORT ON WEB PORTAL FOR DISASTER LOAN APPLICATION STATUS.—*

*''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this subsection, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report relating to the creation of a web portal to the track the status of applications for disaster assistance under section 7(b).*

*''(2) CONTENTS.—The report under paragraph (1) shall include—*

*''(A) information on the progress of the Administration in implementing the information system under subsection (a);*

*''(B) recommendations from the Administration relating to the creation of a web portal for applicants to check the status of an application for disaster assistance under section 7(b), including a review of best practices and web portal models from the private sector;*

*''(C) information on any related costs or staffing needed to implement such a web portal;*

*''(D) information on whether such a web portal can maintain high standards for data privacy and data security;*

*''(E) information on whether such a web portal will minimize redundancy among Administration disaster programs, improve management of the number of inquiries made by disaster applicants to employees located in the area affected by the disaster and to call centers, and reduce paperwork burdens on disaster victims; and*

*''(F) such additional information as is determined necessary by the Administrator.''.*

The SPEAKER pro tempore, Mr. RATCLIFFE, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments of the Senate?

The SPEAKER pro tempore, Mr. RATCLIFFE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶141.42 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1004. An Act to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day; to the Committee on Veterans' Affairs.

S. 1203. An Act to amend title 38, United States Code, to improve the furnishing of health care to veterans by the Department of Veterans Affairs, to improve the processing by the Department of claims for disability compensation, and for other purposes; to the Committee on Veterans' Affairs; in addition, to the Committee on Armed Services; to the Committee on Education and the Workforce; and to the Committee on the Budget for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2280. An Act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence; to the Committee on the Judiciary.

¶141.43 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DEFAZIO, for today through November 19;

To Mrs. LAWRENCE, for today; and

To Mr. RUPPERSBERGER, for today through November 19.

And then,

¶141.44 ADJOURNMENT

On motion of Mr. COSTELLO of Pennsylvania, at 9 o'clock and 49 minutes p.m., the House adjourned.

¶141.45 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[Pursuant to the order of the House on November 5, 2015, the following report was filed on November 9, 2015]*

Mr. HENSARLING: Committee on Financial Services. H.R. 1737. A bill to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending (Rept. 114–329). Referred to the Committee of the Whole House on the state of the Union.

*[Submitted November 16, 2015]*

Mr. HENSARLING: Committee on Financial Services. H.R. 1317. A bill to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes; with an amendment (Rept. 114–311, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1210. A bill to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes (Rept. 114–330). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2912. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward (Rept. 114–331). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3189. A bill to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes; with an amendment (Rept. 114–332, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3859. A bill to make technical corrections to the Homeland Security Act of 2002 (Rept. 114–333). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3875. A bill to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes; with an amendment (Rept. 114–334). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2270. A bill to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge, and for other purposes; with amendments (Rept. 114–335). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 2360. A bill to amend title 38, United States Code, to improve the approval of certain programs of education for purposes of educational assistance provided by the Department of Veterans Affairs; with an amendment (Rept. 114–336). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3032. A bill to amend the Securities Exchange Act of 1934 to repeal a certain reporting requirement of the Securities and Exchange Commission (Rept. 114–337). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1478. A bill to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes; with an amendment (Rept. 114–338). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2243. A bill to suspend the current compensation packages for the senior executives of Fannie Mae and Freddie Mac and establish compensation for such positions in accordance with rates of pay for senior employees in the Executive Branch of the Federal Government, and for other purposes; with an amendment (Rept. 114–339, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 526. Resolution providing for consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending; providing for consideration of the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; and for other purposes (Rept. 114–340). Referred to the House Calendar.

¶141.46 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 2243 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 3189 referred to the Committee of the Whole House on the state of the Union.

¶141.47 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER (for himself, Mr. DEFAZIO, Mr. BRADY of Texas, and Mr. LEVIN):

H.R. 3996. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned; considered and passed.

By Mr. CUMMINGS (for himself, Mr. CLYBURN, Ms. NORTON, Ms. BROWN of Florida, and Mrs. BUSTOS):

H.R. 3997. A bill to amend MAP-21 to establish a veterans business enterprises program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 3998. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes; to the Committee on Energy and Commerce, and in

addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUDSON (for himself, Mr. FARENTHOLD, Mr. BILIRAKIS, Mr. WESTMORELAND, Mr. ZINKE, Mr. POMPEO, Mr. CONAWAY, Mr. BLUM, Mr. EMMER of Minnesota, Mr. BURGESS, Mr. CULBERSON, Mr. JOYCE, Mrs. ELLMERS of North Carolina, Mr. CRAMER, Mr. MULLIN, Mr. BARLETTA, Mr. GOWDY, Mr. GIBBS, Mr. LUETKEMEYER, Mr. ZELDIN, Mr. ROSKAM, Mr. HOLDING, Mr. LONG, Mr. GROTHMAN, Mr. ROUZER, Mr. JONES, Mr. WILLIAMS, Mr. BENISHEK, Mr. LAMALFA, Mr. PALAZZO, Mr. FLEISCHMANN, Mr. SMITH of Missouri, Mr. FLORES, Mr. YOHO, Mr. LOUDERMILK, and Mr. MCCAUL):

H.R. 3999. A bill to require that the Secretary of Homeland Security certify that refugees admitted to the United States from Iraq or Syria are not security threats to the United States prior to admission; to the Committee on the Judiciary.

By Mr. FLORES:

H.R. 4000. A bill to harmonize requirements of the 2008 and 2015 ozone national ambient air quality standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BUCK (for himself, Mr. GOODLATTE, and Mr. CONYERS):

H.R. 4001. A bill to make technical amendments to title 18 of the United States Code based on the Law Revision Counsel's footnotes in that title; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. GOODLATTE, Mr. CONYERS, Mr. LABRADOR, Ms. JACKSON LEE, and Mr. COLLINS of Georgia):

H.R. 4002. A bill to amend title 18, United States Code, to make various improvements in Federal criminal law, and for other purposes; to the Committee on the Judiciary.

By Mrs. MIMI WALTERS of California (for herself, Mr. GOODLATTE, Mr. CONYERS, Mr. BUCK, Mr. BISHOP of Michigan, and Ms. JACKSON LEE):

H.R. 4003. A bill to require reports on agency rules with criminal penalties for the violation thereof, to evaluate the necessity and prudence of such rules remaining in effect; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. DANNY K. DAVIS of Illinois, Mr. SCOTT of Virginia, and Mr. YOUNG of Alaska):

H.R. 4004. A bill to amend the Higher Education Act of 1965 to repeal the suspension of eligibility for grants, loans, and work assistance for drug-related offenses; to the Committee on Education and the Workforce.

By Ms. BASS (for herself, Ms. HAHN, Ms. ROYBAL-ALLARD, Mr. CÁRDENAS, Mr. TED LIEU of California, Mrs. NAPOLITANO, Mr. SCHIFF, and Ms. MAXINE WATERS of California):

H.R. 4005. A bill to amend titles 23 and 49, United States Code, to allow local hiring for transportation projects; to the Committee on Transportation and Infrastructure.

By Mr. BRAT (for himself and Mr. MOULTON):

H.R. 4006. A bill to provide the public with access to the laws of the United States, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTER of Georgia:

H.R. 4007. A bill to amend the Immigration and Nationality Act to require U.S. Immigration and Customs Enforcement, upon the request of a law enforcement official, to make a prompt determination of whether to issue a detainer in the case of an alien arrested for a violation of Federal, State, or local law; to the Committee on the Judiciary.

By Ms. JUDY CHU of California (for herself, Mr. SCOTT of Virginia, Mr. RANGEL, Ms. NORTON, Mr. CICILLINE, and Mr. ELLISON):

H.R. 4008. A bill to protect victims of crime or serious labor violations from deportation during Department of Homeland Security enforcement actions, and for other purposes; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mrs. CAROLYN B. MALONEY of New York, and Mr. HASTINGS):

H.R. 4009. A bill to amend chapter 44 of title 18, United States Code, to treat flamethrowers the same as machineguns; to the Committee on the Judiciary.

By Mr. GALLEGO (for himself, Mr. GRIJALVA, Ms. MCSALLY, Mr. GOSAR, Mrs. KIRKPATRICK, Ms. SINEMA, Mr. SALMON, Mr. SCHWEIKERT, and Mr. FRANKS of Arizona):

H.R. 4010. A bill to designate the facility of the United States Postal Service located at 522 North Central Avenue in Phoenix, Arizona, as the ''Ed Pastor Post Office''; to the Committee on Oversight and Government Reform.

By Mr. GALLEGO (for himself, Mrs. KIRKPATRICK, Ms. PINGREE, Mr. HONDA, and Ms. ESTY):

H.R. 4011. A bill to increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAYSON:

H.R. 4012. A bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income beneficiaries, and recipients of veterans benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Ms. JUDY CHU of California, Mr. DELANEY, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Ms. FUDGE, Mr. GRIJALVA, Mr. HINOJOSA, Ms. LEE, Mr. MCDERMOTT, Mr. MCNERNEY, and Mr. TAKANO):

H.R. 4013. A bill to create an equitable and excellent education system in the United States so that every child, regardless of race, ethnicity, social class, or State of residence, can receive a high-quality, academically rigorous education in a local public school; to the Committee on Education and the Workforce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. ENGEL):

H.R. 4014. A bill to direct the Secretary of Transportation to establish a distracted driving education grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE:

H.R. 4015. A bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families; to the Committee on Energy and Commerce.

By Mr. PAULSEN (for himself, Mr. THOMPSON of California, Mr. NUNES, and Mr. SMITH of Missouri):

H.R. 4016. A bill to amend the Internal Revenue Code of 1986 to extend the limitation on the carryover of excess corporate charitable contributions; to the Committee on Ways and Means.

By Mr. ROHRABACHER (for himself, Mr. KING of Iowa, Mr. CHABOT, Mr. SAM JOHNSON of Texas, Mr. DUNCAN of Tennessee, Mr. KELLY of Pennsylvania, Mr. WEBSTER of Florida, and Mr. POE of Texas):

H.R. 4017. A bill to recognize that Christians and Yazidis in Iraq, Syria, Pakistan, Iran, and Libya are targets of genocide, and to provide for the expedited processing of immigrant and refugee visas for such individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS (for himself, Mr. MURPHY of Florida, Mr. CURBELO of Florida, Mr. HASTINGS, Ms. BROWN of Florida, and Mr. POSEY):

H.R. 4018. A bill to amend the Truth in Lending Act to establish deferred presentment transaction requirements, and for other purposes; to the Committee on Financial Services.

By Mr. SCHIFF (for himself, Mr. HUFFMAN, Mr. GRIJALVA, Mr. KILMER, Ms. CLARK of Massachusetts, Mr. TED LIEU of California, Ms. LEE, Mr. POCAN, and Mr. KEATING):

H.R. 4019. A bill to amend the Marine Mammal Protection Act of 1972 to prohibit the taking, importation, and exportation of Orcas and Orca products for public display, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILSON of Florida:

H.R. 4020. A bill to increase the number and percentage of students who graduate from high school college and career ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida:

H.R. 4021. A bill to award grants to encourage State educational agencies, local educational agencies, and schools to utilize technology to improve student achievement and college and career readiness, the skills of teachers and school leaders, and the efficiency and productivity of education systems at all levels; to the Committee on Education and the Workforce.

By Mr. WILSON of South Carolina (for himself, Mr. FRANKS of Arizona, Mr. SESSIONS, Mr. GOSAR, Mr. HILL, Mr. RIBBLE, Mr. DUNCAN of Tennessee, Mr. GOHMERT, Mr. DUNCAN of South Carolina, Mr. OLSON, Mr. ALLEN, Mr.

SANFORD, Mr. GOWDY, Mr. WESTMORELAND, and Mr. CULBERSON):

H.R. 4022. A bill to amend the National Labor Relations Act to reform the National Labor Relations Board, the Office of the General Counsel, and the process for appellate review, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BUTTERFIELD (for himself, Mr. CLYBURN, Mrs. BEATTY, Mr. BECERRA, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Ms. FUDGE, Mr. AL GREEN of Texas, Ms. NORTON, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. THOMPSON of Mississippi, Ms. MOORE, Mr. PAYNE, Mr. FATTAH, Mr. MEEKS, Ms. PLASKETT, Ms. PELOSI, Mr. RANGEL, Mr. RICHMOND, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Ms. ADAMS, Ms. BASS, Ms. WILSON of Florida, Mr. VEASEY, Mr. HASTINGS, Mr. CARSON of Indiana, Ms. KELLY of Illinois, Mr. RUSH, Mr. HOYER, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Ms. DELAURO, and Mr. SCALISE):

H. Con. Res. 93. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment; to the Committee on House Administration; considered and agreed to.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Res. 524. A resolution condemning in the strongest terms the terrorist attacks in Paris, France, on November 13, 2015, that resulted in the loss of at least 129 lives; to the Committee on Foreign Affairs.

By Mr. POE of Texas:

H. Res. 525. A resolution urging the Administration to work with North Atlantic Treaty Organization member states to invoke Article 5 of the North Atlantic Treaty in response to the Paris attacks; to the Committee on Foreign Affairs.

By Mr. JOYCE (for himself, Mr. TAKANO, Mr. ASHFORD, Ms. ESTY, and Mr. HONDA):

H. Res. 527. A resolution supporting the goals and ideals of American Education Week; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE (for herself, Ms. JUDY CHU of California, Mr. DOLD, Mr. RANGEL, Ms. HAHN, Ms. KELLY of Illinois, Ms. FUDGE, Mrs. WATSON COLEMAN, Ms. SEWELL of Alabama, and Ms. WILSON of Florida):

H. Res. 528. A resolution expressing the sense of the House of Representatives regarding the Victims of the Terror Protection Fund; to the Committee on Foreign Affairs.

## ¶141.48 MEMORIALS

Under clause 3 of rule XII,

149. The SPEAKER presented a memorial of the General Assembly of the State of Ohio, relative to House Resolution Number 107, requesting the Congress of the United States to renew funding for Save the Dream Ohio through the United States Department of the Treasury's Hardest Hit Fund, to continue to provide assistance to homeowners in the state of Ohio at risk of foreclosure; which was referred to the Committee on Financial Services.

## ¶141.49 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. ROGERS of Alabama, Mr. HUELSKAMP, and Mr. AUSTIN SCOTT of Georgia.
H.R. 140: Mr. SESSIONS.
H.R. 188: Mr. COURTNEY.
H.R. 213: Mr. MURPHY of Pennsylvania and Mr. HARPER.
H.R. 221: Mr. RUSSELL.
H.R. 250: Mr. BRADY of Pennsylvania and Ms. BORDALLO.
H.R. 320: Mr. ROHRABACHER.
H.R. 379: Mr. FORBES, Mr. RYAN of Ohio, Mrs. COMSTOCK, and Ms. ROYBAL-ALLARD.
H.R. 402: Mr. FLEMING.
H.R. 407: Mr. KILDEE.
H.R. 452: Mr. DENHAM.
H.R. 463: Mr. FLEMING.
H.R. 503: Mr. BRAT.
H.R. 517: Mr. RYAN of Ohio.
H.R. 535: Mr. LOWENTHAL.
H.R. 563: Mr. WEBER of Texas, Mr. SCOTT of Virginia, Mr. POE of Texas, and Mr. GUTIÉRREZ.
H.R. 578: Mr. FLEMING.
H.R. 592: Mr. GRIJALVA.
H.R. 662: Mr. SIMPSON and Mr. DONOVAN.
H.R. 663: Mr. FARENTHOLD.
H.R. 664: Mr. CAPUANO.
H.R. 700: Mr. MCDERMOTT.
H.R. 707: Mr. MICA.
H.R. 716: Ms. ADAMS.
H.R. 766: Mr. MESSER.
H.R. 793: Mr. DAVID SCOTT of Georgia, Ms. KAPTUR, Mr. RUPPERSBERGER, and Mr. RUSH.
H.R. 816: Mr. ZELDIN.
H.R. 835: Mr. LANCE.
H.R. 842: Mr. BEYER.
H.R. 845: Mr. COFFMAN and Mr. LOWENTHAL.
H.R. 865: Mr. ASHFORD.
H.R. 870: Ms. CLARKE of New York.
H.R. 885: Mr. KILDEE.
H.R. 921: Mr. TROTT.
H.R. 969: Mr. GRAYSON.
H.R. 973: Mr. POCAN, Mr. CONNOLLY, and Mr. ENGEL.
H.R. 985: Mr. TED LIEU of California, Mrs. DAVIS of California, and Mr. WESTERMAN.
H.R. 994: Ms. JACKSON LEE, Mr. HASTINGS, and Mr. HIGGINS.
H.R. 997: Mr. LOUDERMILK and Mr. DESJARLAIS.
H.R. 1062: Mr. SANFORD and Mr. MCHENRY.
H.R. 1111: Ms. KAPTUR.
H.R. 1142: Mr. KATKO and Mr. ASHFORD.
H.R. 1174: Mr. MEEKS, Mr. TAKAI, and Mr. JOHNSON of Georgia.
H.R. 1197: Mr. WALBERG, Mr. CONYERS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. BUSTOS, Mr. POLIQUIN, Ms. KAPTUR, Mr. NEWHOUSE, Mr. POE of Texas, Mr. DEFAZIO, Mr. MEEKS, and Mrs. LAWRENCE.
H.R. 1205: Mr. DUNCAN of South Carolina.
H.R. 1284: Mr. CARSON of Indiana, Mr. VARGAS, Ms. LEE, Ms. MATSUI, and Mr. VAN HOLLEN.
H.R. 1301: Mr. SAM JOHNSON of Texas.
H.R. 1309: Mr. MACARTHUR.
H.R. 1312: Mr. MCNERNEY.
H.R. 1399: Mr. CLEAVER, Mr. SIMPSON, Mr. FOSTER, Mr. PRICE of North Carolina, Mr. LEWIS, Ms. BORDALLO, and Mr. FLEISCHMANN.
H.R. 1427: Mr. LAHOOD and Mr. BABIN.
H.R. 1453: Mr. CRAMER and Mr. WHITFIELD.
H.R. 1460: Ms. MAXINE WATERS of California.
H.R. 1475: Mr. JENKINS of West Virginia.
H.R. 1512: Mr. COOPER.
H.R. 1516: Mr. HONDA.
H.R. 1545: Mr. MARINO and Mr. BARLETTA.
H.R. 1552: Mr. VARGAS and Mr. MCDERMOTT.
H.R. 1559: Mr. COSTA, Mr. RUPPERSBERGER, and Mr. NEWHOUSE.
H.R. 1567: Ms. ESTY, Ms. WILSON of Florida, and Ms. JUDY CHU of California.
H.R. 1571: Mrs. CAPPS and Mr. FOSTER.
H.R. 1582: Mr. ZELDIN.
H.R. 1594: Mr. BRADY of Pennsylvania.
H.R. 1603: Mr. MCCLINTOCK.
H.R. 1608: Mr. KEATING, Mr. CURBELO of Florida, Mr. GALLEGO, Ms. CASTOR of Florida, Mr. YARMUTH, Ms. GRAHAM, and Mr. BOST.
H.R. 1625: Mr. DELANEY and Mr. CAPUANO.
H.R. 1706: Ms. CLARK of Massachusetts.
H.R. 1714: Mr. VISCLOSKY.
H.R. 1726: Mr. BUTTERFIELD.
H.R. 1728: Mr. ENGEL.
H.R. 1748: Mr. BUCHANAN, Mr. FITZPATRICK, Mr. WALZ, Ms. BROWN of Florida, Mr. NOLAN, and Ms. ROS-LEHTINEN.
H.R. 1751: Ms. TITUS.
H.R. 1763: Ms. PINGREE, Mr. JEFFRIES, Mr. LEWIS, Mr. PRICE of North Carolina, Mrs. NAPOLITANO, and Mr. GALLEGO.
H.R. 1769: Mr. RYAN of Ohio, Mr. CLEAVER, Mr. SMITH of Texas, Mr. BEN RAY LUJÁN of New Mexico, Mr. VAN HOLLEN, and Mrs. WALORSKI.
H.R. 1784: Mr. POCAN.
H.R. 1859: Mr. ASHFORD.
H.R. 1901: Mr. HENSARLING.
H.R. 1902: Mr. SCHIFF.
H.R. 1978: Mr. KILDEE.
H.R. 1982: Mr. PALAZZO.
H.R. 2017: Mr. ROONEY of Florida.
H.R. 2050: Ms. WASSERMAN SCHULTZ and Mr. FOSTER.
H.R. 2096: Mr. LOEBSACK.
H.R. 2144: Mr. GRAVES of Missouri.
H.R. 2156: Mr. BABIN.
H.R. 2209: Mr. BROOKS of Alabama.
H.R. 2241: Mr. REICHERT.
H.R. 2254: Mr. PALLONE.
H.R. 2280: Ms. ESHOO.
H.R. 2293: Ms. STEFANIK and Mr. DENHAM.
H.R. 2382: Mr. BOST.
H.R. 2404: Mr. CONAWAY and Mr. SMITH of Texas.
H.R. 2442: Mr. GALLEGO.
H.R. 2460: Mr. TAKAI.
H.R. 2515: Ms. WILSON of Florida and Mr. KIND.
H.R. 2516: Mr. COOPER.
H.R. 2522: Mr. DANNY K. DAVIS of Illinois and Mr. POCAN.
H.R. 2540: Mr. TED LIEU of California, Ms. BROWNLEY of California, and Mr. COSTELLO of Pennsylvania.
H.R. 2568: Mr. FARENTHOLD.
H.R. 2597: Mr. COSTELLO of Pennsylvania.
H.R. 2635: Mr. SERRANO and Ms. VELÁZQUEZ.
H.R. 2641: Mr. CICILLINE.
H.R. 2646: Ms. SPEIER.
H.R. 2660: Mr. CARSON of Indiana, Ms. TITUS, Mr. VAN HOLLEN, and Mr. VARGAS.
H.R. 2698: Mr. FLEISCHMANN, Mr. RODNEY DAVIS of Illinois, and Mr. BOUSTANY.
H.R. 2713: Mr. LOEBSACK and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2715: Ms. TITUS, Mr. DEUTCH, Ms. WILSON of Florida, Mr. TAKANO, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. VARGAS, and Mr. ROSS.
H.R. 2716: Mr. CULBERSON.
H.R. 2739: Mrs. MILLER of Michigan.
H.R. 2759: Mr. TED LIEU of California.
H.R. 2766: Mr. SHERMAN.
H.R. 2799: Mr. MCNERNEY.
H.R. 2849: Mr. CUMMINGS.
H.R. 2867: Mr. MCNERNEY, Mr. CARTWRIGHT, Ms. ESHOO, Mr. DAVID SCOTT of Georgia, Ms. CLARK of Massachusetts, Mr. SWALWELL of California, Mr. FARR, Mr. GRIJALVA, Mr. POCAN, Mr. CONNOLLY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAPPS, Mr. DEUTCH, Mr. VARGAS, and Mr. PASCRELL.
H.R. 2878: Mr. FARENTHOLD.
H.R. 2880: Mr. LOWENTHAL, Mr. DOGGETT, Ms. ADAMS, Ms. MAXINE WATERS of California, and Mr. CLEAVER.
H.R. 2896: Mr. NEWHOUSE and Mrs. COMSTOCK.

H.R. 2901: Mr. MACARTHUR and Mr. PALAZZO.
H.R. 2903: Ms. KAPTUR.
H.R. 2915: Mr. CLEAVER.
H.R. 2920: Mr. KILDEE.
H.R. 2957: Mrs. NAPOLITANO and Mr. SMITH of Washington.
H.R. 2972: Ms. KUSTER and Mr. SEAN PATRICK MALONEY of New York.
H.R. 3040: Mr. JONES.
H.R. 3061: Mr. MCDERMOTT.
H.R. 3094: Mr. WESTERMAN.
H.R. 3096: Mr. TED LIEU of California.
H.R. 3164: Mr. FATTAH.
H.R. 3222: Mr. WESTERMAN.
H.R. 3225: Mr. POCAN, Mr. FARENTHOLD, and Mr. NEUGEBAUER.
H.R. 3229: Mrs. MCMORRIS RODGERS, Mr. JOHNSON of Georgia, Mr. ROE of Tennessee, Mr. BURGESS, and Mr. ISRAEL.
H.R. 3278: Mr. RYAN of Ohio.
H.R. 3294: Mr. TED LIEU of California.
H.R. 3314: Mr. BISHOP of Utah, Mr. SHUSTER, Mr. POMPEO, Mr. HARPER, Mr. MEADOWS, Mr. CULBERSON, Mr. BARLETTA, Mr. GOHMERT, Mr. POLIQUIN, Mr. BRAT, Mr. ZELDIN, Mr. HUIZENGA of Michigan, Mr. CALVERT, and Mr. LUCAS.
H.R. 3319: Mr. PETERS.
H.R. 3323: Mr. WESTMORELAND.
H.R. 3326: Mr. BENISHEK, Mr. PAULSEN, Mr. THOMPSON of Mississippi, Mrs. WALORSKI, Mr. NEWHOUSE, and Mr. NEUGEBAUER.
H.R. 3328: Mrs. COMSTOCK.
H.R. 3338: Ms. SLAUGHTER.
H.R. 3339: Mr. MCGOVERN and Ms. TITUS.
H.R. 3351: Mr. HASTINGS.
H.R. 3355: Mr. HASTINGS, Mr. COOPER, and Mrs. HARTZLER.
H.R. 3381: Ms. DELAURO, Ms. BROWNLEY of California, Ms. LORETTA SANCHEZ of California, and Mr. GRIJALVA.
H.R. 3406: Mr. CRENSHAW.
H.R. 3410: Ms. MCCOLLUM.
H.R. 3411: Mr. TED LIEU of California.
H.R. 3427: Mr. MEEKS, Ms. LINDA T. SÁNCHEZ of California, Mr. GARAMENDI, Mr. PALLONE, and Mr. BEYER.
H.R. 3437: Mr. BABIN.
H.R. 3459: Mr. COLLINS of New York, Mr. KELLY of Mississippi, Mr. BENISHEK, and Mr. FORTENBERRY.
H.R. 3516: Mr. ROGERS of Alabama, Mr. HUDSON, and Mr. JONES.
H.R. 3520: Mr. JOYCE and Mr. NEAL.
H.R. 3535: Mr. ISRAEL.
H.R. 3541: Mr. HASTINGS and Mr. COHEN.
H.R. 3542: Mr. TAKAI.
H.R. 3546: Ms. MCCOLLUM, Mr. SCHIFF, Mr. CONNOLLY, Ms. DELAURO, and Ms. SLAUGHTER.
H.R. 3549: Mr. WALZ.
H.R. 3552: Mr. SERRANO and Ms. VELÁZQUEZ.
H.R. 3553: Mr. SERRANO and Ms. VELÁZQUEZ.
H.R. 3566: Mrs. BLACK.
H.R. 3573: Mr. PERRY, Mr. ZINKE, Mr. SESSIONS, Mr. YOHO, Mrs. WALORSKI, Mr. POE of Texas, Mr. BURGESS, Mr. EMMER of Minnesota, Mr. PITTENGER, Mr. ASHFORD, Mr. DUFFY, Mr. WESTMORELAND, Mr. RIGELL, Mrs. WAGNER, Mr. ROGERS of Alabama, Mr. MCKINLEY, Mr. MCHENRY, Mr. HUDSON, Mr. SHIMKUS, Mr. ROONEY of Florida, Mr. GROTHMAN, Mr. BOST, Mr. FORTENBERRY, Mr. GUINTA, Mr. LUCAS, Mr. SALMON, Mr. PITTS, Mr. KING of Iowa, Mr. COSTELLO of Pennsylvania, Mr. FLEISCHMANN, Mr. GIBBS, Mr. ZELDIN, Mr. WESTERMAN, Mr. HUIZENGA of Michigan, Mr. SCALISE, Mr. CALVERT, and Mr. HOLDING.
H.R. 3588: Mr. GRAYSON.
H.R. 3666: Mrs. MILLER of Michigan.
H.R. 3684: Mr. MACARTHUR.
H.R. 3690: Mr. GUTIÉRREZ.
H.R. 3691: Mr. RYAN of Ohio.
H.R. 3700: Mr. BARR and Mr. POSEY.
H.R. 3705: Mr. POLIQUIN.
H.R. 3706: Mr. YOUNG of Alaska, Ms. MOORE, Mr. SCHRADER, Mr. FITZPATRICK, Mr. LOWENTHAL, Mr. CRENSHAW, and Ms. TITUS.
H.R. 3711: Mr. GRIJALVA, Ms. LORETTA SANCHEZ of California, Mr. BECERRA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CASTRO of Texas, Mr. HINOJOSA, Mr. AGUILAR, Mr. CÁRDENAS, Ms. ROYBAL-ALLARD, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 3713: Mr. HANNA, Mr. OLSON, Ms. JENKINS of Kansas, Mr. WELCH, and Ms. SCHAKOWSKY.
H.R. 3714: Mr. HUELSKAMP, Mr. HANNA, and Mr. ASHFORD.
H.R. 3760: Ms. NORTON, Mr. GALLEGO, Ms. LEE, Mr. LOWENTHAL, Mr. HASTINGS, and Ms. MAXINE WATERS of California.
H.R. 3761: Mr. LOEBSACK and Mr. ENGEL.
H.R. 3765: Mr. DENHAM.
H.R. 3785: Mr. JOHNSON of Georgia, Mr. YARMUTH, Mrs. CAPPS, Mr. FOSTER, Mr. CUMMINGS, and Mr. LOWENTHAL.
H.R. 3790: Mr. CARTWRIGHT and Mr. RICHMOND.
H.R. 3799: Mr. NEWHOUSE, Mr. CRAWFORD, and Mr. SMITH of Texas.
H.R. 3802: Mr. HARRIS and Ms. GRANGER.
H.R. 3804: Mr. GROTHMAN.
H.R. 3805: Mr. HONDA, Mr. CÁRDENAS, and Mr. NUGENT.
H.R. 3806: Mr. SMITH of Washington, Mr. REICHERT, Mrs. MCMORRIS RODGERS, and Mr. HECK of Washington.
H.R. 3808: Mr. ROSS, Mr. STIVERS, Mr. CONNOLLY, Ms. MOORE, Mr. DELANEY, Mr. SESSIONS, and Mr. MESSER.
H.R. 3815: Mr. WELCH and Mr. POE of Texas.
H.R. 3830: Ms. SLAUGHTER.
H.R. 3833: Mr. MURPHY of Florida, Ms. ADAMS, Mr. HASTINGS, Mr. RICHMOND, Ms. MOORE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mr. LEWIS, Mr. VEASEY, Ms. MAXINE WATERS of California, Mr. BISHOP of Georgia, Ms. JACKSON LEE, Ms. BROWN of Florida, Ms. SEWELL of Alabama, Ms. CLARKE of New York, Mr. RANGEL, Ms. LEE, Mr. THOMPSON of Mississippi, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 3841: Mr. MEEKS, Mr. GRIJALVA, and Mr. POCAN.
H.R. 3842: Mr. CARTER of Texas and Mr. RATCLIFFE.
H.R. 3852: Mr. TONKO and Mr. HASTINGS.
H.R. 3859: Mr. CARTER of Georgia.
H.R. 3862: Mr. MOULTON, Mr. ELLISON, Mr. LOWENTHAL, and Mr. PRICE of North Carolina.
H.R. 3870: Mr. MARCHANT.
H.R. 3880: Mr. FLEISCHMANN, Mrs. NOEM, Ms. MCSALLY, Mr. HUNTER, Mr. RUSSELL, Mr. ROHRABACHER, and Mr. WOMACK.
H.R. 3914: Mr. NUNES and Mr. JONES.
H.R. 3918: Mr. GIBBS.
H.R. 3921: Ms. KAPTUR.
H.R. 3926: Mr. THOMPSON of California and Mr. JEFFRIES.
H.R. 3927: Mr. VAN HOLLEN and Ms. MAXINE WATERS of California.
H.R. 3928: Mr. ROHRABACHER.
H.R. 3940: Mr. BABIN, Mr. NEAL, Mr. CARTER of Texas, Mr. DAVID SCOTT of Georgia, Mr. BARR, Mr. NUNES, Mr. KELLY of Pennsylvania, Mrs. WALORSKI, Mr. THOMPSON of California, Mr. STEWART, Mr. HENSARLING, Mr. FLORES, Mr. SAM JOHNSON of Texas, Mr. ROKITA, Mr. COSTELLO of Pennsylvania, Mr. PAULSEN, and Mr. TIPTON.
H.R. 3943: Ms. DELAURO and Mr. RANGEL.
H.R. 3944: Ms. DELAURO, Mr. RANGEL, and Ms. KAPTUR.
H.R. 3946: Mr. WALDEN.
H.R. 3956: Mr. NUNES.
H.R. 3957: Mr. POSEY and Mr. CLAWSON of Florida.
H.R. 3965: Mr. FARR.
H.R. 3973: Ms. DELAURO.
H.R. 3977: Mr. HONDA.
H.R. 3980: Mr. CRAMER.
H.R. 3982: Mr. LEWIS.
H.R. 3984: Mr. MEEHAN.
H.R. 3986: Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Mr. RANGEL, and Mr. ROONEY of Florida.
H.R. 3988: Mr. BLUMENAUER.
H.J. Res. 22: Mr. HIGGINS.
H.J. Res. 25: Mr. GRAYSON.
H.J. Res. 33: Mr. GIBBS.
H.J. Res. 71: Mr. CULBERSON, Mr. ROKITA, Ms. MCSALLY, Mr. ALLEN, Mr. CARTER of Georgia, Mr. PALMER, and Mr. HENSARLING.
H.J. Res. 72: Mr. CULBERSON, Mr. ROKITA, Ms. MCSALLY, Mr. ALLEN, Mr. CARTER of Georgia, Mr. PALMER, and Mr. HENSARLING.
H. Con. Res. 19: Mr. CONNOLLY and Mr. COFFMAN.
H. Con. Res. 50: Ms. ESTY.
H. Res. 131: Mr. COOPER.
H. Res. 207: Mr. VALADAO and Ms. PLASKETT.
H. Res. 210: Ms. GABBARD and Ms. MENG.
H. Res. 289: Ms. VELÁZQUEZ.
H. Res. 386: Ms. MAXINE WATERS of California.
H. Res. 438: Mr. COOPER.
H. Res. 467: Mr. MCDERMOTT.
H. Res. 469: Mr. COFFMAN and Mr. COSTELLO of Pennsylvania.
H. Res. 494: Mr. POSEY, Mr. RATCLIFFE, Mr. ROGERS of Alabama, Mr. LOUDERMILK, Mr. WESTERMAN, Mr. NEUGEBAUER, Mr. FLORES, Mr. PEARCE, Mr. CONAWAY, Mr. LAMBORN, Mr. LAMALFA, Mr. CRAMER, Mr. YOHO, Mr. CULBERSON, Mr. WEBER of Texas, Mr. STEWART, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. HARRIS, Mr. BOST, Mr. WENSTRUP, Mr. RICE of South Carolina, Mr. BABIN, and Mr. ZINKE.
H. Res. 501: Mr. ROSS.
H. Res. 502: Ms. JUDY CHU of California, Ms. MCCOLLUM, Ms. ROYBAL-ALLARD, Mr. FARR, Mr. TAKANO, and Ms. MAXINE WATERS of California.
H. Res. 505: Mr. HASTINGS, Mr. SMITH of Washington, Mr. YARMUTH, Ms. BORDALLO, Mr. ELLISON, Ms. KAPTUR, Mr. LEWIS, Ms. SCHAKOWSKY, Mrs. BEATTY, Mr. PERLMUTTER, Mr. KIND, Ms. MATSUI, Ms. SLAUGHTER, Mrs. CAROLYN B. MALONEY of New York, Mr. TED LIEU of California, Mr. LOEBSACK, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. BECERRA.
H. Res. 506: Mr. YARMUTH and Ms. KUSTER.
H. Res. 510: Mr. GOODLATTE, Mr. WILLIAMS, and Mr. WENSTRUP.
H. Res. 511: Mr. PAYNE.
H. Res. 513: Mr. TAKANO, Mr. SMITH of New Jersey, Ms. MAXINE WATERS of California, Mr. PALLONE, Mr. POLIS, Mr. TONKO, Mr. GARAMENDI, Mr. SCHWEIKERT, and Mr. POCAN.
H. Res. 514: Mr. MILLER of Florida, Mr. HUELSKAMP, Mr. RATCLIFFE, Mr. HARRIS, and Mr. WALBERG.

## ¶141.50 PETITIONS

Under clause 3 of rule XII,

35. The SPEAKER presented a petition of the City of Miami Commission, relative to Resolution R-15-0454, urging the President and members of Congress to provide transparency, public participation, and collaboration during the discussions of the Trans-Pacific Partnership Agreement and to consider the opinions of hard working Americans while deliberating the terms and ramifications of the agreement; which was referred to the Committee on Ways and Means.

## ¶141.51 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1694: Mrs. BUSTOS.
H.R. 3403: Ms. GRANGER.

**TUESDAY, NOVEMBER 17, 2015 (142)**

¶142.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. FLEISCHMANN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*November 17, 2015.*

I hereby appoint the Honorable CHARLES J. ''CHUCK'' FLEISCHMANN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

¶142.2 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Neiman, one of his secretaries.

¶142.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. FLEISCHMANN, pursuant to the order of the House of January 6, 2015, recognized Members for morning-hour debate.

¶142.4 RECESS—10:50 A.M.

The SPEAKER pro tempore, Mr. FLEISCHMANN, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 50 minutes a.m., until noon.

¶142.5 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶142.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, November 16, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶142.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3481. A letter from the Secretary, Department of Transportation, transmitting the Department's Semiannual Report for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

3482. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting the Statement of Disbursements for the United States Capitol Police for the period April 1, 2015 through September 30, 2015, pursuant to 2 U.S.C. 1910(a); Public Law 109-55, Sec. 1005; (H. Doc. No. 114—78); to the Committee on House Administration and ordered to be printed.

3483. A letter from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting the Department's ''Public Assistance Program Alternative Procedures — First Quarterly Status Report for FY 2015'', pursuant to House Report 113-481 accompanying the Fiscal Year 2015 Department of Homeland Security Appropriations Act of 2015, Pub. L. 114-4; to the Committee on Transportation and Infrastructure.

3484. A letter from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting the Department's ''Public Assistance Program Alternative Procedures — Second Quarterly Status Report for FY 2015'', pursuant to House Report 113-481 accompanying the Fiscal Year 2015 Department of Homeland Security Appropriations Act of 2015, Pub. L. 114-4; to the Committee on Transportation and Infrastructure.

¶142.8 PROVIDING FOR CONSIDERATION OF H.R. 1737 AND H.R. 511

Mr. COLE, by direction of the Committee on Rules, called up the following resolution (H. Res. 526):

*Resolved,* That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution—

(a) the House shall be considered to have: (1) taken from the Speaker's table the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; (2) stricken all after the enacting clause of such bill and inserted in lieu thereof the provisions of H.R. 5, as passed by the House; and (3) passed the Senate bill as so amended; and

(b) it shall be in order for the chair of the Committee on Education and the Workforce or his designee to move that the House insist on its amendment to S. 1177 and request a conference with the Senate thereon.

SEC. 4. In the engrossment of H.R. 3762, the Clerk shall strike title I and redesignate the subsequent titles accordingly.

When said resolution was considered.

After debate,

Mr. COLE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 245 / Nays ..... 178

¶142.9 [Roll No. 629]

YEAS—245

| | | |
|---|---|---|
| Abraham | Duffy | Jolly |
| Aderholt | Duncan (SC) | Jones |
| Allen | Duncan (TN) | Jordan |
| Amash | Ellmers (NC) | Joyce |
| Amodei | Emmer (MN) | Katko |
| Babin | Farenthold | Kelly (MS) |
| Barletta | Fincher | Kelly (PA) |
| Barr | Fitzpatrick | King (IA) |
| Barton | Fleischmann | King (NY) |
| Benishek | Fleming | Kinzinger (IL) |
| Bilirakis | Flores | Kirkpatrick |
| Bishop (MI) | Forbes | Kline |
| Bishop (UT) | Fortenberry | Knight |
| Black | Foxx | Labrador |
| Blackburn | Franks (AZ) | LaHood |
| Blum | Frelinghuysen | LaMalfa |
| Bost | Gabbard | Lamborn |
| Boustany | Garrett | Lance |
| Brady (TX) | Gibbs | Latta |
| Brat | Gibson | LoBiondo |
| Bridenstine | Gohmert | Long |
| Brooks (AL) | Goodlatte | Loudermilk |
| Brooks (IN) | Gosar | Love |
| Buchanan | Gowdy | Lucas |
| Buck | Granger | Luetkemeyer |
| Bucshon | Graves (GA) | Lummis |
| Burgess | Graves (LA) | MacArthur |
| Byrne | Graves (MO) | Marchant |
| Calvert | Griffith | Marino |
| Carter (GA) | Grothman | Massie |
| Carter (TX) | Guinta | McCarthy |
| Chabot | Guthrie | McCaul |
| Chaffetz | Hanna | McClintock |
| Clawson (FL) | Hardy | McHenry |
| Coffman | Harper | McKinley |
| Cole | Harris | McMorris Rodgers |
| Collins (GA) | Hartzler | McSally |
| Collins (NY) | Heck (NV) | Meadows |
| Comstock | Hensarling | Meehan |
| Conaway | Herrera Beutler | Messer |
| Cook | Hice, Jody B. | Mica |
| Costello (PA) | Hill | Miller (FL) |
| Cramer | Holding | Miller (MI) |
| Crawford | Hudson | Moolenaar |
| Crenshaw | Huelskamp | Mooney (WV) |
| Culberson | Huizenga (MI) | Mullin |
| Curbelo (FL) | Hultgren | Mulvaney |
| Davis, Rodney | Hunter | Murphy (PA) |
| Denham | Hurd (TX) | Neugebauer |
| Dent | Hurt (VA) | Newhouse |
| DeSantis | Issa | Noem |
| DesJarlais | Jenkins (KS) | Nugent |
| Diaz-Balart | Jenkins (WV) | Nunes |
| Dold | Johnson (OH) | Olson |
| Donovan | Johnson, Sam | |

Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—178

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

NOT VOTING—10

DeFazio
Eshoo
Hinojosa
Moore
Payne
Rooney (FL)
Ros-Lehtinen
Ruppersberger
Takai
Titus

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 243 / Nays ..... 181

¶142.10 [Roll No. 630]

YEAS—243

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

NAYS—181

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

NOT VOTING—9

DeFazio
Hinojosa
Moore
Pascrell
Payne
Ros-Lehtinen
Ruppersberger
Takai
Titus

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Pursuant to section 3(a) of House Resolution 526, S. 1177, as amended, was considered as passed.

¶142.11 H.R. 1694—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1694) to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 285 Nays ..... 138

¶142.12 [Roll No. 631]

YEAS—285

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cicilline
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Latta
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Tsongas
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—138

Adams
Amash
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Grayson
Green, Al
Grijalva
Gutiérrez
Hastings
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kildee
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Murphy (FL)
Nadler
Napolitano
O'Rourke
Pallone
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Barton
DeFazio
Diaz-Balart
Hinojosa
Payne
Ros-Lehtinen
Ruppersberger
Takai
Thompson (PA)
Titus

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶142.13 H.R. 3114—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3114) to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 422 Nays ..... 3

¶142.14 [Roll No. 632]

YEAS—422

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler

Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—3

Amash
Loudermilk
Sanford

NOT VOTING—8

Bass
DeFazio
Hinojosa
Payne
Ros-Lehtinen
Ruppersberger
Takai
Titus

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶142.15 TRIBAL LABOR SOVEREIGNTY

Mr. ROE of Tennessee, pursuant to House Resolution 526, called up for consideration the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

Pending consideration of said bill,

Pursuant to House Resolution 526, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, printed in the bill, was considered as agreed to.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 526, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. ROE of Tennessee, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶142.16 EVERY CHILD ACHIEVES

Pursuant to section 3(b) of House Resolution 526, the bill of the Senate (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; together with the amendment of the House thereto, was taken from the Speaker's table.

When on motion of Mr. KLINE, it was,

*Resolved*, That the House insist upon its amendment and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, appointed Mr. KLINE, Ms. FOXX, Messrs. ROE of Tennessee, THOMPSON of Pennsylvania, GUTHRIE, ROKITA, MESSER, GROTHMAN, RUSSELL, CURBELO of Florida, SCOTT of Virginia, Mrs. DAVIS of California, Ms. FUDGE, Mr. POLIS, Ms. WILSON of Florida, Ms. BONAMICI, and Ms. CLARK of Massachusetts, as managers on the part of the House at said conference.

*Ordered*, That the Clerk notify the Senate thereof.

¶142.17 H.R. 511—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 249 / Nays ..... 177

¶142.18 [Roll No. 633]

YEAS—249

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

NAYS—177

Adams
Bass
Beatty
Bera
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DeSaulnier
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Higgins
Himes
Honda

Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—7

DeFazio
DesJarlais
Hinojosa
Ros-Lehtinen
Ruppersberger
Takai
Titus

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶142.19 CONDEMNING TERRORIST ATTACKS IN PARIS, FRANCE

Mr. ROYCE moved to suspend the rules and agree to the following resolution (H. Res. 524); as amended:

Whereas on Friday, November 13, 2015, three groups of Islamist terrorists launched coordinated attacks against six sites across Paris, France, resulting in the loss of at least 129 innocent lives and the severe wounding of many hundreds;

Whereas the attacks on the Bataclan concert hall, the Stade de France, Le Petit Cambodge restaurant, Le Belle Equipe bar, and on the Avenue de la Republique in the 10th district, represent the largest terrorist attack in Europe since the Madrid, Spain, train bombings of 2004;

Whereas American student Nohemi Gonzalez, 23, of El Monte, California, is among the innocent lives lost in these terrorist attacks, with several Americans injured;

Whereas French first responders and law enforcement reacted swiftly and heroically, in one instance blocking entrance of a suicide bomber to the Stade de France, doubtlessly saving dozens of lives;

Whereas seven terrorists were killed, most in suicide bombings and one in a shoot-out with police, and French intelligence and law enforcement are still pursuing those possibly connected to the attacks;

Whereas French President Francois Hollande vowed that ''we will fight, and we will be ruthless'';

Whereas NATO Secretary General Jens Stoltenberg stated that the Alliance would stand with France and remain ''strong and united'' against terrorism;

Whereas President Barack Obama stated, ''Once again we've seen an outrageous attempt to terrorize innocent civilians. This attack is not just on Paris . . . this is an attack on all of humanity and the universal values that we share. We stand prepared and ready to provide whatever assistance that the Government and the people of France need to respond.'';

Whereas the so-called ''Islamic State of Iraq and Syria'' (ISIS) claimed responsibility for the attack;

Whereas the precise coordination of these attacks at multiple sites across Paris, along with the recent downing of a Russian airline in Egypt and the double suicide bombing in a shopping district in Beirut—brutal attacks also claimed by ISIS—indicates the planning, operational, and logistical capabilities of ISIS appear to have advanced significantly, and their focus now includes large scale external attacks;

Whereas the continued and enhanced coordination of law enforcement and intelligence efforts amongst European countries is critical to inhibiting the movement and support for ISIS-affiliated terrorist cells;

Whereas continued and enhanced intelligence cooperation, law enforcement engagement, and information sharing on emerging threats and identified Islamist extremists greatly improves security for the people of the United States, Europe, and our allies around the world;

Whereas the loss of innocent lives in Paris strengthens our resolve to defeat ISIS and its terrorist affiliates which pose a growing threat to international peace and stability;

Whereas France is an indispensable ally in our joint coalition efforts to defeat ISIS;

Whereas France has long been an ally and friend to the United States since the birth of our Nation, throughout the major conflicts of the 20th century, and has provided significant assistance to key United States strategic priorities such as combating terrorism in northern Africa; and

Whereas we stand in solidarity with our French allies in their time of national mourning, ready to provide assistance in bringing to justice all those involved with the planning and execution of these attacks, as well as identifying and thwarting any planning to undertake similar assaults in the future: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns in the strongest terms the terrorist attacks in Paris, France, on November 13, 2015, that resulted in the loss of at least 129 lives;

(2) expresses its condolences to the families and friends of those individuals who were killed in the attacks and expresses its sympathies to those individuals who have been injured;

(3) supports the Government of France in its efforts to bring to justice all those involved with the planning and execution of these terrorist attacks;

(4) remains concerned regarding the flow of foreign fighters to and from the Middle East and West and North Africa and the threat posed by these individuals upon their return to their local communities; and

(5) expresses its readiness to assist the Government and people of France to respond to the growing terrorist threat posed by the Islamic State of Iraq and Syria (ISIS) and its terrorist affiliates.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶142.20 RECESS—4:16 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock and 16 minutes p.m., subject to the call of the Chair.

¶142.21 AFTER RECESS—5:21 P.M.

The SPEAKER pro tempore, Mr. RUSSELL, called the House to order.

¶142.22 PROVIDING FOR CONSIDERATION OF H.R. 1210 AND H.R. 3189

Mr. STIVERS, by direction of the Committee on Rules, reported (Rept. No. 114–341) the resolution (H. Res. 529) providing for consideration of the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes; providing for consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes; and providing for proceedings during the period from November 20, 2015, through November 27, 2015.

When said resolution and report were referred to the House Calendar and ordered printed.

¶142.23 MESSAGE FROM THE PRESIDENT—NATIONAL DRUG CONTROL STRATEGY 2015

The SPEAKER pro tempore, Mr. RUSSELL, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

I am pleased to transmit the 2015 National Drug Control Strategy, my Administration's 21st century approach to drug policy that works to reduce illicit drug use and its consequences in the United States. This evidence-based plan, which balances public health and public safety efforts to prevent, treat, and provide recovery from the disease of addiction, seeks to build a healthier, safer, and more prosperous country.

Since the release of my Administration's inaugural National Drug Control Strategy in 2010, we have seen significant progress in addressing challenges we face along the entire spectrum of drug policy—including prevention, early intervention, treatment, recovery support, criminal justice reform, law enforcement, and international co-

operation. However, we still face serious drug-related challenges. Illicit drug use is a public health issue that jeopardizes not only our well-being, but also the progress we have made in strengthening our economy—contributing to addiction, disease, lower student academic performance, crime, unemployment, and lost productivity.

Therefore, we continue to pursue a drug policy that is effective, compassionate, and just. We are working to erase the stigma of addiction, ensuring treatment and a path to recovery for those with substance use disorders. We continue to research the health risks of drug use to encourage healthy behaviors, particularly among young people. We are reforming our criminal justice system, providing alternatives to incarceration for non-violent, substance-involved offenders, improving re-entry programs, and addressing unfair sentencing disparities. We continue to devote significant law enforcement resources to reduce the supply of drugs via sea, air, and land interdiction, and law enforcement operations and investigations. We also continue to partner with our international allies, helping them address transnational organized crime, while addressing substance use disorders and other public health issues.

I thank the Congress for its continued support of our efforts. I look forward to joining with them and all our local, State, tribal, national and international partners to advance this important undertaking.

BARACK OBAMA.

THE WHITE HOUSE, *November 17, 2015.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Agriculture, the Committee on Armed Services, the Committee on Education and the Workforce, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Committee on Natural Resources, the Committee on Oversight and Government Reform, the Committee on Transportation and Infrastructure, the Committee on Veterans' Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence, and ordered to be printed (H. Doc. 114–79).

¶142.24 RECESS—5:26 P.M.

The SPEAKER pro tempore, Mr. RUSSELL, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 26 minutes p.m., subject to the call of the Chair.

¶142.25 AFTER RECESS—10:10 P.M.

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, called the House to order.

¶142.26 APPOINTMENT OF ADDITIONAL CONFEREES—H.R. 22

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, by unanimous consent, and pursuant to clause 11 of rule I, announced the appointment of the following Members as additional conferees on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the House amendment to the amendment of the Senate to the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes:

From the Committee on Armed Services, for consideration of section 1111 of the House amendment, and modifications committed to conference: Messrs. THORNBERRY, ROGERS of Alabama, and Ms. Loretta SANCHEZ of California.

From the Committee on Energy and Commerce, for consideration of sections 1109, 1201, 1202, 3003, Division B, sections 31101, 31201, and Division F of the House amendment and sections 11005, 11006, 11013, 21003, 21004, subtitles B and D of title XXXIV, sections 51101 and 51201 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, MULLIN, and PALLONE.

From the Committee on Financial Services, for consideration of section 32202 and Division G of the House amendment and sections 52203 and 52205 of the Senate amendment, and modifications committed to conference: Messrs. HENSARLING, NEUGEBAUER, and Ms. Maxine WATERS of California.

From the Committee on the Judiciary, for consideration of sections 1313, 24406, and 43001 of the House amendment and sections 32502 and 35437 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, MARINO, and Ms. LOFGREN.

From the Committee on Natural Resources, for consideration of sections 1114–16, 1120, 1301, 1302, 1304, 1305, 1307, 1308, 1310–13, 1316, 1317, 10001, and 10002 of the House amendment and sections 11024–27, 11101–13, 11116–18, 15006, 31103–05, and 73103 of the Senate amendment, and modifications committed to conference: Messrs. THOMPSON of Pennsylvania, LAHOOD, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of sections 5106, 5223, 5504, 5505, 61003, and 61004 of the House amendment and sections 12004, 21019, 31203, 32401, 32508, 32606, 35203, 35311, and 35312 of the Senate amendment, and modifications committed to conference: Messrs. MICA, HURD of Texas, and CONNOLLY.

From the Committee on Science, Space, and Technology, for consideration of sections 3008, 3015, 4003, and title VI of the House amendment and sections 11001, 12001, 12002, 12004, 12102, 21009, 21017, subtitle B of title XXXI, sections 35105 and 72003 of the Senate amendment, and modifications committed to conference: Mr. SMITH of Texas, Mrs. COMSTOCK, and Ms. EDWARDS.

From the Committee on Ways and Means, for consideration of sections 31101, 31201, and 31203 of the House amendment, and sections 51101, 51201, 51203, 52101, 52103–05, 52108, 62001, and 74001 of the Senate amendment, and modifications committed to conference: Messrs. BRADY of Texas, REICHERT, and LEVIN.

*Ordered*, That the Clerk notify the Senate of the foregoing appointments.

¶142.27 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1356. An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

¶142.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. ROS-LEHTINEN, for today.

And then,

¶142.29 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. JENKINS of West Virginia, by unanimous consent, at 10 o'clock and 15 minutes p.m., declared the House adjourned.

¶142.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STIVERS: Committee on Rules. House Resolution 529. Resolution providing for consideration of the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes; providing for consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes; and providing for proceedings during the period from November 20, 2015, through November 27, 2015 (Rept. 114–341). Referred to the House Calendar.

¶142.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. GOODLATTE, Mr. CONYERS, Ms. JACKSON LEE, and Mr. FORBES):

H.R. 4023. A bill to eliminate unused sections of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. COOK (for himself and Mr. AGUILAR):

H.R. 4024. A bill to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain ex-

changed non-public lands, and for other purposes; to the Committee on Natural Resources.

By Mr. ROSS (for himself, Mr. POSEY, Mr. TIPTON, and Mr. COLLINS of New York):

H.R. 4025. A bill to prohibit obligation of Federal funds for admission of refugees from Syria, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACK (for herself and Mr. FLORES):

H.R. 4026. A bill to provide that a concealed handgun license shall be treated as a verifying identity document for purposes of aircraft passenger security screening, and to prohibit the Federal Government from collecting or storing information about an individual relating to a concealed handgun license; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE (for herself, Ms. JUDY CHU of California, Ms. NORTON, Ms. SEWELL of Alabama, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 4027. A bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. HUFFMAN (for himself and Mr. DESAULNIER):

H.R. 4028. A bill to amend the Individuals with Disabilities Education Act to direct the Secretary to provide additional funds to States to establish and make disbursements from high cost funds; to the Committee on Education and the Workforce.

By Mr. JOYCE (for himself and Mr. RYAN of Ohio):

H.R. 4029. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 with respect to participant votes on the suspension of benefits under multiemployer plans in critical and declining status; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALAZZO:

H.R. 4030. A bill to amend the Immigration and Nationality Act to provide that refugees may not be resettled in any State where the governor of that State has taken any action formally disapproving of the resettlement of refugees in that State, and for other purposes; to the Committee on the Judiciary.

By Mr. BYRNE:

H.R. 4031. A bill to prohibit obligation of Federal funds for admission of refugees from Syria, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. SESSIONS, Mr. DUNCAN of South Carolina, Mr. BLUM, Mr. LOUDERMILK, Mr. WESTERMAN, Mr. SMITH of Texas, Mr. FARENTHOLD, Mr. LAMALFA, Mr. SALMON, Mr. BABIN, Mr. WEBER of Texas, Mr. COLLINS of Georgia, Mr. CONAWAY, and Mr. MASSIE):

H.R. 4032. A bill to amend the Immigration and Nationality Act to provide for a limitation on the resettlement of refugees; to the Committee on the Judiciary.

By Mr. CRAWFORD:

H.R. 4033. A bill to temporarily suspend the admission of refugees from Syria and Iraq into the United States and to give States the authority to reject admission of refugees into its territory or tribal land; to the Committee on the Judiciary.

By Mr. FLEMING:

H.R. 4034. A bill to require fencing along and operational control of the southwest border, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING:

H.R. 4035. A bill to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than $100,000,000 and will cause significant adverse effects to the economy; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H.R. 4036. A bill to prohibit any regulation regarding carbon dioxide or other greenhouse gas emissions reduction in the United States until China, India, and Russia implement similar reductions; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H.R. 4037. A bill to prohibit the Administrator of the Environmental Protection Agency from proposing, finalizing, implementing, or enforcing any prohibition or restriction under the Clean Air Act with respect to the emission of methane from the oil and natural gas source category; to the Committee on Energy and Commerce.

By Mr. MCCAUL (for himself and Mr. HUDSON):

H.R. 4038. A bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; to the Committee on the Judiciary.

By Ms. ADAMS (for herself, Ms. JUDY CHU of California, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mr. PAYNE, Mr. TAKAI, and Ms. VELÁZQUEZ):

H.R. 4039. A bill to amend the Internal Revenue Code of 1986 to establish a small business start-up tax credit for veterans; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Ms. EDWARDS, Mr. MCDERMOTT, Mr. PASCRELL, Mr. HONDA, Mr. VAN HOLLEN, Ms. MCCOLLUM, Mr. LOWENTHAL, Mr. TED LIEU of California, Mr. HIGGINS, Mr. NEAL, Ms. LINDA T. SÁNCHEZ of California, Ms. LEE, Mr. QUIGLEY, Mr. CARTWRIGHT, Ms. NORTON, Mr. RANGEL, Mr. HUFFMAN, and Mr. GRIJALVA):

H.R. 4040. A bill to amend the Internal Revenue Code of 1986 to modify and extend certain tax incentives relating to energy; to the Committee on Ways and Means.

By Mr. CÁRDENAS (for himself, Mr. FARENTHOLD, Mr. CARTWRIGHT, Mr. GALLEGO, Mr. GUTIÉRREZ, Mr. HONDA, Mr. COHEN, Mr. FOSTER, and Ms. JUDY CHU of California):

H.R. 4041. A bill to establish a task force to share best practices on computer programming and coding for elementary schools and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CASTRO of Texas:

H.R. 4042. A bill to provide grants for high-quality prekindergarten programs; to the Committee on Education and the Workforce.

By Ms. CLARK of Massachusetts:

H.R. 4043. A bill to amend the Higher Education Act of 1965 to improve the financial aid process for homeless children and youths and foster care children and youth; to the Committee on Education and the Workforce.

By Mr. CLAWSON of Florida:

H.R. 4044. A bill to prohibit obligation of Federal funds for admission of refugees from certain countries; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself and Mr. ELLISON):

H.R. 4045. A bill to establish USAccounts, and for other purposes; to the Committee on Ways and Means.

By Mr. DUFFY (for himself, Mr. RYAN of Wisconsin, Mr. POCAN, Mr. KIND, Ms. MOORE, Mr. SENSENBRENNER, Mr. GROTHMAN, and Mr. RIBBLE):

H.R. 4046. A bill to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office; to the Committee on Oversight and Government Reform.

By Mr. ENGEL (for himself, Ms. ROS-LEHTINEN, Mr. ISRAEL, and Mr. COLE):

H.R. 4047. A bill to amend chapter 329 of title 49, United States Code, to ensure that new vehicles enable fuel competition so as to reduce the strategic importance of oil to the United States; to the Committee on Energy and Commerce.

By Mr. GRAVES of Louisiana (for himself, Mr. BOUSTANY, Mr. ABRAHAM, and Mr. FLEMING):

H.R. 4048. A bill to suspend the admission and resettlement of aliens seeking refugee status because of the conflict in Syria until adequate protocols are established to protect the national security of the United States and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), Rules, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOVE (for herself, Mr. NEUGEBAUER, and Mr. HUIZENGA of Michigan):

H.R. 4049. A bill to amend the Bank Holding Company Act of 1956 to exempt certain non-financial companies and smaller banking entities from the application of the Volcker Rule; to the Committee on Financial Services.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 4050. A bill to provide for the identification of certain dangerous railroad locations, and for the safety of passenger operations at such locations; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 4051. A bill to amend title 28, United States Code, to change the residency requirements for certain officials serving in the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Ms. MAXINE WATERS of California (for herself, Mrs. WATSON COLEMAN, Mr. FATTAH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. JACKSON LEE, Mr. AL GREEN of Texas, Mr. BUTTERFIELD, Mr. RANGEL, Mr. MEEKS, Mr. HONDA, Mr. JEFFRIES, and Mr. HASTINGS):

H.R. 4052. A bill to amend the Public Health Service Act to prioritize the treatment of veterans with traumatic brain injuries through the National Health Service Corps, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MAXINE WATERS of California:

H.R. 4053. A bill to authorize the Secretary of Veterans Affairs to make grants for repair and remodeling of community centers, clinics, and hospitals that serve veterans; to the Committee on Veterans' Affairs.

By Ms. MAXINE WATERS of California (for herself, Mr. CONYERS, and Mr. HONDA):

H.R. 4054. A bill to revise the 90-10 rule under the Higher Education Act of 1965 to

count veterans' education benefits under such rule, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of Arizona (for himself, Ms. BASS, Ms. LEE, Mr. DANNY K. DAVIS of Illinois, Mr. WITTMAN, Mr. POE of Texas, Mr. HUIZENGA of Michigan, Mr. HUELSKAMP, Mr. EMMER of Minnesota, Mr. LUETKEMEYER, Mr. BISHOP of Georgia, Mr. PASCRELL, Mr. SIRES, Mr. WHITFIELD, Mrs. WALORSKI, Ms. CLARKE of New York, Mr. MCDERMOTT, Mr. RUSSELL, Mrs. LAWRENCE, Mr. BLUM, Mrs. KIRKPATRICK, Ms. HAHN, Mr. BILIRAKIS, Mr. LANGEVIN, Mr. NORCROSS, Mrs. HARTZLER, and Mr. ROE of Tennessee):

H. Res. 530. A resolution expressing support for the goals of ''National Adoption Day'' and ''National Adoption Month'' by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; to the Committee on Education and the Workforce.

### ¶142.32 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 78: Mr. KILDEE.
H.R. 167: Mr. PALLONE.
H.R. 317: Mr. NOLAN.
H.R. 540: Mr. POSEY.
H.R. 546: Mr. TAKAI, Mr. GOSAR, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 592: Mr. KENNEDY and Mr. LOBIONDO.
H.R. 604: Mr. SESSIONS.
H.R. 605: Mr. BARLETTA.
H.R. 646: Ms. DELAURO and Mr. COURTNEY.
H.R. 654: Mr. POE of Texas.
H.R. 711: Ms. JACKSON LEE and Mr. VELA.
H.R. 731: Ms. MOORE.
H.R. 771: Mr. ROSKAM.
H.R. 814: Mr. BARLETTA, Mr. MACARTHUR, and Mr. NEUGEBAUER.
H.R. 845: Mr. TIPTON.
H.R. 879: Mr. BABIN and Mr. MULLIN.
H.R. 921: Mr. LAHOOD and Mr. KINZINGER of Illinois.
H.R. 985: Mr. ROKITA, Mr. LUCAS, Mr. ASHFORD, and Mr. BRIDENSTINE.
H.R. 1019: Mr. HASTINGS.
H.R. 1093: Mr. ROTHFUS.
H.R. 1173: Mr. CAPUANO.
H.R. 1206: Mr. HUDSON.
H.R. 1247: Ms. ADAMS.
H.R. 1248: Mr. SMITH of Missouri.
H.R. 1255: Mr. VAN HOLLEN.
H.R. 1258: Mr. PIERLUISI.
H.R. 1288: Ms. ROYBAL-ALLARD, Ms. WILSON of Florida, Mr. LOEBSACK, Mr. LOWENTHAL, and Mr. SHERMAN.
H.R. 1292: Mr. CRAMER and Ms. JUDY CHU of California.
H.R. 1310: Mrs. LAWRENCE.
H.R. 1346: Mr. CUMMINGS.
H.R. 1401: Ms. STEFANIK, Mr. SALMON, Mr. CRENSHAW, and Mr. WILSON of South Carolina.
H.R. 1427: Mr. SWALWELL of California, Mr. COURTNEY, Mr. VARGAS, Ms. FRANKEL of Florida, Mr. FATTAH, Mr. CICILLINE, Mr. SCHIFF, and Ms. KAPTUR.
H.R. 1492: Ms. LEE.
H.R. 1567: Mr. HUFFMAN, Mr. HANNA, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 1604: Mr. CARTER of Georgia.
H.R. 1610: Mr. WOODALL, Mr. GRAVES of Missouri, and Mr. FINCHER.
H.R. 1670: Mr. BRADY of Pennsylvania, Mr. DESJARLAIS, Mr. NUGENT, Mr. YOUNG of Iowa, Mr. RODNEY DAVIS of Illinois, Ms. DUCKWORTH, Mr. LOEBSACK, Mr. ROUZER, and Mr. BARR.
H.R. 1779: Ms. DUCKWORTH.
H.R. 1786: Mrs. WAGNER, Mr. HUNTER, and Mr. KNIGHT.
H.R. 1793: Mrs. LUMMIS.
H.R. 1805: Mr. NEWHOUSE.
H.R. 1818: Mr. WALBERG and Mr. KATKO.
H.R. 1929: Mr. YOUNG of Iowa.
H.R. 1941: Mr. WEBSTER of Florida and Mr. CRAWFORD.
H.R. 2016: Mr. DESAULNIER, Mr. GUTIÉRREZ, and Mr. CUMMINGS.
H.R. 2017: Ms. JENKINS of Kansas and Mr. YOUNG of Iowa.
H.R. 2125: Mr. NADLER.
H.R. 2154: Mr. ISRAEL.
H.R. 2342: Mr. BISHOP of Georgia.
H.R. 2366: Mr. LAMBORN.
H.R. 2403: Mr. PAYNE, Mrs. BEATTY, and Mr. POLIS.
H.R. 2434: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2515: Mr. CURBELO of Florida and Mr. BLUMENAUER.
H.R. 2519: Mr. ROUZER.
H.R. 2526: Mr. JOLLY.
H.R. 2533: Mr. LAMALFA.
H.R. 2657: Mr. THOMPSON of California, Mr. LAHOOD, and Mr. CROWLEY.
H.R. 2689: Mrs. KIRKPATRICK and Mr. GRIJALVA.
H.R. 2759: Mr. DESAULNIER.
H.R. 2817: Mr. QUIGLEY and Ms. GRANGER.
H.R. 2847: Mr. RANGEL, Mr. NOLAN, Mr. MCDERMOTT, Mrs. BEATTY, and Ms. DELBENE.
H.R. 2849: Mr. DESAULNIER.
H.R. 2858: Mr. RODNEY DAVIS of Illinois.
H.R. 2874: Mr. YOUNG of Iowa, Mr. GOSAR, Mr. BABIN, and Mr. KLINE.
H.R. 2903: Mr. WELCH and Mr. BRADY of Pennsylvania.
H.R. 2905: Mr. ROTHFUS.
H.R. 3105: Ms. WILSON of Florida.
H.R. 3110: Mr. ROGERS of Kentucky, Mr. BARR, Mr. BOUSTANY, and Mr. QUIGLEY.
H.R. 3119: Mr. TROTT and Ms. KUSTER.
H.R. 3136: Mr. LUCAS.
H.R. 3137: Mr. BARR.
H.R. 3177: Mr. BARLETTA.
H.R. 3183: Mr. CLAWSON of Florida.
H.R. 3220: Mr. MEEHAN and Mr. PASCRELL.
H.R. 3222: Mr. COFFMAN, Mr. YODER, Mr. PITTENGER, Mr. COLLINS of Georgia, and Mr. LOUDERMILK.
H.R. 3225: Mr. RIBBLE.
H.R. 3226: Mr. GRIJALVA.
H.R. 3250: Mr. KINZINGER of Illinois and Mr. BARLETTA.
H.R. 3268: Mr. BUCK.
H.R. 3296: Mr. HENSARLING.
H.R. 3299: Mr. TURNER.
H.R. 3309: Mr. MOONEY of West Virginia.
H.R. 3314: Mr. SCALISE, Mr. LOUDERMILK, Mr. BYRNE, Mr. SANFORD, Mr. GOWDY, Mr. WILLIAMS, Mr. GRAVES of Georgia, Mr. CARTER of Georgia, Mr. BOUSTANY, Mr. LANCE, Mr. LAMBORN, Mr. THOMPSON of Pennsylvania, Mr. MILLER of Florida, and Mr. FLORES.
H.R. 3316: Mr. CARSON of Indiana, Ms. TSONGAS, Ms. TITUS, Ms. LEE, Mr. MURPHY of Pennsylvania, Mr. ELLISON, Mr. VAN HOLLEN, Mr. VARGAS, Mr. ENGEL, Mr. HUFFMAN, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 3326: Mr. LUCAS, Ms. BROWNLEY of California, Mr. LOBIONDO, and Mr. WELCH.
H.R. 3339: Mr. REED, Mr. BLUMENAUER, Ms. DELAURO, and Mrs. HARTZLER.
H.R. 3340: Mr. POE of Texas.
H.R. 3375: Mr. LARSEN of Washington.
H.R. 3397: Mr. BARR, Mr. GUTHRIE, and Mr. HUIZENGA of Michigan.
H.R. 3406: Mr. DEFAZIO.
H.R. 3423: Ms. DUCKWORTH and Ms. MCSALLY.
H.R. 3445: Mr. BLUMENAUER.
H.R. 3471: Mr. MARCHANT.
H.R. 3513: Mr. GARAMENDI, Ms. SLAUGHTER, Mr. JEFFRIES, and Ms. KAPTUR.
H.R. 3516: Mr. BYRNE, Mr. YOUNG of Alaska, and Mr. FLEISCHMANN.
H.R. 3537: Mr. ALLEN.
H.R. 3541: Mr. SERRANO.
H.R. 3556: Ms. JUDY CHU of California and Mrs. KIRKPATRICK.
H.R. 3573: Mr. HARPER, Mr. NEUGEBAUER, Mr. SMITH of Nebraska, Mr. WEBER of Texas, Mr. ROSS, Mr. YOUNG of Iowa, Mr. ABRAHAM, Mr. GOSAR, Mr. CRENSHAW, Mr. SCHWEIKERT, Mr. BILIRAKIS, Mr. KINZINGER of Illinois, Mr. KELLY of Mississippi, Mr. GRAVES of Georgia, Mr. SANFORD, Mr. RATCLIFFE, Mrs. COMSTOCK, Mr. GUTHRIE, Mr. LANCE, Mr. WALKER, Mr. RUSSELL, Mr. MILLER of Florida, Mr. LAMBORN, Mr. WITTMAN, Mr. THOMPSON of Pennsylvania, Mr. FITZPATRICK, Mr. CARTER of Texas, Mr. COLLINS of New York, Mr. YOUNG of Indiana, Mr. SHUSTER, Mr. MARCHANT, and Mr. CLAWSON of Florida.
H.R. 3591: Mr. PASCRELL and Mr. LOBIONDO.
H.R. 3665: Mr. LOEBSACK.
H.R. 3683: Mr. ROSS and Mrs. CAPPS.
H.R. 3706: Mr. SESSIONS and Mr. CARSON of Indiana.
H.R. 3711: Mr. GALLEGO.
H.R. 3724: Mr. CUELLAR, Mr. PALAZZO, Mr. MULLIN, and Mr. SMITH of Missouri.
H.R. 3730: Mr. MULVANEY.
H.R. 3733: Mr. TED LIEU of California.
H.R. 3756: Mr. MCNERNEY, Mr. LOWENTHAL, Mr. HARDY, Ms. ROS-LEHTINEN, Mr. DESAULNIER, and Mr. COSTA.
H.R. 3760: Mr. CONNOLLY, Ms. SCHAKOWSKY, Mr. POCAN, and Mr. GUTIÉRREZ.
H.R. 3765: Mr. BABIN and Mr. BYRNE.
H.R. 3793: Mrs. DAVIS of California, Mr. QUIGLEY, Mr. COHEN, Mr. TAKANO, and Mrs. WATSON COLEMAN.
H.R. 3799: Mr. GROTHMAN, Mr. MILLER of Florida, and Mr. CARTER of Georgia.
H.R. 3802: Mr. PALAZZO, Mr. BYRNE, and Mr. RODNEY DAVIS of Illinois.
H.R. 3803: Ms. JENKINS of Kansas and Mr. HENSARLING.
H.R. 3834: Mr. GRIJALVA and Mr. CARSON of Indiana.
H.R. 3845: Mr. BLUM, Mr. NEWHOUSE, and Mr. LAHOOD.
H.R. 3860: Mr. BARLETTA.
H.R. 3865: Mr. LUETKEMEYER.
H.R. 3869: Mr. MESSER.
H.R. 3870: Mr. RANGEL, Mr. BRADY of Pennsylvania, Mr. JONES, and Ms. BORDALLO.
H.R. 3886: Mr. RODNEY DAVIS of Illinois and Mr. HANNA.
H.R. 3892: Mr. KING of Iowa and Mr. PALAZZO.
H.R. 3914: Mr. MILLER of Florida.
H.R. 3919: Mr. LEWIS.
H.R. 3940: Mr. GRIFFITH, Mr. CARTER of Georgia, Ms. JENKINS of Kansas, Mr. BILIRAKIS, Mr. HUDSON, Mr. BISHOP of Georgia, Mr. GRAYSON, Mr. MOONEY of West Virginia, and Mr. ABRAHAM.
H.R. 3956: Mr. VALADAO.
H.R. 3977: Mr. HUFFMAN.
H.R. 3986: Mr. RODNEY DAVIS of Illinois.
H.R. 3991: Ms. SPEIER and Mr. HONDA.
H.R. 3997: Mr. NADLER, Mr. LARSEN of Washington, Mrs. NAPOLITANO, Ms. JACKSON LEE, Ms. EDWARDS, Mrs. WATSON COLEMAN, Mr. CROWLEY, Mr. DEFAZIO, Mrs. KIRKPATRICK, Mr. CARSON of Indiana, Ms. SLAUGHTER, Mr. CLAY, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUPPERSBERGER, Mr. TONKO, Mr. BISHOP of Georgia, Mr. KILDEE, Mr. DEUTCH, Mrs. DAVIS of California, Mr. MURPHY of Florida, Mr. ASHFORD, Mr. CAPUANO, Mr. CASTRO of Texas, Mrs. LOWEY, Mr. CARTWRIGHT, Mr. CARNEY, and Ms. MCCOLLUM.
H.R. 4000: Mr. BILIRAKIS, Mr. LONG, and Mr. FARENTHOLD.

H.R. 4003: Mr. TROTT and Mr. FORBES.
H.J. Res. 22: Mr. GUTIÉRREZ.
H.J. Res. 33: Mrs. BLACK, Mrs. ELLMERS of North Carolina, and Mrs. ROBY.
H.J. Res. 71: Mrs. LUMMIS, Mr. HUELSKAMP, Mr. TIPTON, Mr. BOST, Mr. BUCSHON, Mr. ROHRABACHER, Mr. CHAFFETZ, Mr. BARLETTA, and Mr. ROGERS of Kentucky.
H.J. Res. 72: Mrs. LUMMIS, Mr. HUELSKAMP, Mr. TIPTON, Mr. BOST, Mr. BUCSHON, Mr. ROHRABACHER, Mr. CHAFFETZ, Mr. BARLETTA, and Mr. ROGERS of Kentucky.
H. Res. 28: Mr. VALADAO.
H. Res. 32: Ms. JACKSON LEE, Mr. PASCRELL, Mr. FINCHER, and Mr. FITZPATRICK.
H. Res. 394: Mr. PASCRELL.
H. Res. 416: Mr. PALAZZO and Mr. LOEBSACK.
H. Res. 432: Mr. TAKANO and Mr. FOSTER.
H. Res. 485: Mr. KINZINGER of Illinois.
H. Res. 513: Mr. HUFFMAN.
H. Res. 520: Mrs. BEATTY and Mr. JEFFRIES.
H. Res. 524: Mr. BOST, Mr. DONOVAN, Mr. SHERMAN, Mr. WEBER of Texas, Mr. BERA, Mr. ROHRABACHER, Mr. SALMON, Mr. HIGGINS, Mr. DUNCAN of South Carolina, Mr. LOWENTHAL, Mr. WILSON of South Carolina, Mr. CONNOLLY, Ms. ROS-LEHTINEN, Mr. CICILLINE, Mr. MEADOWS, Mr. SIRES, Mr. MCCAUL, Mr. DEUTCH, Mr. CLAWSON of Florida, Mr. YOHO, Ms. FRANKEL of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TROTT, Ms. BASS, Ms. MENG, Mr. RIBBLE, Mr. ISSA, Mr. MARINO, Mr. KEATING, Mr. MEEKS, Ms. GABBARD, Mr. DESJARLAIS, and Mr. GRAYSON.
H. Res. 527: Mr. COSTELLO of Pennsylvania.

### ¶142.33 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3770: Mr. VEASEY.

## WEDNESDAY, NOVEMBER 18, 2015 (143)

### ¶143.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. JOLLY, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*November 18, 2015.*

I hereby appoint the Honorable DAVID W. JOLLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

### ¶143.2 RECESS—10:48 A.M.

The SPEAKER pro tempore, Mr. JOLLY, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 48 minutes a.m., until noon.

### ¶143.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

### ¶143.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, November 17, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶143.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3485. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Responsibilities of Boards of Directors, Corporate Practices and Corporate Governance Matters (RIN: 2590-AA59) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3486. A letter from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting the Department's final rule — Section 108 Loan Guarantee Program: Payment of Fees To Cover Credit Subsidy Costs [Docket No.: FR-5767-F-03] (RIN: 2506-AC35) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3487. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major final rules — Final Rules under the Affordable Care Act for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections (RIN: 1210-AB72) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafol; Pesticide Tolerances [EPA-HQ-OPP-2015-0179; FRL-9933-61] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3489. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, polymer with ethenylbenzene and (1-methylethenyl)benzene; Tolerance Exemption [EPA-HQ-OPP-2015-0376; FRL-9936-48] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3490. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Prevention of Significant Deterioration; Plantwide Applicability Limits for Greenhouse Gasses [EPA-R03-OAR-2015-027 4; FRL-9937-25-Region 3] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's partial withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances; Withdrawal [EPA-HQ-OPPT-2015-0388; FRL-9936-98] (RIN: 2070-AB27) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3492. A letter from the Deputy Chief, ASAD, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Application Procedures for Broadcast Incentive Auction Scheduled to Begin on March 29, 2016; Technical Formulas for Competitive Bidding [AU Docket No.: 14-252] [GN Docket No.: 12-268] [WT Docket No.: 12-269] [DA 15-1183] received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3493. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Environment, Health, Safety and Security, Department of Energy, transmitting the Department's final rule — Worker Safety and Health Program; Technical Amendments (RIN: 1992-AA50) received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3494. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Freedom of Information Act Procedures, (RIN: 1651-AB05) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3495. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2016 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8060-N] (RIN: 0938-AS37) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3496. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2016 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts [CMS-8059-N] (RIN: 0938-AS36) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3497. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Federal Awarding Agency Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards [Docket No.: SSA-2015-0022] (RIN: 0960-AH73) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3498. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Comprehensive Care for Joint Replacement Payment Model for Acute Care Hospitals Furnishing Lower Extremity Joint Replacement Services [CMS-5516-F] (RIN: 0938-AS64) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

3499. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2016 [CMS-8061-N] (RIN: 0938-AS38) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

3500. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rules — Final Rules for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections under the Affordable Care Act [CMS-9993-F] (RIN: 0938-AS56) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Ways and Means, Education and the Workforce, and Energy and Commerce.

¶143.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PALAZZO, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 18, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 9:17 a.m.:

That the Senate agreed to S.J. Res. 24.

That the Senate agreed to S.J. Res. 23.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶143.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PALAZZO, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 18, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 11:03 a.m.:

That the Senate passed with amendments H.R. 2297.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶143.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PALAZZO, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 18, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 11:56 a.m.:

That the Senate disagrees to the amendment of the House S. 1177.

And agrees to conference requested by the House Senate appoints conferees.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶143.9 PROVIDING FOR CONSIDERATION OF H.R. 1210 AND H.R. 3189

Mr. STIVERS, by direction of the Committee on Rules, called up the following resolution (H. Res. 529):

*Resolved,* That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-34 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by Representative Norcross of New Jersey or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-35, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part C of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. On any legislative day during the period from November 20, 2015, through November 27, 2015—

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

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

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

When said resolution was considered.

After debate,

On motion of Mr. STIVERS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. HASTINGS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 243 / Nays ..... 184

¶143.10 [Roll No. 634]

YEAS—243

| | | |
|---|---|---|
| Abraham | Bucshon | DeSantis |
| Aderholt | Burgess | DesJarlais |
| Allen | Byrne | Diaz-Balart |
| Amash | Calvert | Dold |
| Amodei | Carter (GA) | Donovan |
| Babin | Carter (TX) | Duffy |
| Barletta | Chabot | Duncan (SC) |
| Barr | Chaffetz | Duncan (TN) |
| Barton | Clawson (FL) | Ellmers (NC) |
| Benishek | Coffman | Emmer (MN) |
| Bilirakis | Cole | Farenthold |
| Bishop (MI) | Collins (GA) | Fincher |
| Bishop (UT) | Collins (NY) | Fitzpatrick |
| Black | Comstock | Fleischmann |
| Blackburn | Conaway | Flores |
| Blum | Cook | Forbes |
| Bost | Costello (PA) | Fortenberry |
| Boustany | Cramer | Foxx |
| Brady (TX) | Crawford | Franks (AZ) |
| Brat | Crenshaw | Frelinghuysen |
| Bridenstine | Culberson | Garrett |
| Brooks (AL) | Curbelo (FL) | Gibbs |
| Brooks (IN) | Davis, Rodney | Gibson |
| Buchanan | Denham | Gohmert |
| Buck | Dent | Goodlatte |

Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—184

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

NOT VOTING—6

DeFazio
Fleming
Hoyer
Ros-Lehtinen
Ruppersberger
Takai

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

## ¶143.11 REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to House Resolution 526 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending.

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, by unanimous consent, designated Mr. POE of Texas, as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. BYRNE, assumed the Chair.

When Mr. SMITH of Missouri, Acting Chairman, reported the bill back to the House with sundry amendments adopted by the Committee.

Pursuant to House Resolution 526, the previous question was ordered.

The following sundry amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 4, line 11, insert ''veteran-owned,'' after ''minority-owned,''.

Page 4, line 12, strike the first period and insert '', including consumers and small businesses in rural areas.''.

Add at the end of the bill the following:

**SEC. 4. RULE OF CONSTRUCTION.**

Nothing in this bill shall be construed to apply to guidance issued by the Bureau of Consumer Financial Protection that is not primarily related to indirect auto financing.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BYRNE, announced that the ayes had it.

Mr. GUINTA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BYRNE, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

## ¶143.12 PORTFOLIO LENDING AND MORTGAGE ACCESS

Mr. HENSARLING, pursuant to House Resolution 529, called up for consideration the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes.

Pending consideration of said bill,

Pursuant to House Resolution 529, the following amendment in the nature of a substitute, consisting of the text of Rules Committee Print 114-34, was considered as agreed to:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Portfolio Lending and Mortgage Access Act''.

**SEC. 2. SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO.**

(a) IN GENERAL.—Section 129C of the Truth in Lending Act (15 U.S.C. 1639c) is amended by adding at the end the following:

''(j) SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO.—

''(1) SAFE HARBOR FOR CREDITORS THAT ARE DEPOSITORY INSTITUTIONS.—

''(A) IN GENERAL.—A creditor that is a depository institution shall not be subject to suit for failure to comply with subsection (a), (c)(1), or (f)(2) of this section or section 129H with respect to a residential mortgage loan, and the banking regulators shall treat such loan as a qualified mortgage, if—

''(i) the creditor has, since the origination of the loan, held the loan on the balance sheet of the creditor; and

''(ii) all prepayment penalties with respect to the loan comply with the limitations described under subsection (c)(3).

''(B) EXCEPTION FOR CERTAIN TRANSFERS.—In the case of a depository institution that transfers a loan originated by that institution to another depository institution by reason of the bankruptcy or failure of the originating depository institution or the purchase of the originating depository institution, the depository institution transferring such loan shall be deemed to have complied with the requirement under subparagraph (A)(i).

''(2) SAFE HARBOR FOR MORTGAGE ORIGINATORS.—A mortgage originator shall not be subject to suit for a violation of section 129B(c)(3)(B) for steering a consumer to a residential mortgage loan if—

''(A) the creditor of such loan is a depository institution and has informed the mortgage originator that the creditor intends to hold the loan on the balance sheet of the creditor for the life of the loan; and

''(B) the mortgage originator informs the consumer that the creditor intends to hold the loan on the balance sheet of the creditor for the life of the loan.

''(3) DEFINITIONS.—For purposes of this subsection:

''(A) BANKING REGULATORS.—The term 'banking regulators' means the Federal banking agencies, the Bureau, and the National Credit Union Administration.

''(B) DEPOSITORY INSTITUTION.—The term 'depository institution' has the meaning given that term under section 19(b)(1) of the Federal Reserve Act (12 U.S.C. 505(b)(1)).

''(C) FEDERAL BANKING AGENCIES.—The term 'Federal banking agencies' has the meaning given that term under section 3 of the Federal Deposit Insurance Act.''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by this Act may be construed as preventing a balloon loan from qualifying for the safe harbor provided under section 129C(j) of the Truth in Lending Act if the balloon loan otherwise meets all of the requirements under such subsection (j), regardless of whether the balloon loan meets the requirements described under clauses (i) through (iv) of section 129C(b)(2)(E) of such Act.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 529, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. THOMPSON of California, moved to recommit the bill to the Committee on Financial Services with instructions to report the bill back to the House forthwith with the following amendment:

Page 2, line 5, strike ''and'' at the end.

Page 2, line 8, strike the period at the end and insert ''; and''.

Page 2, after line 8, insert the following:

''(iii) the consumer is not a veteran or a member of the Armed Forces.''.

Page 3, line 3, strike ''and'' at the end.

Page 3, line 7, strike the period at the end and insert ''; and''.

Page 3, after line 7, insert the following:

''(C) the consumer is not a veteran or a member of the Armed Forces.''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. YODER, announced that the noes had it.

Mr. THOMPSON of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 184 / Nays ..... 242 }

¶143.13 [Roll No. 635]

YEAS—184

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

NAYS—242

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

NOT VOTING—7

Calvert
DeFazio
Foster
Hurt (VA)
McCollum
Ruppersberger
Takai

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. YODER, announced that the ayes had it.

Mr. HENSARLING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 255 / Nays ..... 174 }

¶143.14 [Roll No. 636]

YEAS—255

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight

Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—174

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

NOT VOTING—4

DeFazio
Ruppersberger
Takai
Webster (FL)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶143.15 H.R. 1737—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 332 / Nays ..... 96

¶143.16 [Roll No. 637]

YEAS—332

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Clawson (FL)
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lawrence
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McDermott
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schiff
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—96

Adams
Bass
Becerra
Blumenauer
Bonamici
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DeSaulnier
Deutch
Doggett
Edwards
Ellison
Engel
Farr
Fattah
Frankel (FL)
Fudge
Garamendi
Green, Al
Grijalva
Gutiérrez
Himes
Honda
Hoyer
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Langevin
Larson (CT)
Lee
Levin
Lewis
Lofgren
Lowenthal
Lowey
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Moore
Moulton
Nadler
Napolitano
Neal
Pallone
Payne
Pelosi
Pingree
Pocan
Polis
Price (NC)
Rangel
Richmond
Roybal-Allard
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Scott (VA)
Serrano
Takano
Thompson (MS)
Van Hollen
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—5

DeFazio
Eshoo
Ruppersberger
Takai
Whitfield

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶143.17 HOUR OF MEETING

On motion of Mr. HENSARLING, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet at 9:30 a.m. on Thursday, November 19, 2015.

¶143.18 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. EMMER of Minnesota, laid before the House the following communication from Jessica Poole, District Director, office of the Honorable Susan A. Davis:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, November 16, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a non-party subpoena, issued by the Superior Court of California, County of San Diego, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JESSICA POOLE,
*District Director,*
*Congresswoman Susan Davis.*

¶143.19 ORDER OF BUSINESS—ON A MOTION TO RECOMMIT ON H.R. 3189

On motion of Mr. HENSARLING, by unanimous consent,

*Ordered*, That it may be in order that the question of adopting a motion to recommit on the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes, may be subject to postponement as though under clause 8 of rule XX.

¶143.20 FED OVERSIGHT REFORM AND MODERNIZATION

The SPEAKER pro tempore, Mr. EMMER of Minnesota, pursuant to House Resolution 529 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, by unanimous consent, designated Mr. YODER as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. WALKER, assumed the Chair.

When Mr. Jody B. HICE of Georgia, Acting Chairman, reported the bill, as amended by House Resolution 529, back to the House with sundry further amendments adopted by the Committee.

The previous question having been ordered by said resolution.

Pursuant to House Resolution 529, the following amendment in the nature of a substitute, consisting of the text of Rules Committee Print 114-35, modified by the amendment printed in Part B of House Report 114-341, was considered as agreed to:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Fed Oversight Reform and Modernization Act of 2015'' or the ''FORM Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:



**SEC. 2. REQUIREMENTS FOR POLICY RULES OF THE FEDERAL OPEN MARKET COMMITTEE.**

The Federal Reserve Act (12 U.S.C. 221 et seq.) is amended by inserting after section 2B the following new section:

**''SEC. 2C. DIRECTIVE POLICY RULES OF THE FEDERAL OPEN MARKET COMMITTEE.**

''(a) DEFINITIONS.—In this section the following definitions shall apply:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

''(2) DIRECTIVE POLICY RULE.—The term 'Directive Policy Rule' means a policy rule developed by the Federal Open Market Committee that meets the requirements of subsection (c) and that provides the basis for the Open Market Operations Directive.

''(3) GDP.—The term 'GDP' means the gross domestic product of the United States as computed and published by the Department of Commerce.

''(4) INTERMEDIATE POLICY INPUT.—The term 'Intermediate Policy Input'—

''(A) may include any variable determined by the Federal Open Market Committee as a necessary input to guide open-market operations;

''(B) shall include an estimate of, and the method of calculation for, the current rate of inflation or current inflation expectations; and

''(C) shall include, specifying whether the variable or estimate is historical, current, or a forecast and the method of calculation, at least one of—

''(i) an estimate of real GDP, nominal GDP, or potential GDP;

''(ii) an estimate of the monetary aggregate compiled by the Board of Governors of the Federal Reserve System and Federal reserve banks; or

''(iii) an interactive variable or a net estimate composed of the estimates described in clauses (i) and (ii).

''(5) LEGISLATIVE DAY.—The term 'legislative day' means a day on which either House of Congress is in session.

''(6) OPEN MARKET OPERATIONS DIRECTIVE.—The term 'Open Market Operations Directive' means an order to achieve a specified Policy Instrument Target provided to the Federal Reserve Bank of New York by the Federal Open Market Committee pursuant to powers authorized under section 14 of this Act that guide open-market operations.

''(7) POLICY INSTRUMENT.—The term 'Policy Instrument' means—

''(A) the nominal Federal funds rate;

''(B) the nominal rate of interest paid on nonborrowed reserves; or

''(C) the discount window primary credit interest rate most recently published on the Federal Reserve Statistical Release on selected interest rates (daily or weekly), commonly referred to as the H.15 release.

''(8) POLICY INSTRUMENT TARGET.—The term 'Policy Instrument Target' means the target for the Policy Instrument specified in the Open Market Operations Directive.

''(9) REFERENCE POLICY RULE.—The term 'Reference Policy Rule' means a calculation of the nominal Federal funds rate as equal to the sum of the following:

''(A) The rate of inflation over the previous four quarters.

''(B) One-half of the percentage deviation of the real GDP from an estimate of potential GDP.

''(C) One-half of the difference between the rate of inflation over the previous four quarters and two percent.

''(D) Two percent.

''(b) SUBMITTING A DIRECTIVE POLICY RULE.—Not later than 48 hours after the end of a meeting of the Federal Open Market Committee, the Chairman of the Federal Open Market Committee shall submit to the appropriate congressional committees and the Comptroller General of the United States a Directive Policy Rule and a statement that identifies the members of the Federal Open Market Committee who voted in favor of the Rule.

''(c) REQUIREMENTS FOR A DIRECTIVE POLICY RULE.—A Directive Policy Rule shall—

''(1) identify the Policy Instrument the Directive Policy Rule is designed to target;

''(2) describe the strategy or rule of the Federal Open Market Committee for the systematic quantitative adjustment of the Policy Instrument Target to respond to a change in the Intermediate Policy Inputs;

''(3) include a function that comprehensively models the interactive relationship between the Intermediate Policy Inputs;

''(4) include the coefficients of the Directive Policy Rule that generate the current Policy Instrument Target and a range of predicted future values for the Policy Instrument Target if changes occur in any Intermediate Policy Input;

''(5) describe the procedure for adjusting the supply of bank reserves to achieve the Policy Instrument Target;

''(6) include a statement as to whether the Directive Policy Rule substantially conforms to the Reference Policy Rule and, if applicable—

''(A) an explanation of the extent to which it departs from the Reference Policy Rule;

''(B) a detailed justification for that departure; and

''(C) a description of the circumstances under which the Directive Policy Rule may be amended in the future;

''(7) include a certification that such Rule is expected to support the economy in achieving stable prices and maximum natural employment over the long term; and

''(8) include a calculation that describes with mathematical precision the expected annual inflation rate over a 5-year period.

''(d) GAO REPORT.—The Comptroller General of the United States shall compare the Directive Policy Rule submitted under subsection (b) with the rule that was most recently submitted to determine whether the Directive Policy Rule has materially changed. If the Directive Policy Rule has materially changed, the Comptroller General shall, not later than 7 days after each meeting of the Federal Open Market Committee, prepare and submit a compliance report to the appropriate congressional committees specifying whether the Directive Policy Rule submitted after that meeting and the Federal Open Market Committee are in compliance with this section.

''(e) CHANGING MARKET CONDITIONS.—

''(1) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require that the plans with respect to the systematic quantitative adjustment of the Policy Instrument Target described under subsection (c)(2) be implemented if the Federal Open Market Committee determines that such plans cannot or should not be achieved due to changing market conditions.

''(2) GAO APPROVAL OF UPDATE.—Upon determining that plans described in paragraph (1) cannot or should not be achieved, the Federal Open Market Committee shall submit an explanation for that determination and an updated version of the Directive Policy Rule to the Comptroller General of the United States and the appropriate congressional committees not later than 48 hours after making the determination. The Comptroller General shall, not later than 48 hours after receiving such updated version, prepare and submit to the appropriate congressional committees a compliance report determining whether such updated version and the Federal Open Market Committee are in compliance with this section.

''(f) DIRECTIVE POLICY RULE AND FEDERAL OPEN MARKET COMMITTEE NOT IN COMPLIANCE.—

''(1) IN GENERAL.—If the Comptroller General of the United States determines that the Directive Policy Rule and the Federal Open Market Committee are not in compliance with this section in the report submitted pursuant to subsection (d), or that the updated version of the Directive Policy Rule and the Federal Open Market Committee are not in compliance with this section in the report submitted pursuant to subsection (e)(2), the Chairman of the Board of Governors of the Federal Reserve System shall, if requested by the chairman of either of the appropriate congressional committees, not later than 7 legislative days after such request, testify before such committee as to why the Directive Policy Rule, the updated version, or the Federal Open Market Committee is not in compliance.

''(2) GAO AUDIT.—Notwithstanding subsection (b) of section 714 of title 31, United States Code, upon submitting a report of noncompliance pursuant to subsection (d) or subsection (e)(2) and after the period of 7 legislative days described in paragraph (1), the Comptroller General shall audit the conduct of monetary policy by the Board of Governors of the Federal Reserve System and the Federal Open Market Committee upon request of the appropriate congressional committee. Such committee may specify the parameters of such audit.

''(g) CONGRESSIONAL HEARINGS.—The Chairman of the Board of Governors of the Federal Reserve System shall, if requested by the chairman of either of the appropriate congressional committees and not later than 7 legislative days after such request, appear before such committee to explain any change to the Directive Policy Rule.''.

**SEC. 3. FEDERAL OPEN MARKET COMMITTEE BLACKOUT PERIOD.**

Section 12A of the Federal Reserve Act (12 U.S.C. 263) is amended by adding at the end the following new subsection:

''(d) BLACKOUT PERIOD.—

''(1) IN GENERAL.—During a blackout period, the only public communications that may be made by members and staff of the Committee with respect to macroeconomic or financial developments or about current or prospective monetary policy issues are the following:

''(A) The dissemination of published data, surveys, and reports that have been cleared for publication by the Board of Governors of the Federal Reserve System.

''(B) Answers to technical questions specific to a data release.

''(C) Communications with respect to the prudential or supervisory functions of the Board of Governors.

''(2) BLACKOUT PERIOD DEFINED.—For purposes of this subsection, and with respect to a meeting of the Committee described under subsection (a), the term 'blackout period' means the time period that—

''(A) begins immediately after midnight on the day that is one week prior to the date on which such meeting takes place; and

''(B) ends at midnight on the day after the date on which such meeting takes place.

''(3) EXEMPTION FOR CHAIRMAN OF THE BOARD OF GOVERNORS.—Nothing in this section shall prohibit the Chairman of the Board of Governors of the Federal Reserve System from participating in or issuing public communications.''.

**SEC. 4. MEMBERSHIP OF FEDERAL OPEN MARKET COMMITTEE.**

Section 12A(a) of the Federal Reserve Act (12 U.S.C. 263(a)) is amended—

(1) in the first sentence, by striking ''five'' and inserting ''six'';

(2) in the second sentence, by striking ''One by the board of directors'' and all that follows through the period at the end and inserting the following: ''One by the boards of directors of the Federal Reserve Banks of New York and Boston; one by the boards of directors of the Federal Reserve Banks of Philadelphia and Cleveland; one by the boards of directors of the Federal Reserve Banks of Richmond and Atlanta; one by the boards of directors of the Federal Reserve Banks of Chicago and St. Louis; one by the boards of directors of the Federal Reserve Banks of Minneapolis and Kansas City; and one by the boards of directors of the Federal Reserve Banks of Dallas and San Francisco.''; and

(3) by inserting after the second sentence the following: ''In odd numbered calendar years, one representative shall be elected from each of the Federal Reserve Banks of Boston, Philadelphia, Richmond, Chicago, Minneapolis, and Dallas. In even-numbered calendar years, one representative shall be elected from each of the Federal Reserve Banks of New York, Cleveland, Atlanta, St. Louis, Kansas City, and San Francisco.''.

**SEC. 5. REQUIREMENTS FOR STRESS TESTS AND SUPERVISORY LETTERS FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.**

(a) STRESS TEST RULEMAKING, GAO REVIEW, AND PUBLICATION OF RESULTS.—Section 165(i)(1)(B) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5365(i)(1)(B)) is amended—

(1) by amending clause (i) to read as follows:

''(i) shall—

''(I) issue regulations, after providing for public notice and comment, that provide for at least 3 different sets of conditions under which the evaluation required by this subsection shall be conducted, including baseline, adverse, and severely adverse, and methodologies, including models used to estimate losses on certain assets; and

''(II) provide copies of such regulations to the Comptroller General of the United States and the Panel of Economic Advisors of the Congressional Budget Office before publishing such regulations;''; and

(2) in clause (v), by inserting before the period the following: '', including any results of a resubmitted test''.

(b) APPLICATION OF CCAR.—Section 165(i)(1) of such Act is further amended by adding at the end the following new subparagraph:

''(C) APPLICATION TO CCAR.—The requirements of subparagraph (B) shall apply to all stress tests performed under the Comprehensive Capital Analysis and Review exercise established by the Board of Governors.''.

(c) PUBLICATION OF THE NUMBER OF SUPERVISORY LETTERS SENT TO THE LARGEST BANK HOLDING COMPANIES.—Section 165 of such Act is further amended by adding at the end the following new subsection:

''(l) PUBLICATION OF SUPERVISORY LETTER INFORMATION.—The Board of Governors shall publicly disclose—

''(1) the aggregate number of supervisory letters sent to bank holding companies described in subsection (a) since the date of the enactment of this section, and keep such number updated; and

''(2) the aggregate number of such letters that are designated as 'Matters Requiring Attention' and the aggregate number of such letters that are designated as 'Matters Requiring Immediate Attention'.''.

**SEC. 6. FREQUENCY OF TESTIMONY OF THE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM TO CONGRESS.**

(a) IN GENERAL.—Section 2B of the Federal Reserve Act (12 U.S.C. 225b) is amended—

(1) by striking ''semi-annual'' each place it appears and inserting ''quarterly''; and

(2) in subsection (a)(2)—

(A) by inserting ''and October 20'' after ''July 20'' each place it appears; and

(B) by inserting ''and May 20'' after ''February 20'' each place it appears.

(b) CONFORMING AMENDMENT.—Paragraph (12) of section 10 of the Federal Reserve Act

(12 U.S.C. 247b(12)) is amended by striking ''semi-annual'' and inserting ''quarterly''.

**SEC. 7. VICE CHAIRMAN FOR SUPERVISION REPORT REQUIREMENT.**

Paragraph (12) of section 10 of the Federal Reserve Act (12 U.S.C. 247(b)) is amended—

(1) by redesignating such paragraph as paragraph (11); and

(2) in such paragraph, by adding at the end the following: ''In each such appearance, the Vice Chairman for Supervision shall provide written testimony that includes the status of all pending and anticipated rulemakings that are being made by the Board of Governors of the Federal Reserve System. If, at the time of any appearance described in this paragraph, the position of Vice Chairman for Supervision is vacant, the Vice Chairman for the Board of Governors of the Federal Reserve System (who has the responsibility to serve in the absence of the Chairman) shall appear instead and provide the required written testimony. If, at the time of any appearance described in this paragraph, both Vice Chairman positions are vacant, the Chairman of the Board of Governors of the Federal Reserve System shall appear instead and provide the required written testimony.''.

**SEC. 8. ECONOMIC ANALYSIS OF REGULATIONS OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.**

(a) AMENDMENT TO FEDERAL RESERVE ACT.—Section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by inserting after subsection (l) the following new subsection:

''(m) CONSIDERATION OF ECONOMIC IMPACTS.—

''(1) IN GENERAL.—Before issuing any regulation, the Board of Governors of the Federal Reserve System shall—

''(A) clearly identify the nature and source of the problem that the proposed regulation is designed to address and assess the significance of that problem;

''(B) assess whether any new regulation is warranted or, with respect to a proposed regulation that the Board of Governors is required to issue by statute and with respect to which the Board has the authority to exempt certain persons from the application of such regulation, compare—

''(i) the costs and benefits of the proposed regulation; and

''(ii) the costs and benefits of a regulation under which the Board exempts all persons from the application of the proposed regulation, to the extent the Board is able;

''(C) assess the qualitative and quantitative costs and benefits of the proposed regulation and propose or adopt a regulation only on a reasoned determination that the benefits of the proposed regulation outweigh the costs of the regulation;

''(D) identify and assess available alternatives to the proposed regulation that were considered, including any alternative offered by a member of the Board of Governors of the Federal Reserve System or the Federal Open Market Committee and including any modification of an existing regulation, together with an explanation of why the regulation meets the regulatory objectives more effectively than the alternatives; and

''(E) ensure that any proposed regulation is accessible, consistent, written in plain language, and easy to understand and shall measure, and seek to improve, the actual results of regulatory requirements.

''(2) CONSIDERATIONS AND ACTIONS.—

''(A) REQUIRED ACTIONS.—In deciding whether and how to regulate, the Board shall assess the costs and benefits of available regulatory alternatives, including the alternative of not regulating, and choose the approach that maximizes net benefits. Specifically, the Board shall—

''(i) evaluate whether, consistent with achieving regulatory objectives, the regulation is tailored to impose the least impact on the availability of credit and economic growth and to impose the least burden on society, including market participants, individuals, businesses of different sizes, and other entities (including State and local governmental entities), taking into account, to the extent practicable, the cumulative costs of regulations;

''(ii) evaluate whether the regulation is inconsistent, incompatible, or duplicative of other Federal regulations; and

''(iii) with respect to a proposed regulation that the Board is required to issue by statute and with respect to which the Board has the authority to exempt certain persons from the application of such regulation, compare—

''(I) the costs and benefits of the proposed regulation; and

''(II) the costs and benefits of a regulation under which the Board exempts all persons from the application of the proposed regulation, to the extent the Board is able.

''(B) ADDITIONAL CONSIDERATIONS.—In addition, in making a reasoned determination of the costs and benefits of a proposed regulation, the Board shall, to the extent that each is relevant to the particular proposed regulation, take into consideration the impact of the regulation, including secondary costs such as an increase in the cost or a reduction in the availability of credit or investment services or products, on—

''(i) the safety and soundness of the United States banking system;

''(ii) market liquidity in securities markets;

''(iii) small businesses;

''(iv) community banks;

''(v) economic growth;

''(vi) cost and access to capital;

''(vii) market stability;

''(viii) global competitiveness;

''(ix) job creation;

''(x) the effectiveness of the monetary policy transmission mechanism; and

''(xi) employment levels.

''(3) EXPLANATION AND COMMENTS.—The Board shall explain in its final rule the nature of comments that it received and shall provide a response to those comments in its final rule, including an explanation of any changes that were made in response to those comments and the reasons that the Board did not incorporate concerns related to the potential costs or benefits in the final rule.

''(4) POSTADOPTION IMPACT ASSESSMENT.—

''(A) IN GENERAL.—Whenever the Board adopts or amends a regulation designated as a 'major rule' within the meaning of section 804(2) of title 5, United States Code, it shall state, in its adopting release, the following:

''(i) The purposes and intended consequences of the regulation.

''(ii) The assessment plan that will be used, consistent with the requirements of subparagraph (B), to assess whether the regulation has achieved the stated purposes.

''(iii) Appropriate postimplementation quantitative and qualitative metrics to measure the economic impact of the regulation and the extent to which the regulation has accomplished the stated purpose of the regulation.

''(iv) Any reasonably foreseeable indirect effects that may result from the regulation.

''(B) REQUIREMENTS OF ASSESSMENT PLAN AND REPORT.—

''(i) REQUIREMENTS OF PLAN.—The assessment plan required under this paragraph shall consider the costs, benefits, and intended and unintended consequences of the regulation. The plan shall specify the data to be collected, the methods for collection and analysis of the data, and a date for completion of the assessment. The assessment plan shall include an analysis of any jobs added or lost as a result of the regulation, differentiating between public and private sector jobs.

''(ii) SUBMISSION AND PUBLICATION OF REPORT.—The Board shall, not later than 2 years after the publication of the adopting release, publish the assessment plan in the Federal Register for notice and comment. If the Board determines, at least 90 days before the deadline for publication of the assessment plan, that an extension is necessary, the Board shall publish a notice of such extension and the specific reasons why the extension is necessary in the Federal Register. Any material modification of the assessment plan, as necessary to assess unforeseen aspects or consequences of the regulation, shall be promptly published in the Federal Register for notice and comment.

''(iii) DATA COLLECTION NOT SUBJECT TO NOTICE AND COMMENT REQUIREMENTS.—If the Board has published the assessment plan for notice and comment at least 30 days before the adoption of a regulation designated as a major rule, the collection of data under the assessment plan shall not be subject to the notice and comment requirements in section 3506(c) of title 44, United States Code (commonly referred to as the Paperwork Reduction Act). Any material modification of the plan that requires collection of data not previously published for notice and comment shall also be exempt from such requirements if the Board has published notice in the Federal Register for comment on the additional data to be collected, at least 30 days before the initiation of data collection.

''(iv) FINAL ACTION.—Not later than 180 days after publication of the assessment plan in the Federal Register, the Board shall issue for notice and comment a proposal to amend or rescind the regulation, or shall publish a notice that the Board has determined that no action will be taken on the regulation. Such a notice will be deemed a final agency action.

''(5) COVERED REGULATIONS AND OTHER ACTIONS.—Solely as used in this subsection, the term 'regulation'—

''(A) means a statement of general applicability and future effect that is designed to implement, interpret, or prescribe law or policy, or to describe the procedure or practice requirements of the Board of Governors, including rules, orders of general applicability, interpretive releases, and other statements of general applicability that the Board of Governors intends to have the force and effect of law; and

''(B) does not include—

''(i) a regulation issued in accordance with the formal rulemaking provisions of section 556 or 557 of title 5, United States Code;

''(ii) a regulation that is limited to the organization, management, or personnel matters of the Board of Governors;

''(iii) a regulation promulgated pursuant to statutory authority that expressly prohibits compliance with this provision; or

''(iv) a regulation that is certified by the Board of Governors to be an emergency action, if such certification is published in the Federal Register.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall apply to the requirements regarding the conduct of monetary policy described in section 2.

**SEC. 9. SALARIES, FINANCIAL DISCLOSURES, AND OFFICE STAFF OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.**

(a) IN GENERAL.—Section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended—

(1) by redesignating the second subsection (s) (relating to ''Assessments, Fees, and Other Charges for Certain Companies'') as subsection (t); and

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

''(u) ETHICS STANDARDS FOR MEMBERS AND EMPLOYEES.—

''(1) PROHIBITED AND RESTRICTED FINANCIAL INTERESTS AND TRANSACTIONS.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to the provisions under section 4401.102 of title 5, Code of Federal Regulations, to the same extent as such provisions apply to an employee of the Securities and Exchange Commission.

''(2) TREATMENT OF BROKERAGE ACCOUNTS AND AVAILABILITY OF ACCOUNT STATEMENTS.—The members and employees of the Board of Governors of the Federal Reserve System shall—

''(A) disclose all brokerage accounts that they maintain, as well as those in which they control trading or have a financial interest (including managed accounts, trust accounts, investment club accounts, and the accounts of spouses or minor children who live with the member or employee); and

''(B) with respect to any securities account that the member or employee is required to disclose to the Board of Governors, authorize their brokers and dealers to send duplicate account statements directly to Board of Governors.

''(3) PROHIBITIONS RELATED TO OUTSIDE EMPLOYMENT AND ACTIVITIES.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to the prohibitions related to outside employment and activities described under section 4401.103(c) of title 5, Code of Federal Regulations, to the same extent as such prohibitions apply to an employee of the Securities and Exchange Commission.

''(4) ADDITIONAL ETHICS STANDARDS.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to—

''(A) the employee responsibilities and conduct regulations of the Office of Personnel Management under part 735 of title 5, Code of Federal Regulations;

''(B) the canons of ethics contained in subpart C of part 200 of title 17, Code of Federal Regulations, to the same extent as such subpart applies to the employees of the Securities and Exchange Commission; and

''(C) the regulations concerning the conduct of members and employees and former members and employees contained in subpart M of part 200 of title 17, Code of Federal Regulations, to the same extent as such subpart applies to the employees of the Securities and Exchange Commission.

''(v) DISCLOSURE OF STAFF SALARIES AND FINANCIAL INFORMATION.—The Board of Governors of the Federal Reserve System shall make publicly available, on the website of the Board of Governors, a searchable database that contains the names of all members, officers, and employees of the Board of Governors who receive an annual salary in excess of the annual rate of basic pay for GS–15 of the General Schedule, and—

''(1) the yearly salary information for such individuals, along with any nonsalary compensation received by such individuals; and

''(2) any financial disclosures required to be made by such individuals.''.

(b) OFFICE STAFF FOR EACH MEMBER OF THE BOARD OF GOVERNORS.—Subsection (l) of section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by adding at the end the following: ''Each member of the Board of Governors of the Federal Reserve System may employ, at a minimum, 2 individuals, with such individuals selected by such member and the salaries of such individuals set by such member. A member may employ additional individuals as determined necessary by the Board of Governors.''.

**SEC. 10. REQUIREMENTS FOR INTERNATIONAL PROCESSES.**

(a) BOARD OF GOVERNORS REQUIREMENTS.—Section 11 of the Federal Reserve Act (12 U.S.C. 248), as amended by section 9 of this Act, is further amended by adding at the end the following new subsection:

''(w) INTERNATIONAL PROCESSES.—

''(1) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before any member or employee of the Board of Governors of the Federal Reserve System participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Governors shall—

''(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Board of Governors; and

''(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

''(2) PUBLIC REPORTS ON PROCESS.—After the end of any process described under paragraph (1), the Board of Governors shall issue a public report on the topics that were discussed during the process and any new or revised rulemakings or policy changes that the Board of Governors believes should be implemented as a result of the process.

''(3) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before any member or employee of the Board of Governors of the Federal Reserve System participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Governors shall—

''(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Board of Governors; and

''(C) consult with the committees described under subparagraph (A) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(4) DEFINITION.—For purposes of this subsection, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''.

(b) FDIC REQUIREMENTS.—The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by adding at the end the following new section:

**''SEC. 51. INTERNATIONAL PROCESSES.**

''(a) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Board of Directors participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

''(1) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(2) make such notice available to the public, including on the website of the Corporation; and

''(3) solicit public comment, and consult with the committees described under paragraph (1), with respect to the subject matter, scope, and goals of the process.

''(b) PUBLIC REPORTS ON PROCESS.—After the end of any process described under subsection (a), the Board of Directors shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Board of Directors believes should be implemented as a result of the process.

''(c) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Board of Directors participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

''(1) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(2) make such notice available to the public, including on the website of the Corporation; and

''(3) consult with the committees described under paragraph (1) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(d) DEFINITION.—For purposes of this section, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''.

(c) TREASURY REQUIREMENTS.—Section 325 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(d) INTERNATIONAL PROCESSES.—

''(1) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Secretary participates in a process of setting financial standards as a part of any foreign or multinational entity, the Secretary shall—

''(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Department of the Treasury; and

''(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

''(2) PUBLIC REPORTS ON PROCESS.—After the end of any process described under paragraph (1), the Secretary shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Secretary believes should be implemented as a result of the process.

''(3) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Secretary participates in a process of setting financial standards as a part of any foreign or multinational entity, the Secretary shall—

''(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Department of the Treasury; and

''(C) consult with the committees described under subparagraph (A) with respect

to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(4) DEFINITION.—For purposes of this subsection, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''.

(d) OCC REQUIREMENTS.—Chapter one of title LXII of the Revised Statutes of the United States (12 U.S.C. 21 et seq.) is amended—

(1) by adding at the end the following new section:

**''SEC. 5156B. INTERNATIONAL PROCESSES.**

''(a) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Comptroller of the Currency participates in a process of setting financial standards as a part of any foreign or multinational entity, the Comptroller of the Currency shall—

''(1) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(2) make such notice available to the public, including on the website of the Office of the Comptroller of the Currency; and

''(3) solicit public comment, and consult with the committees described under paragraph (1), with respect to the subject matter, scope, and goals of the process.

''(b) PUBLIC REPORTS ON PROCESS.—After the end of any process described under subsection (a), the Comptroller of the Currency shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Comptroller of the Currency believes should be implemented as a result of the process.

''(c) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Comptroller of the Currency participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

''(1) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(2) make such notice available to the public, including on the website of the Office of the Comptroller of the Currency; and

''(3) consult with the committees described under paragraph (1) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(d) DEFINITION.—For purposes of this section, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''; and

(2) in the table of contents for such chapter, by adding at the end the following new item:

''5156B. International processes.''.

(e) SECURITIES AND EXCHANGE COMMISSION REQUIREMENTS.—Section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78d) is amended by adding at the end the following new subsection:

''(j) INTERNATIONAL PROCESSES.—

''(1) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Commission participates in a process of setting financial standards as a part of any foreign or multinational entity, the Commission shall—

''(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Commission; and

''(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

''(2) PUBLIC REPORTS ON PROCESS.—After the end of any process described under paragraph (1), the Commission shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Commission believes should be implemented as a result of the process.

''(3) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Commission participates in a process of setting financial standards as a part of any foreign or multinational entity, the Commission shall—

''(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

''(B) make such notice available to the public, including on the website of the Commission; and

''(C) consult with the committees described under subparagraph (A) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

''(4) DEFINITION.—For purposes of this subsection, the term 'process' shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).''.

**SEC. 11. AMENDMENTS TO POWERS OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.**

(a) IN GENERAL.—Section 13(3) of the Federal Reserve Act (12 U.S.C. 343(3)) is amended—

(1) in subparagraph (A)—

(A) by inserting ''that pose a threat to the financial stability of the United States'' after ''unusual and exigent circumstances''; and

(B) by inserting ''and by the affirmative vote of not less than nine presidents of the Federal reserve banks'' after ''five members'';

(2) in subparagraph (B)—

(A) in clause (i), by inserting at the end the following: ''Federal reserve banks may not accept equity securities issued by the recipient of any loan or other financial assistance under this paragraph as collateral. Not later than 6 months after the date of enactment of this sentence, the Board shall, by rule, establish—

''(I) a method for determining the sufficiency of the collateral required under this paragraph;

''(II) acceptable classes of collateral;

''(III) the amount of any discount of such value that the Federal reserve banks will apply for purposes of calculating the sufficiency of collateral under this paragraph; and

''(IV) a method for obtaining independent appraisals of the value of collateral the Federal reserve banks receive.''; and

(B) in clause (ii)—

(i) by striking the second sentence; and

(ii) by inserting after the first sentence the following: ''A borrower shall not be eligible to borrow from any emergency lending program or facility unless the Board and all federal banking regulators with jurisdiction over the borrower certify that, at the time the borrower initially borrows under the program or facility, the borrower is not insolvent.'';

(3) by inserting ''financial institution'' before ''participant'' each place such term appears;

(4) in subparagraph (D)(i), by inserting ''financial institution'' before ''participants''; and

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

''(F) PENALTY RATE.—

''(i) IN GENERAL.—Not later than 6 months after the date of enactment of this subparagraph, the Board shall, with respect to a recipient of any loan or other financial assistance under this paragraph, establish by rule a minimum interest rate on the principal amount of any loan or other financial assistance.

''(ii) MINIMUM INTEREST RATE DEFINED.—In this subparagraph, the term 'minimum interest rate' shall mean the sum of—

''(I) the average of the secondary discount rate of all Federal Reserve banks over the most recent 90-day period; and

''(II) the average of the difference between a distressed corporate bond yield index (as defined by rule of the Board) and a bond yield index of debt issued by the United States (as defined by rule of the Board) over the most recent 90-day period.

''(G) FINANCIAL INSTITUTION PARTICIPANT DEFINED.—For purposes of this paragraph, the term 'financial institution participant'—

''(i) means a company that is predominantly engaged in financial activities (as defined in section 102(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5311(a))); and

''(ii) does not include an agency described in subparagraph (W) of section 5312(a)(2) of title 31, United States Code, or an entity controlled or sponsored by such an agency.''.

(b) CONFORMING AMENDMENT.—Section 11(r)(2)(A) of such Act is amended—

(1) in clause (ii)(IV), by striking ''; and'' and inserting a semicolon;

(2) in clause (iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(iv) the available members secure the affirmative vote of not less than nine presidents of the Federal reserve banks.''.

**SEC. 12. INTEREST RATES ON BALANCES MAINTAINED AT A FEDERAL RESERVE BANK BY DEPOSITORY INSTITUTIONS ESTABLISHED BY FEDERAL OPEN MARKET COMMITTEE.**

Subparagraph (A) of section 19(b)(12) of the Federal Reserve Act (12 U.S.C. 461(b)(12)(A)) is amended by inserting ''established by the Federal Open Market Committee'' after ''rate or rates''.

**SEC. 13. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.**

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, the Comptroller General of the United States shall complete an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 within 12 months after the date of the enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the audit required pursuant to subsection (a) is completed, the Comptroller General—

(A) shall submit to Congress a report on such audit; and

(B) shall make such report available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests the report.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking the second sentence.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 714 of title 31, United States Code, is amended—

(A) in subsection (d)(3), by striking ''or (f)'' each place such term appears;

(B) in subsection (e), by striking ''the third undesignated paragraph of section 13'' and inserting ''section 13(3)''; and

(C) by striking subsection (f).

(2) FEDERAL RESERVE ACT.—Subsection (s) (relating to ''Federal Reserve Transparency and Release of Information'') of section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended—

(A) in paragraph (4)(A), by striking ''has the same meaning as in section 714(f)(1)(A) of title 31, United States Code'' and inserting ''means a program or facility, including any special purpose vehicle or other entity established by or on behalf of the Board of Governors of the Federal Reserve System or a Federal reserve bank, authorized by the Board of Governors under section 13(3), that is not subject to audit under section 714(e) of title 31, United States Code'';

(B) in paragraph (6), by striking ''or in section 714(f)(3)(C) of title 31, United States Code, the information described in paragraph (1) and information concerning the transactions described in section 714(f) of such title,'' and inserting ''the information described in paragraph (1)''; and

(C) in paragraph (7), by striking ''and section 13(3)(C), section 714(f)(3)(C) of title 31, United States Code, and'' and inserting '', section 13(3)(C), and''.

**SEC. 14. REPORTING REQUIREMENT FOR EXPORT-IMPORT BANK.**

The Board of Governors of the Federal Reserve System shall include, as part of the monthly Federal Reserve statistical release titled ''Industrial Production or Capacity Utilization'' (or any successor release), an analysis of—

(1) the impact on the index described in the statistical release due to the operation of the Export-Import Bank; and

(2) the amount of foreign industrial production supported by foreign export credit agencies, using the same method used to measure industrial production in the statistical release and scaled to be comparable to the industrial production measurement for the United States.

**SEC. 15. MEMBERSHIP OF BOARD OF DIRECTORS OF THE FEDERAL RESERVE BANKS.**

Section 4 of the Federal Reserve Act (12 U.S.C. 302) is amended—

(1) in the eleventh undesignated paragraph (relating to Class B), by striking ''and consumers'' and inserting ''consumers, and traditionally underserved communities and populations''; and

(2) in the twelfth undesignated paragraph (relating to Class C), by striking ''and consumers'' and inserting ''consumers, and traditionally underserved communities and populations''.

**SEC. 16. ESTABLISHMENT OF A CENTENNIAL MONETARY COMMISSION.**

(a) SHORT TITLE.—This section may be cited as the ''Centennial Monetary Commission Act of 2015''.

(b) FINDINGS.—Congress finds the following:

(1) The Constitution endows Congress with the power ''to coin money, regulate the value thereof''.

(2) Following the financial crisis known as the Panic of 1907, Congress established the National Monetary Commission to provide recommendations for the reform of the financial and monetary systems of the United States.

(3) Incorporating several of the recommendations of the National Monetary Commission, Congress created the Federal Reserve System in 1913. As currently organized, the Federal Reserve System consists of the Board of Governors in Washington, District of Columbia, and the Federal Reserve Banks organized into 12 districts around the United States. The stockholders of the 12 Federal Reserve Banks include national and certain State-chartered commercial banks, which operate on a fractional reserve basis.

(4) Originally, Congress gave the Federal Reserve System a monetary mandate to provide an elastic currency, within the context of a gold standard, in response to seasonal fluctuations in the demand for currency.

(5) Congress also gave the Federal Reserve System a financial stability mandate to serve as the lender of last resort to solvent but illiquid banks during a financial crisis.

(6) In 1977, Congress changed the monetary mandate of the Federal Reserve System to a dual mandate for maximum employment and stable prices.

(7) Empirical studies and historical evidence, both within the United States and in other countries, demonstrate that price stability is desirable because both inflation and deflation damage the economy.

(8) The economic challenge of recent years—most notably the bursting of the housing bubble, the financial crisis of 2008, and the ensuing anemic recovery—have occurred at great cost in terms of lost jobs and output.

(9) Policymakers are reexamining the structure and functioning of financial institutions and markets to determine what, if any, changes need to be made to place the financial system on a stronger, more sustainable path going forward.

(10) The Federal Reserve System has taken extraordinary actions in response to the recent economic challenges.

(11) The Federal Open Market Committee has engaged in multiple rounds of quantitative easing, providing unprecedented liquidity to financial markets, while committing to holding short-term interest rates low for a seemingly indefinite period, and pursuing a policy of credit allocation by purchasing Federal agency debt and mortgage-backed securities.

(12) In the wake of the recent extraordinary actions of the Federal Reserve System, Congress—consistent with its constitutional responsibilities and as it has done periodically throughout the history of the United States—has once again renewed its examination of monetary policy.

(13) Central in such examination has been a renewed look at what is the most proper mandate for the Federal Reserve System to conduct monetary policy in the 21st century.

(c) ESTABLISHMENT OF A CENTENNIAL MONETARY COMMISSION.—There is established a commission to be known as the ''Centennial Monetary Commission'' (in this section referred to as the ''Commission'').

(d) STUDY AND REPORT ON MONETARY POLICY.—

(1) STUDY.—The Commission shall—

(A) examine how United States monetary policy since the creation of the Board of Governors of the Federal Reserve System in 1913 has affected the performance of the United States economy in terms of output, employment, prices, and financial stability over time;

(B) evaluate various operational regimes under which the Board of Governors of the Federal Reserve System and the Federal Open Market Committee may conduct monetary policy in terms achieving the maximum sustainable level of output and employment and price stability over the long term, including—

(i) discretion in determining monetary policy without an operational regime;

(ii) price level targeting;

(iii) inflation rate targeting;

(iv) nominal gross domestic product targeting (both level and growth rate);

(v) the use of monetary policy rules; and

(vi) the gold standard;

(C) evaluate the use of macro-prudential supervision and regulation as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term;

(D) evaluate the use of the lender-of-last-resort function of the Board of Governors of the Federal Reserve System as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term; and

(E) recommend a course for United States monetary policy going forward, including—

(i) the legislative mandate;

(ii) the operational regime;

(iii) the securities used in open market operations; and

(iv) transparency issues.

(2) REPORT.—Not later than December 1, 2016, the Commission shall submit to Congress and make publicly available a report containing a statement of the findings and conclusions of the Commission in carrying out the study under paragraph (1), together with the recommendations the Commission considers appropriate.

(e) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—

(A) APPOINTED VOTING MEMBERS.—The Commission shall contain 12 voting members as follows:

(i) Six members appointed by the Speaker of the House of Representatives, with four members from the majority party and two members from the minority party.

(ii) Six members appointed by the President Pro Tempore of the Senate, with four members from the majority party and two members from the minority party.

(B) CHAIRMAN.—The Speaker of the House of Representatives and the majority leader of the Senate shall jointly designate one of the members of the Commission as Chairman.

(C) NON-VOTING MEMBERS.—The Commission shall contain 2 non-voting members as follows:

(i) One member appointed by the Secretary of the Treasury.

(ii) One member who is the president of a district Federal reserve bank appointed by the Chair of the Board of Governors of the Federal Reserve System.

(2) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Commission.

(3) TIMING OF APPOINTMENT.—All members of the Commission shall be appointed not later than 30 days after the date of the enactment of this section.

(4) VACANCIES.—A vacancy in the Commission shall not affect its powers, and shall be filled in the manner in which the original appointment was made.

(5) MEETINGS.—

(A) INITIAL MEETING.—The Commission shall hold its initial meeting and begin the operations of the Commission as soon as is practicable.

(B) FURTHER MEETINGS.—The Commission shall meet upon the call of the Chair or a majority of its members.

(6) QUORUM.—Seven voting members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(7) MEMBER OF CONGRESS DEFINED.—In this subsection, the term ''Member of Congress'' means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

(f) POWERS.—

(1) HEARINGS AND SESSIONS.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, receive evidence, or administer oaths as the Commission or such subcommittee or member thereof considers appropriate.

(2) CONTRACT AUTHORITY.—To the extent or in the amounts provided in advance in appropriation Acts, the Commission may contract with and compensate government and private agencies or persons to enable the Commission to discharge its duties under this section, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(3) OBTAINING OFFICIAL DATA.—

(A) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, any information, including suggestions, estimates, or statistics, for the purposes of this section.

(B) REQUESTING OFFICIAL DATA.—The head of such department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the government shall, to the extent authorized by law, furnish such information upon request made by—

(i) the Chair;

(ii) the Chair of any subcommittee created by a majority of the Commission; or

(iii) any member of the Commission designated by a majority of the commission to request such information.

(4) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(B) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in subparagraph (A), at the request of the Commission, departments and agencies of the United States shall provide such services, funds, facilities, staff, and other support services as may be authorized by law.

(5) POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(g) COMMISSION PERSONNEL.—

(1) APPOINTMENT AND COMPENSATION OF STAFF.—

(A) IN GENERAL.—Subject to rules prescribed by the Commission, the Chair may appoint and fix the pay of the executive director and other personnel as the Chair considers appropriate.

(B) APPLICABILITY OF CIVIL SERVICE LAWS.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of level V of the Executive Schedule.

(2) CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the rate of pay for a person occupying a position at level IV of the Executive Schedule.

(3) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this section.

(h) TERMINATION OF COMMISSION.—

(1) IN GENERAL.—The Commission shall terminate on June 1, 2017.

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the period between the submission of its report and its termination for the purpose of concluding its activities, including providing testimony to the committee of Congress concerning its report.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000, which shall remain available until the date on which the Commission terminates.

**SEC. 17. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.**

(a) IN GENERAL.—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking ''AND SURPLUS FUNDS''; and

(B) In paragraph (2), by striking ''deposited in the surplus fund of the bank'' and inserting ''transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury''; and

(C) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) TRANSFER TO THE TREASURY.—The Federal Reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

The following sundry further amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 6, line 25, strike ''and''.

Page 7, line 3, strike the period at the end and insert ''; and''.

Page 7, after line 3, insert the following:

''(9) include a plan to use the most accurate data, subject to all historical revisions, for inputs into the Directive Policy Rule and the Reference Policy Rule.''.

Page 44, line 25, insert ''annually'' after ''shall''.

Page 45, line 7, strike ''the audit'' and insert ''each audit''.

Page 53, line 4, strike ''and''.

Page 53, line 11, strike the period and insert ''; and''.

Page 53, after line 11, insert the following:

(F) consider the effects of the GDP output and employment targets of the ''dual mandate'' (both from the creation of the dual mandate in 1977 until the present time and estimates of the future effect of the dual mandate ) on—

(i) United States economic activity;

(ii) Federal Reserve actions; and

(iii) Federal debt.

Page 53, line 18, add at the end the following: ''In making such report, the Commission shall specifically report on the considerations required under paragraph (1)(F).''.

Add at the end the following:

**SEC. 17. PUBLIC TRANSCRIPTS OF FOMC MEETINGS.**

Section 12A of the Federal Reserve Act (12 U.S.C. 263), as amended by this Act, is further amended by adding at the end the following:

''(e) PUBLIC TRANSCRIPTS OF MEETINGS.—The Committee shall—

''(1) record all meetings of the Committee; and

''(2) make the full transcript of such meetings available to the public.''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The SPEAKER pro tempore, Mr. WALKER, pursuant to clause 1(c) of rule XIX, announced that further proceedings on the bill were postponed.

## ¶143.21 PROVIDING FOR CONSIDERATION OF H.R. 4038

Mr. COLLINS of Georgia, by direction of the Committee on Rules, reported (Rept. No. 114–342) the resolution (H. Res. 531) providing for consideration of the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

## ¶143.22 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 799. An Act to address problems related to prenatal opioid use.

And then,

## ¶143.23 ADJOURNMENT

On motion of Mr. RUSSELL, pursuant to the previous order of the House, at 9 o'clock and 5 minutes p.m., the House adjourned until 9:30 a.m. on Thursday, November 19, 2015.

## ¶143.24 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 531. Resolution providing for consideration of the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes (Rept. 114–342). Referred to the House Calendar.

¶143.25 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ELLISON (for himself, Ms. DELAURO, Mr. GRIJALVA, Mr. PETERS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. MCGOVERN, Ms. MENG, Ms. CLARKE of New York, Ms. LEE, Mr. POCAN, Ms. KAPTUR, Ms. NORTON, Mr. NADLER, Mr. HASTINGS, Mr. CONYERS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. JUDY CHU of California, Ms. EDWARDS, and Mr. VAN HOLLEN):

H.R. 4055. A bill to amend title IV of the Social Security Act to address the increased burden that maintaining the health and hygiene of infants and toddlers places on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers, which prevents their parents and guardians from entering the workforce; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 4056. A bill to authorize the Secretary of Veterans Affairs to convey to the Florida Department of Veterans Affairs all right, title, and interest of the United States to the property known as ''The Community Living Center'' at the Lake Baldwin Veterans Affairs Outpatient Clinic, Orlando, Florida; to the Committee on Veterans' Affairs.

By Ms. CLARK of Massachusetts (for herself and Mr. MEEHAN):

H.R. 4057. A bill to amend title 18, United States Code, to establish a criminal violation for using false communications with the intent to create an emergency response, and for other purposes; to the Committee on the Judiciary.

By Mr. SHUSTER (for himself, Mr. JONES, Mr. GRAVES of Missouri, Mr. MASSIE, Mr. DUNCAN of Tennessee, Mr. KELLY of Pennsylvania, Mr. ABRAHAM, and Mr. KING of Iowa):

H.R. 4058. A bill to require that in cases of health insurance coverage cancelled pursuant to requirements under the Patient Protection and Affordable Care Act cancellation notices provided to enrollees include a statement such cancellation is because of such Act; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself, Mr. WELCH, Mr. THOMPSON of California, and Mr. COLLINS of New York):

H.R. 4059. A bill to amend title XVIII of the Social Security Act to encourage Medicare beneficiaries to voluntarily adopt advance directives guiding the medical care they receive; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VARGAS:

H.R. 4060. A bill to establish certain conservation and recreation areas in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. PALLONE (for himself and Ms. DELAURO):

H.R. 4061. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARCHANT (for himself, Mr. BLUMENAUER, Mrs. BLACK, Mr. NUNES, and Mr. THOMPSON of California):

H.R. 4062. A bill to amend title XVIII of the Social Security Act to remove the enrollment restriction on certain physicians and practitioners prescribing covered outpatient drugs under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. KIND, Miss RICE of New York, Mrs. WALORSKI, Mr. MCKINLEY, Mr. BOST, Mr. COFFMAN, Mr. ROSS, Mr. RYAN of Ohio, Mrs. RADEWAGEN, Mr. CRAWFORD, Mr. MICA, Ms. FRANKEL of Florida, Ms. KUSTER, Mr. MCCAUL, and Mr. WALZ):

H.R. 4063. A bill to improve the use by the Secretary of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Secretary, and to expand the availability of complementary and integrative health, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself and Mr. DOGGETT):

H.R. 4064. A bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to withhold social security numbers on Form 990 from public disclosure; to the Committee on Ways and Means.

By Ms. FRANKEL of Florida (for herself and Mr. YOHO):

H.R. 4065. A bill to amend the Tariff Act of 1930 to provide for a deferral of the payment of a duty upon the sale of certain used yachts, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 4066. A bill to enable high-performance computation and supportive research and nuclear energy innovation; to the Committee on Science, Space, and Technology.

By Mr. KIND (for himself and Mr. REICHERT):

H.R. 4067. A bill to amend the Internal Revenue Code of 1986 to encourage retirement savings by modifying requirements with respect to employer-established IRAs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE (for herself, Ms. VELÁZQUEZ, Ms. CLARKE of New York, and Mr. PAYNE):

H.R. 4068. A bill to amend the Internal Revenue Code of 1986 to permanently increase the limitations on the deduction for start-up and organizational expenditures; to the Committee on Ways and Means.

By Ms. LOFGREN (for herself and Mr. THOMPSON of Mississippi):

H.R. 4069. A bill to amend title 18, United States Code, to prohibit the sale of firearms to individuals suspected of terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNERNEY:

H.R. 4070. A bill to direct the Administrator of the Federal Emergency Management Agency to establish an emergency flood activity pilot program to assist flood response efforts in response to a levee failure or potential levee failure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POLIQUIN:

H.R. 4071. A bill to direct the Administrator of General Services to establish a program to sell Federal buildings that are not utilized to provide revenue for increases in social security benefits and military retirement pay, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mrs. DINGELL, and Mr. BARTON):

H.R. 4072. A bill to remove a restriction that prohibits the use of Federal funds to pay for maintenance of the memorial to honor Tomas G. Masaryk in the District of Columbia; to the Committee on Natural Resources.

By Mr. SCHIFF (for himself, Mr. BISHOP of Michigan, Mr. CARTWRIGHT, Mr. COHEN, Mr. CONNOLLY, Mr. DOLD, Mr. HONDA, Mr. ISRAEL, Ms. KUSTER, Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, and Mr. WELCH):

H.R. 4073. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 4074. A bill to require the Secretary of Homeland Security to collect data regarding foreign travel, or repatriation, to the country of nationality or last habitual residence by an alien admitted to the United States as a refugee, and for other purposes; to the Committee on the Judiciary.

By Mr. SESSIONS:

H.R. 4075. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish new procedures and requirements for the registration of cosmetic manufacturing establishments, the submission of cosmetic and ingredient statements, and the reporting of serious cosmetic adverse events, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TURNER (for himself, Ms. FUDGE, and Ms. TSONGAS):

H.R. 4076. A bill to amend title XIX of the Social Security Act to allow for payments to States for substance abuse services furnished to inmates in public institutions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WILLIAMS (for himself, Mr. FLORES, Ms. GRANGER, Mr. THORNBERRY, Mr. NEUGEBAUER, Mr. OLSON, and Mr. AUSTIN SCOTT of Georgia):

H.R. 4077. A bill to amend title XVIII of the Social Security Act to provide for a Medicare established provider system under which providers of services and suppliers representing a low risk for submitting fraudulent Medicare claims are provided certain claim review protections; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Mr. JONES, and Mr. POSEY):

H.R. 4078. A bill to authorize the Governor of any State in which it is proposed to place or resettle a Syrian refugee to refuse such placement or resettlement if the Governor makes certain certifications, and for other purposes; to the Committee on the Judiciary.

By Mr. EMMER of Minnesota:

H.J. Res. 73. A joint resolution declaring that a state of war exists between the Islamic State and the Government and the people of the United States and making provision to prosecute the same; to the Committee on Foreign Affairs.

By Mr. MEADOWS:

H. Con. Res. 94. Concurrent resolution expressing the sense of the Congress regarding the treatment of State Governors who have made a determination with respect to Syrian refugees; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER (for himself, Mr. CONNOLLY, Mr. JORDAN, Mr. GIBSON, Mr. BISHOP of Georgia, Mr. TIBERI, Mr. LIPINSKI, Ms. KAPTUR, Mr. BISHOP of Utah, Mr. RYAN of Ohio, and Mr. GIBBS):

H. Res. 532. A resolution recognizing the 20th anniversary of the Dayton Peace Accords; to the Committee on Foreign Affairs.

By Mr. WILLIAMS:

H. Res. 533. A resolution expressing disapproval of the President's plan to accept 10,000 Syrian refugees; to the Committee on the Judiciary.

## ¶143.26 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 333: Mr. ROONEY of Florida.

H.R. 344: Mrs. WATSON COLEMAN, Mr. CLEAVER, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, and Mr. TAKANO.

H.R. 430: Mr. RUPPERSBERGER.

H.R. 525: Mr. SCOTT of Virginia.

H.R. 556: Mr. BARLETTA and Mr. ALLEN.

H.R. 604: Mr. LOUDERMILK.

H.R. 619: Mr. LOBIONDO.

H.R. 699: Mrs. CAROLYN B. MALONEY of New York.

H.R. 775: Mr. DAVID SCOTT of Georgia, Mr. SWALWELL of California, Mr. CONNOLLY, Mr. MCNERNEY, Mr. PAYNE, Ms. BASS, Mr. ASHFORD, Ms. LORETTA SANCHEZ of California, Mr. WALBERG, Mr. SCHRADER, Ms. GRAHAM, and Mr. BISHOP of Georgia.

H.R. 776: Mr. ROONEY of Florida.

H.R. 793: Mr. FARR and Mr. TONKO.

H.R. 814: Mr. MCKINLEY.

H.R. 816: Mr. LAHOOD.

H.R. 836: Mr. REED, Mr. MCHENRY, and Mr. WENSTRUP.

H.R. 842: Mr. AGUILAR.

H.R. 845: Mr. HECK of Nevada.

H.R. 879: Mr. YOUNG of Indiana.

H.R. 911: Mr. LOWENTHAL and Mr. GUTIÉRREZ.

H.R. 924: Mr. BARR.

H.R. 932: Ms. LINDA T. SÁNCHEZ of California.

H.R. 953: Mr. TED LIEU of California.

H.R. 985: Mr. LOWENTHAL and Mr. DESAULNIER.

H.R. 1061: Ms. TITUS, Mr. BEYER, Mr. REICHERT, Mr. VARGAS, Ms. WILSON of Florida, Mr. HUFFMAN, and Mr. KIND.

H.R. 1076: Miss RICE of New York.

H.R. 1153: Mr. POMPEO.

H.R. 1188: Mr. HUNTER.

H.R. 1192: Mr. LEWIS, Ms. LINDA T. SÁNCHEZ of California, Mr. SIRES, Mr. HONDA, Mr. GRAYSON, Mr. PIERLUISI, and Mr. BARTON.

H.R. 1197: Mr. LOBIONDO and Mrs. RADEWAGEN.

H.R. 1206: Mr. GOSAR.

H.R. 1218: Mr. BARTON and Mr. LOEBSACK.

H.R. 1220: Mr. MCNERNEY, Mr. CONYERS, Mrs. KIRKPATRICK, Mr. RATCLIFFE, Mr. RENACCI, Ms. SLAUGHTER, Mr. NEWHOUSE, and Mr. LARSON of Connecticut.

H.R. 1298: Mr. BARLETTA.

H.R. 1299: Mr. POSEY.

H.R. 1309: Mr. SHUSTER.

H.R. 1312: Mr. NORCROSS.

H.R. 1377: Mr. TAKAI and Mr. SERRANO.

H.R. 1388: Mr. FARENTHOLD.

H.R. 1439: Mr. AGUILAR.

H.R. 1453: Mr. COLE.

H.R. 1457: Mrs. WATSON COLEMAN.

H.R. 1567: Mr. WELCH and Ms. PINGREE.

H.R. 1655: Ms. BONAMICI.

H.R. 1671: Mr. STIVERS.

H.R. 1733: Mrs. WATSON COLEMAN and Mr. MCDERMOTT.

H.R. 1751: Mr. ENGEL.

H.R. 1769: Mrs. BEATTY, Mr. HUFFMAN, and Mr. NUGENT.

H.R. 1786: Mr. BECERRA, Mrs. MIMI WALTERS of California, Mrs. BROOKS of Indiana, Mr. BUCSHON, Mr. COOK, and Mr. GRAVES of Missouri.

H.R. 1854: Mrs. LAWRENCE and Ms. MCCOLLUM.

H.R. 1887: Mr. SERRANO.

H.R. 2017: Mr. ALLEN.

H.R. 2043: Mr. LANCE, Mr. CARSON of Indiana, Mrs. ROBY, and Ms. MATSUI.

H.R. 2058: Mrs. BLACKBURN.

H.R. 2067: Mr. PASCRELL.

H.R. 2083: Mr. AGUILAR.

H.R. 2101: Ms. SCHAKOWSKY, Ms. MAXINE WATERS of California, and Mr. JEFFRIES.

H.R. 2218: Mr. HANNA, Ms. BORDALLO, and Mrs. MILLER of Michigan.

H.R. 2278: Mr. POMPEO.

H.R. 2292: Mr. ROTHFUS.

H.R. 2536: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 2540: Ms. NORTON.

H.R. 2553: Mr. TAKAI, Ms. WILSON of Florida, and Mr. TAKANO.

H.R. 2675: Mr. ASHFORD.

H.R. 2680: Mrs. BEATTY.

H.R. 2698: Mr. HUNTER, Mr. AMODEI, and Mr. DENHAM.

H.R. 2713: Mr. AGUILAR.

H.R. 2739: Mr. LOBIONDO and Ms. NORTON.

H.R. 2799: Mr. HIGGINS.

H.R. 2844: Mr. PETERSON, Mrs. DINGELL, Mr. JOHNSON of Georgia, and Mr. YARMUTH.

H.R. 2896: Mr. JOLLY.

H.R. 2903: Mrs. LUMMIS and Mr. DUFFY.

H.R. 2916: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2917: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2931: Ms. ESTY and Mr. HANNA.

H.R. 2989: Ms. BROWNLEY of California and Mr. ADERHOLT.

H.R. 3024: Mr. PAULSEN and Mr. REED.

H.R. 3048: Mrs. LOVE and Mr. GROTHMAN.

H.R. 3136: Mr. BOST.

H.R. 3190: Mrs. BEATTY.

H.R. 3220: Mr. BOUSTANY and Mr. KIND.

H.R. 3222: Mr. FARENTHOLD, Mr. LONG, Mr. BRIDENSTINE, Mr. JODY B. HICE of Georgia, Mr. FORBES, and Mr. DESANTIS.

H.R. 3225: Mr. WALZ and Mr. ABRAHAM.

H.R. 3244: Mr. KELLY of Pennsylvania.

H.R. 3314: Mr. NEWHOUSE, Mr. MICA, Mr. JOYCE, and Mr. KELLY of Mississippi.

H.R. 3321: Mr. ABRAHAM.

H.R. 3326: Mr. WESTMORELAND and Mr. WOMACK.

H.R. 3351: Ms. CLARKE of New York and Mr. TAKANO.

H.R. 3359: Mr. WELCH and Mr. PETERS.

H.R. 3381: Mr. LAMBORN, Mr. GIBSON, Mr. CULBERSON, and Mr. LUETKEMEYER.

H.R. 3384: Ms. SCHAKOWSKY and Mr. CAPUANO.

H.R. 3399: Ms. NORTON, Mr. COHEN, Mrs. BEATTY, Ms. JACKSON LEE, and Mr. TAKANO.

H.R. 3422: Mr. STUTZMAN.

H.R. 3445: Ms. NORTON, Mr. PASCRELL, and Mr. WELCH.

H.R. 3516: Mr. FRANKS of Arizona, Mr. FINCHER, Mr. LONG, Mr. HULTGREN, Mr. GIBBS, Mrs. BLACKBURN, Mr. FORBES, and Mr. PALMER.

H.R. 3535: Mr. SWALWELL of California.

H.R. 3539: Ms. JENKINS of Kansas.

H.R. 3542: Mr. DESAULNIER.

H.R. 3573: Mr. JODY B. HICE of Georgia, Mr. MICA, Mr. DONOVAN, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. STIVERS, Mrs. ELLMERS of North Carolina, Mr. CHABOT, Mr. JOHNSON of Ohio, Mr. LONG, Mr. VALADAO, and Mr. ROKITA.

H.R. 3632: Mr. PASCRELL.

H.R. 3637: Ms. MOORE.

H.R. 3696: Ms. MENG.

H.R. 3706: Mr. POCAN and Mr. KINZINGER of Illinois.

H.R. 3711: Mr. PIERLUISI, Mr. SERRANO, and Mr. SABLAN.

H.R. 3714: Mr. GIBSON.

H.R. 3746: Mr. COHEN.

H.R. 3750: Mr. GIBSON.

H.R. 3760: Mr. HUFFMAN and Mr. FARR.

H.R. 3765: Mr. VALADAO.

H.R. 3802: Mr. JODY B. HICE of Georgia.

H.R. 3805: Mr. FORBES, Mr. KENNEDY, and Mr. THOMPSON of California.

H.R. 3815: Mr. WEBER of Texas.

H.R. 3832: Mr. KILMER.

H.R. 3841: Mr. KIND, Mr. SWALWELL of California, and Mrs. LOWEY.

H.R. 3845: Mr. YODER, Mr. SMITH of Missouri, Mr. ALLEN, Mr. ADERHOLT, Mr. FORTENBERRY, and Mr. MOOLENAAR.

H.R. 3856: Mr. KILMER.

H.R. 3914: Mr. WALKER.

H.R. 3916: Ms. PINGREE and Mr. GRIJALVA.

H.R. 3917: Mr. DOLD, Mr. BISHOP of Utah, Mr. MCCLINTOCK, Mr. FARENTHOLD, Mr. DELANEY, Mr. YARMUTH, Mrs. WALORSKI, Mr. CUMMINGS, Mr. LIPINSKI, Mr. HOLDING, Mr. COOPER, and Mrs. KIRKPATRICK.

H.R. 3920: Mr. BARLETTA.

H.R. 3940: Mr. MARCHANT, Mr. AUSTIN SCOTT of Georgia, Mrs. HARTZLER, Mr. KIND, Mr. MICA, Mr. POMPEO, Mr. WOODALL, Mr. MCKINLEY, Mr. LANCE, Mr. DUNCAN of Tennessee, Mr. WESTMORELAND, Mr. MILLER of Florida, Mr. WITTMAN, and Mr. TIBERI.

H.R. 3949: Mr. HASTINGS.

H.R. 3952: Mr. MCGOVERN.

H.R. 3956: Mr. BILIRAKIS.

H.R. 3958: Mr. HONDA and Mr. KING of New York.

H.R. 3973: Mr. BLUMENAUER.

H.R. 3986: Mr. GARAMENDI.

H.R. 3988: Ms. BONAMICI.

H.R. 3999: Mr. ASHFORD, Mr. HENSARLING, Mr. SCHWEIKERT, Mr. BOUSTANY, Mr. RATCLIFFE, Mr. SANFORD, Mr. WALKER, Mr. MEADOWS, Mr. MILLER of Florida, Mr. KNIGHT, Mr. BUCSHON, Mrs. WALORSKI, Mr. NEWHOUSE, Mr. COLLINS of New York, Mrs. BLACK, Mr. GIBSON, Mr. JENKINS of West Virginia, and Mr. MICA.

H.R. 4000: Mr. MCKINLEY, Mr. HARPER, Mr. POMPEO, Mr. ASHFORD, and Mrs. WALORSKI.

H.R. 4001: Ms. JACKSON LEE, Mr. BISHOP of Michigan, Mrs. MIMI WALTERS of California, Mr. FORBES, and Mr. RATCLIFFE.

H.R. 4002: Mr. FORBES and Mr. BISHOP of Michigan.

H.R. 4003: Mr. RATCLIFFE.

H.R. 4006: Mr. BLUMENAUER.

H.R. 4016: Mr. KIND, Mr. TIBERI, and Mrs. NOEM.

H.R. 4022: Mr. JODY B. HICE of Georgia and Mr. FORBES.

H.R. 4023: Mr. BISHOP of Michigan.

H.R. 4025: Mr. ZELDIN, Mr. ROUZER, Mr. SMITH of Texas, Mr. CRAMER, Mr. MICA, and Mr. GOWDY.

H.R. 4031: Mr. JONES, Mr. GROTHMAN, and Mr. ROGERS of Alabama.

H.R. 4032: Mr. GROTHMAN, Mr. MCCAUL, Mr. ZELDIN, Mr. MICA, Mr. BARTON, Mr. CARTER of Texas, Mr. ROHRABACHER, Mr. GOWDY, and Mr. TOM PRICE of Georgia.

H.R. 4033: Mr. MICA.

H.R. 4038: Mrs. HARTZLER, Mr. ASHFORD, Mr. CALVERT, Mr. OLSON, Mr. GRAVES of Missouri, Mrs. WALORSKI, Mr. LANCE, Mr. GUINTA, Mr. EMMER of Minnesota, Mr. SMITH of Nebraska, Mr. BOST, Mr. WEBER of Texas, Mr. HOLDING, Mr. NEUGEBAUER, Mr. HENSARLING, Mr. BARR, Mr. LOUDERMILK, Mr. WILLIAMS, Mr. MEEHAN, Mr. LUETKEMEYER,

Mr. GOWDY, Mr. ROUZER, Mr. BUCSHON, Mr. BILIRAKIS, Mr. BOUSTANY, Mr. FARENTHOLD, Mr. ROSKAM, Mr. SANFORD, Mr. BARTON, Mr. LAMBORN, Mr. MULLIN, Mr. TIPTON, Mr. TURNER, Mr. SESSIONS, Mr. RATCLIFFE, Mr. WOODALL, Ms. GRANGER, Mr. CARTER of Georgia, Mr. FLORES, Mr. PITTENGER, Mr. WALKER, Mr. VALADAO, Mrs. WAGNER, Mr. FLEISCHMANN, Mr. GROTHMAN, Mrs. BLACK, Mr. ROONEY of Florida, Mr. HARPER, Mr. ZINKE, Mr. JENKINS of West Virginia, Mr. MESSER, Mr. CRAMER, Mr. BRADY of Texas, Mr. BURGESS, Mr. GOODLATTE, Mr. THORNBERRY, Mr. NUNES, Mr. MEADOWS, Mr. ROYCE, Mr. CLAWSON of Florida, Mr. SHUSTER, Mr. PITTS, Mr. ABRAHAM, Mr. CRENSHAW, Mr. HILL, Mr. WILSON of South Carolina, Mr. CULBERSON, Mr. NEWHOUSE, Mr. ZELDIN, Mr. MICA, Mr. SHIMKUS, Mr. POE of Texas, Mr. CONAWAY, Mr. BISHOP of Michigan, Mr. POMPEO, Mr. GUTHRIE, Mr. WITTMAN, Mr. CARTER of Texas, Mr. FRELINGHUYSEN, Mr. BENISHEK, Mr. GIBSON, Mr. WESTERMAN, Mr. WOMACK, Mr. LAMALFA, Mr. REED, Mr. KLINE, Mrs. NOEM, and Mr. COSTELLO of Pennsylvania.

H.R. 4048: Mr. MICA.

H.J. Res. 71: Mr. KELLY of Mississippi, Mr. FARENTHOLD, Ms. FOXX, Mr. BABIN, Mr. WESTERMAN, Mrs. WAGNER, Mr. SESSIONS, Mr. WEBER of Texas, Mrs. MIMI WALTERS of California, Mr. CRENSHAW, Mr. CHABOT, Mr. MOOLENAAR, Mr. DESANTIS, Mr. WOMACK, Mr. MASSIE, Mr. SCALISE, Mr. EMMER of Minnesota, Mr. BUCK, Mr. JODY B. HICE of Georgia, Mr. TIBERI, Mr. MESSER, and Mr. STIVERS.

H.J. Res. 72: Mr. KELLY of Mississippi, Mr. FARENTHOLD, Ms. FOXX, Mr. BABIN, Mr. WESTERMAN, Mrs. WAGNER, Mr. SESSIONS, Mr. WEBER of Texas, Mrs. MIMI WALTERS of California, Mr. CRENSHAW, Mr. CHABOT, Mr. MOOLENAAR, Mr. DESANTIS, Mr. WOMACK, Mr. MASSIE, Mr. SCALISE, Mr. EMMER of Minnesota, Mr. BUCK, Mr. JODY B. HICE of Georgia, Mr. TIBERI, Mr. MESSER, and Mr. STIVERS.

H. Con. Res. 40: Mr. KINZINGER of Illinois.

H. Con. Res. 59: Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Con. Res. 75: Mr. LANCE, Mr. LAMBORN, Mr. MOULTON, Mr. GOHMERT, Mr. MILLER of Florida, Mr. YOUNG of Iowa, and Mrs. LOWEY.

H. Res. 110: Mr. CLAWSON of Florida and Mr. RUPPERSBERGER.

H. Res. 220: Mr. ISRAEL, Ms. MAXINE WATERS of California, Mr. SENSENBRENNER, and Mr. KINZINGER of Illinois.

H. Res. 296: Mr. HASTINGS.

H. Res. 469: Mr. KINZINGER of Illinois, Mr. WEBER of Texas, and Mr. MILLER of Florida.

H. Res. 514: Mr. GROTHMAN, Mr. KELLY of Mississippi, Mr. PETERSON, and Mr. LIPINSKI.

H. Res. 530: Mr. ROONEY of Florida, Ms. NORTON, Mr. CRAMER, Mr. PITTENGER, Mr. WALBERG, Mr. BURGESS, Mr. YODER, Mr. NEUGEBAUER, Mr. PITTS, Mrs. BLACKBURN, Mr. LAMALFA, Mr. JODY B. HICE of Georgia, Mr. CARTER of Georgia, Mr. ADERHOLT, and Mr. FORBES.

### ¶143.27 PETITIONS

Under clause 3 of rule XII,

36. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would clarify that a declaration of martial law, or a suspension of the writ of habeas corpus, does not prevent presidential and congressional elections from proceeding as scheduled and does not perpetuate a term-limited or defeated presidential or congressional incumbent in office beyond the expiration of the term to which that incumbent was last elected; which was referred to the Committee on the Judiciary.

### ¶143.28 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3403: Mrs. LAWRENCE.

## THURSDAY, NOVEMBER 19, 2015 (144)

### ¶144.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SIMPSON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*November 19, 2015.*

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

### ¶144.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SIMPSON, announced he had examined and approved the Journal of the proceedings of Wednesday, November 18, 2015.

Mr. WILSON of South Carolina, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. WILSON of South Carolina, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

### ¶144.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3501. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Photovoltaic Devices from the United States (DFARS Case 2015-D007) [Docket No.: DARS-2015-0024] (RIN: 0750-AI41) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

3502. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Eliminate Data Collection Requirement (DFARS Case 2015-D031) [Docket No.: DARS-2015-0048] (RIN: 0750-AI73) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

3503. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Housing Improvement Program [156A2100DD/AAKC001030/A0A501010.999900 253G] (RIN: 1076-AF22) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3504. A letter from the Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's FY 2015 Annual Report, pursuant to 29 U.S.C. 1308; Public Law 93-406, Sec. 4008 (as amended by Public Law 109-280, Sec. 412); to the Committee on Education and the Workforce.

3505. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's interpretive bulletin — Interpretive Bulletin Relating to the Fiduciary Standard Under ERISA in Considering Economically Targeted Investments (RIN: 1210-AB73) received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3506. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's interpretive bulletin — Interpretive Bulletin Relating to State Savings Programs That Sponsor or Facilitate Plans Covered by the Employee Retirement Income Security Act of 1974 (RIN: 1210-AB74) received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3507. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the fourth quarterly report from the National Telecommunications and Information Administration regarding the Internet Assigned Numbers Authority transition, pursuant to the Consolidated and Further Continuing Appropriations Act of 2015, Public Law 113-235; to the Committee on Energy and Commerce.

3508. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's Algal Toxin Risk Assessment and Management Strategic Plan for Drinking Water, pursuant to 42 U.S.C. 300j-19(a); Public Law 114-45, Sec. 2(a); to the Committee on Energy and Commerce.

3509. A letter from the Chief, Policy and Rule Division, Office of Engineering and Technology, Federal Communication Commission, transmitting the Commission's final rule — Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions [GN Docket No.: 12-268]; Office of Engineering and Technology Releases and Seeks Comment on Updated OET-69 Software [ET Docket No.: 13-26]; Office of Engineering and Technology Seeks to Supplement the Incentive Auction Proceeding Record Regarding Potential Interference Between Broadcast Television and Wireless Services [ET Docket No.: 14-14] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3510. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's requirements and procedures — Media Bureau Finalizes Reimbursement Form for Submission to OMB and Adopts Catalog of Expenses [GN Docket No.: 12-268] received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3511. A letter from the Assistant Secretary, Department of State, transmitting a certification, Transmittal No.: DDTC 15-085, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-

629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3512. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-089, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3513. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-111, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3514. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-018, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3515. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-080, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3516. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-071, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3517. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-063, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3518. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-054, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3519. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-053, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3520. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Yemen that was declared in Executive Order 13611 of May 16, 2012, pursuant to 50 U.S.C. 1703(c), Sec. 204(c) and, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); to the Committee on Foreign Affairs.

3521. A letter from the Administrator and Chief Executive Officer, Bonneville Power Administration, Department of Energy, transmitting the Bonneville Power Administration's 2015 Annual Report, pursuant to the Third Powerplant at Grand Coulee Dam Act, Public Law 89-448 (80 Stat. 200) and the Chief Financial Officers Act, Public Law 101-576; to the Committee on Oversight and Government Reform.

3522. A letter from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's Performance and Accountability Report for FY 2015, pursuant to 5 U.S.C. app. Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); to the Committee on Oversight and Government Reform.

3523. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting the annual Agency Financial Report of the National Archives and Records Administration for FY 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); to the Committee on Oversight and Government Reform.

3524. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Secretarial Election Procedures [156A2100DD/AAKC001030/A0A501010.999900 253G] (RIN: 1076-AE93) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3525. A letter from the Chief Impact Analyst, Office of Regulatory Policy, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's Major final rule — Expanded Access to Non-VA Care through the Veterans Choice Program (RIN: 2900-AP24) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Veterans' Affairs.

3526. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Transitional Amendments to Satisfy the Market Rate of Return Rules for Hybrid Retirement Plans [TD 9743] (RIN: 1545-BL62) received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3527. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Qualified Student Loan Bonds [Notice 2015-78] received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3528. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2015-80] received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3529. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Extension of Guidance in Notice 2013-7 for Participants in the HFA Hardest Hit Fund [Notice 2015-77] received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3530. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rules — Final Rules for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections under the Affordable Care Act [TD 9744] (RIN: 1545-BJ45, 1545-BJ50, 1545-BJ62, 1545-BJ57) received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Ways and Means, Energy and Commerce, and Education and the Workforce.

## ¶144.4 PROVIDING FOR CONSIDERATION OF H.R. 4038

Mr. COLLINS of Georgia, by direction of the Committee on Rules, called up the following resolution (H. Res. 531):

*Resolved,* That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

When said resolution was considered.

After debate,

Mr. COLLINS of Georgia, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 243 / Nays ..... 182

¶144.5 [Roll No. 638]

YEAS—243

| | | |
|---|---|---|
| Abraham | Donovan | Jolly |
| Aderholt | Duffy | Jones |
| Allen | Duncan (SC) | Jordan |
| Amash | Duncan (TN) | Joyce |
| Amodei | Ellmers (NC) | Katko |
| Babin | Emmer (MN) | Kelly (MS) |
| Barletta | Farenthold | Kelly (PA) |
| Barr | Fincher | King (IA) |
| Barton | Fitzpatrick | King (NY) |
| Benishek | Fleischmann | Kinzinger (IL) |
| Bilirakis | Fleming | Kline |
| Bishop (MI) | Flores | Knight |
| Bishop (UT) | Forbes | Labrador |
| Black | Fortenberry | LaHood |
| Blackburn | Foxx | LaMalfa |
| Blum | Franks (AZ) | Lamborn |
| Bost | Frelinghuysen | Lance |
| Boustany | Garrett | Latta |
| Brady (TX) | Gibbs | LoBiondo |
| Brat | Gibson | Long |
| Bridenstine | Gohmert | Loudermilk |
| Brooks (AL) | Goodlatte | Love |
| Brooks (IN) | Gosar | Lucas |
| Buchanan | Granger | Luetkemeyer |
| Buck | Graves (GA) | Lummis |
| Bucshon | Graves (LA) | MacArthur |
| Burgess | Graves (MO) | Marchant |
| Byrne | Griffith | Marino |
| Calvert | Grothman | Massie |
| Carter (GA) | Guinta | McCarthy |
| Carter (TX) | Guthrie | McCaul |
| Chabot | Hanna | McClintock |
| Chaffetz | Hardy | McHenry |
| Clawson (FL) | Harper | McKinley |
| Coffman | Harris | McMorris Rodgers |
| Cole | Hartzler | McSally |
| Collins (GA) | Heck (NV) | Meadows |
| Collins (NY) | Hensarling | Meehan |
| Comstock | Herrera Beutler | Messer |
| Conaway | Hice, Jody B. | Mica |
| Cook | Hill | Miller (FL) |
| Costello (PA) | Holding | Miller (MI) |
| Cramer | Hudson | Moolenaar |
| Crawford | Huelskamp | Mooney (WV) |
| Crenshaw | Huizenga (MI) | Mullin |
| Culberson | Hultgren | Mulvaney |
| Curbelo (FL) | Hunter | Murphy (PA) |
| Davis, Rodney | Hurd (TX) | Neugebauer |
| Denham | Hurt (VA) | Newhouse |
| Dent | Issa | Noem |
| DeSantis | Jenkins (KS) | Nugent |
| DesJarlais | Jenkins (WV) | Nunes |
| Diaz-Balart | Johnson (OH) | Olson |
| Dold | Johnson, Sam | |

Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—182

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

NOT VOTING—8

DeFazio
Ellison
Gowdy
Hinojosa
Ruppersberger
Takai
Watson Coleman
Williams

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, announced that the ayes had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 242 Noes ..... 183

¶144.6 [Roll No. 639]

AYES—242

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

NOES—183

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

NOT VOTING—8

Cohen
DeFazio
Ellison
Hinojosa
Ruppersberger
Takai
Watson Coleman
Williams

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶144.7 FED OVERSIGHT REFORM AND MODERNIZATION

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, pursuant to clause 1(c) of rule XIX, announced that further proceedings were resumed on the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for

certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes.

Ms. MATSUI moved to recommit the bill to the Committee on Financial Services with instructions to report the bill back to the House forthwith with the following amendment:

Page 43, line 25, strike the quotation marks and final period and insert after such line the following:

''(H) TREATMENT OF CERTAIN COMPANIES.—The Board shall seek to ensure that any company convicted of any felony or misdemeanor or that has been made subject to any judicial or administrative decree or order arising out of misconduct that harms the financial health of seniors is prohibited from receiving a loan or other financial assistance under this paragraph, if the Board determines such prohibition is in the nation's economic interest.''.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, announced that the noes had it.

Ms. MATSUI demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Ayes ..... 182 / Noes ..... 242 }

¶144.8 [Roll No. 640]

AYES—182

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Welch
Wilson (FL)
Yarmuth

NOES—242

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

NOT VOTING—9

DeFazio
Ellison
Hinojosa
Roskam
Royce
Ruppersberger
Takai
Watson Coleman
Williams

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, announced that the ayes had it.

Ms. Maxine WATERS of California, demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 241 / Noes ..... 185 }

¶144.9 [Roll No. 641]

AYES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus

| | | |
|---|---|---|
| Rouzer | Stewart | Weber (TX) |
| Royce | Stivers | Webster (FL) |
| Russell | Stutzman | Wenstrup |
| Salmon | Thompson (PA) | Westerman |
| Sanford | Thornberry | Westmoreland |
| Scalise | Tiberi | Whitfield |
| Schweikert | Tipton | Wilson (SC) |
| Scott, Austin | Trott | Wittman |
| Sensenbrenner | Turner | Womack |
| Sessions | Upton | Woodall |
| Shimkus | Valadao | Yoder |
| Shuster | Wagner | Yoho |
| Simpson | Walberg | Young (AK) |
| Smith (MO) | Walden | Young (IA) |
| Smith (NE) | Walker | Young (IN) |
| Smith (NJ) | Walorski | Zeldin |
| Smith (TX) | Walters, Mimi | Zinke |

NOES—185

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

NOT VOTING—7

| | | |
|---|---|---|
| DeFazio | Ruppersberger | Williams |
| Ellison | Takai | |
| Hinojosa | Watson Coleman | |

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶144.10 SECURITY AGAINST FOREIGN ENEMIES

Mr. GOODLATTE, pursuant to House Resolution 531, called up for consideration the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

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

Mr. THOMPSON of Mississippi, moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Strike all that follows after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Secure Refugee Process Act of 2015''.

**SEC. 2. SUPPLEMENTAL LIMITATIONS ON ADMISSION OF REFUGEES.**

(a) IDENTITY VERIFICATION REQUIRED.—No refugee applicant of special interest shall be admitted as a refugee, until the refugee applicant of special interest has satisfactorily established his or her identity pursuant to procedures established by the Secretary of Homeland Security, which shall address any insufficient, conflicting, or unreliable information, including biographic and biometric data that has not been resolved at the time of admission.

(b) COMPREHENSIVE REVIEW OF REFUGEES TO IDENTIFY SECURITY THREATS TO THE UNITED STATES.—No refugee applicant of special interest shall be admitted as a refugee, if, by the time of admission, the identity of the refugee applicant of special interest's identity has not been checked against all relevant records or databases maintained by the Secretary of Homeland Security, the Attorney General (including the Federal Bureau of Investigation), the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, criminal, or other grounds on which the refugee applicant of special interest may be inadmissible to the United States.

(c) CERTIFICATION REQUIRED.—A refugee applicant of special interest may only be admitted to the United States as a refugee after the Secretary of Homeland Security certifies that all provisions of this Act have been complied with and that the refugee applicant of special interest has not been firmly resettled in a safe third country as described in section 208(b)(2)(A)(vi) of the Immigration and Nationality Act.

(d) MONTHLY REPORT TO CONGRESS.—The Secretary of Homeland Security shall submit to the appropriate Congressional Committees a monthly report on, for the month preceding the date of the report, the total number of refugee applicants of special interest and the number of refugee applicants of special interest whose applications were denied.

(e) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of Homeland Security shall conduct an annual risk-based review of a statistically valid sampling of certifications and provide an annual report detailing its findings to the appropriate Congressional Committees.

(f) DEFINITION.—In this Act:

(1) The term ''appropriate Congressional Committees'' means—

(A) the Committee on Armed Services of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Permanent Select Committee on Intelligence of the House of Representatives;

(I) the Committee on the Judiciary of the House of Representatives;

(J) the Committee on Homeland Security of the House of Representatives;

(K) the Committee on Appropriations of the House of Representatives; and

(L) the Committee on Foreign Affairs of the House of Representatives.

(2) The term ''refugee applicant of special interest'' means any alien applying for admission to the United States as a refugee who—

(A) is a national or resident of Iraq or Syria;

(B) has no nationality and whose last habitual residence was in Iraq or Syria; or

(C) has been present in Iraq or Syria at any time on or after March 1, 2011.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. HOLDING, announced that the noes had it.

Mr. THOMPSON of Mississippi, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 180 / Nays ..... 244

¶144.11 [Roll No. 642]

YEAS—180

| | | |
|---|---|---|
| Adams | Clarke (NY) | Eshoo |
| Aguilar | Clay | Esty |
| Bass | Cleaver | Farr |
| Beatty | Clyburn | Fattah |
| Becerra | Cohen | Foster |
| Bera | Connolly | Frankel (FL) |
| Beyer | Conyers | Fudge |
| Bishop (GA) | Cooper | Gabbard |
| Blumenauer | Costa | Gallego |
| Bonamici | Courtney | Garamendi |
| Boyle, Brendan F. | Crowley | Graham |
| | Cuellar | Grayson |
| Brady (PA) | Cummings | Green, Al |
| Brown (FL) | Davis (CA) | Green, Gene |
| Brownley (CA) | Davis, Danny | Grijalva |
| Bustos | DeGette | Gutiérrez |
| Butterfield | Delaney | Hahn |
| Capps | DeLauro | Hastings |
| Capuano | DelBene | Heck (WA) |
| Cárdenas | DeSaulnier | Higgins |
| Carney | Deutch | Himes |
| Carson (IN) | Dingell | Honda |
| Cartwright | Doggett | Hoyer |
| Castor (FL) | Doyle, Michael F. | Huffman |
| Castro (TX) | | Israel |
| Chu, Judy | Duckworth | Jackson Lee |
| Cicilline | Edwards | Jeffries |
| Clark (MA) | Engel | Johnson (GA) |

Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Welch
Yarmuth

NAYS—244

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

NOT VOTING—9

DeFazio
Ellison
Hinojosa
Ruppersberger
Takai
Watson Coleman
Westmoreland
Williams
Wilson (FL)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that the ayes had it.

Mr. SENSENBRENNER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 289 Noes ..... 137

¶144.12 [Roll No. 643]

AYES—289

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

NOES—137

Adams
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Duckworth
Edwards
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Grayson
Green, Al
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kelly (IL)
Kennedy
Kildee
Kilmer
King (IA)
Kirkpatrick
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

| | | |
|---|---|---|
| DeFazio | Ruppersberger | Westmoreland |
| Ellison | Takai | Williams |
| Hinojosa | Watson Coleman | |

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶144.13 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed, without amendment, a bill and a concurrent resolution of the House of the following titles:

H.R. 3996. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

H. Con. Res. 93. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment.

¶144.14 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, November 18, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that the ayes had it.

So the Journal was approved.

¶144.15 COMMUNICATION FROM THE COMMITTEE CHAIRMAN—APPOINTMENT—JOINT COMMITTEE ON TAXATION

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
*Washington, DC, November 18, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to Section 8002 of the Internal Revenue Code of 1986, in order to fill the House majority vacancy on the Joint Committee on Taxation created by your resignation from the Committee, Mr. Devin Nunes has been designated to serve on the Committee. Thus, those serving on the Joint Committee on Taxation for the House are: Kevin Brady, Sam Johnson, Devin Nunes, Sander Levin and Charles Rangel.

Sincerely,

KEVIN BRADY,
*Chairman, Committee on Ways and Means.*

*Ordered*, That the Clerk notify the Senate of the foregoing appointment.

¶144.16 ADJOURNMENT OF THE TWO HOUSES

Mr. GRAVES of Louisiana, submitted the following privileged concurrent resolution (H. Con. Res. 95):

*Resolved by the House of Representatives (the Senate concurring),* That when the House adjourns on any legislative day from Thursday, November 19, 2015, through Wednesday, November 25, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, November 30, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, November 19, 2015, through Tuesday, November 24, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, November 30, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶144.17 HOUR OF MEETING

On motion of Mr. GRAVES of Louisiana, by unanimous consent,

*Ordered*, That when the House adjourns today, on a motion offered pursuant to this order, it adjourn to meet at 5 p.m. on Friday, November 20, 2015, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 95, in which case the House shall stand adjourned pursuant to that concurrent resolution.

¶144.18 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 208. An Act to improve the disaster assistance programs of the Small Business Administration.

H.R. 639. An Act to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

H.R. 2262. An Act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

H.R. 3996. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

¶144.19 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2036. An Act to suspend the current compensation packages for the chief executive officers of Fannie Mae and Freddie Mac, and for other purposes.

And then,

¶144.20 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 3 o'clock and 19 minutes p.m., the House adjourned until 5 p.m. on Friday, November 20, 2015, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 95, in which case the House shall stand adjourned pursuant to that concurrent resolution.

¶144.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 3842. A bill to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes; with an amendment (Rept. 114–343, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2899. A bill to amend the Homeland Security Act of 2002 to authorize the Office for Countering Violent Extremism; with an amendment (Rept. 114–344). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3490. A bill to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; with an amendment (Rept. 114–345, Pt. 1). Ordered to be printed.

Mr. UPTON: Committee on Energy and Commerce. S. 611. An act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes (Rept. 114–346). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 8. A bill to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; with an amendment (Rept. 114–347, Pt. 1). Re-

ferred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. House Joint Resolution 71. Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units'' (Rept. 114–348). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. House Joint Resolution 72. Resolution for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' (Rept. 114–349). Referred to the Committee of the Whole House on the state of the Union.

### ¶144.22 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Science, Space, and Technology, Education and the Workforce, Oversight and Government Reform, and Foreign Affairs discharged from further consideration. H.R. 8 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 3842 referred to the Committee of the Whole House on the state of the Union.

### ¶144.23 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. THOMPSON of Mississippi (for himself, Ms. LOFGREN, Mr. CONYERS, Mr. GALLEGO, Mr. TED LIEU of California, Mr. MOULTON, Ms. DUCKWORTH, Mr. SMITH of Washington, and Mr. SCHIFF):

H.R. 4079. A bill to require that supplemental certifications and identity verifications be completed prior to the admission of refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mrs. NAPOLITANO, Mr. CONNOLLY, Ms. JACKSON LEE, Ms. KELLY of Illinois, Mr. DEFAZIO, Mrs. KIRKPATRICK, Mr. JONES, Ms. SCHAKOWSKY, Ms. ESTY, Ms. MCCOLLUM, Mr. GRIJALVA, Mr. NEAL, Mrs. BUSTOS, Mrs. CAPPS, and Mr. HECK of Washington):

H.R. 4080. A bill to amend title 38, United States Code, to provide for unlimited eligibility for health care for mental illnesses for veterans of combat service during certain periods of hostilities and war; to the Committee on Veterans' Affairs.

By Mr. WEBSTER of Florida:

H.R. 4081. A bill to amend title 23, United States Code, to establish a Transportation Infrastructure Finance and Innovation Act Revolving Fund, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WEBSTER of Florida:

H.R. 4082. A bill to coordinate transportation services for transportation-disadvantaged individuals; to the Committee on Transportation and Infrastructure.

By Mr. GOSAR (for himself, Mr. BRAT, Mr. BUCK, Mr. CRAWFORD, Mr. CULBERSON, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. HARPER, Mr. HUELSKAMP, Mr. KING of Iowa, Mrs. LUMMIS, Mr. MILLER of Florida, Mr. OLSON, Mr. POSEY, Mr. RICE of South Carolina, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. ROUZER, Mr. STEWART, Mr. TIPTON, Mr. WILSON of South Carolina, and Mr. BABIN):

H.R. 4083. A bill to exclude the Internal Revenue Service from the provisions of title 5, United States Code, relating to labor-management relations; to the Committee on Oversight and Government Reform.

By Mr. WEBER of Texas (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Texas, Mr. LIPINSKI, Mr. LOUDERMILK, Mr. PERLMUTTER, Mrs. COMSTOCK, Mr. TONKO, Mr. BRIDENSTINE, Mr. ROHRABACHER, Mr. HULTGREN, Mr. WESTERMAN, Mr. SCHWEIKERT, Mr. BABIN, Mr. CULBERSON, Mr. BRADY of Texas, Mr. SESSIONS, Mr. CARTER of Texas, Mr. CONAWAY, Mr. MARCHANT, and Mr. FARENTHOLD):

H.R. 4084. A bill to enable civilian research and development of advanced nuclear energy technologies by private and public institutions and to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science; to the Committee on Science, Space, and Technology.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. SESSIONS, Mr. REED, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 4085. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes; to the Committee on Ways and Means.

By Mr. HILL:

H.R. 4086. A bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOVE (for herself, Mr. ZELDIN, Ms. GABBARD, Mr. BISHOP of Michigan, Mr. GOWDY, Mr. LOUDERMILK, Mr. BABIN, Mr. CHAFFETZ, Mr. RATCLIFFE, Mr. STEWART, Mr. CURBELO of Florida, Mr. BISHOP of Georgia, Mrs. BEATTY, Mr. ZINKE, Mrs. ROBY, Mrs. WALORSKI, Mr. HURD of Texas, Ms. KELLY of Illinois, Mr. BUTTERFIELD, Mr. STIVERS, Mr. YODER, Mr. SMITH of Missouri, Ms. MOORE, Ms. FUDGE, Mr. JOHNSON of Georgia, Mr. RICHMOND, Ms. ADAMS, Ms. SINEMA, Ms. BROWN of Florida, and Mr. CLYBURN):

H.R. 4087. A bill to amend title 38, United States Code, to adjust the effective date of certain reductions and discontinuances of compensation, dependency and indemnity compensation, and pension under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PASCRELL (for himself, Mr. LOBIONDO, and Mr. CARNEY):

H.R. 4088. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Ways and Means.

By Mr. BILIRAKIS:

H.R. 4089. A bill to require the Secretary of Homeland Security to strengthen student visa background checks and improve the monitoring of foreign students in the United States, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACKBURN:

H.R. 4090. A bill to amend the Social Security Act to improve choices available to Medicare eligible seniors by permitting them to elect (instead of regular Medicare benefits) to receive a voucher for a health savings account, for premiums for a high deductible health insurance plan, or both and by suspending Medicare late enrollment penalties between ages 65 and 70; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO:

H.R. 4091. A bill to provide reforms through the Organic Act of Guam; to the Committee on Natural Resources.

By Mr. BRADY of Pennsylvania:

H.R. 4092. A bill to reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Pennsylvania:

H.R. 4093. A bill to revise certain administrative and management authorities of the Librarian of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT:

H.R. 4094. A bill to amend the Internal Revenue Code of 1986 to create Universal Savings Accounts; to the Committee on Ways and Means.

By Ms. BROWNLEY of California:

H.R. 4095. A bill to amend the charter of the Gold Star Wives of America to remove the restriction on the federally chartered corporation, and directors and officers of the corporation, attempting to influence legislation; to the Committee on the Judiciary.

By Mr. CAPUANO (for himself and Mr. STIVERS):

H.R. 4096. A bill to amend the Volcker Rule to permit certain investment advisers to share a similar name with a private equity fund, subject to certain restrictions, and for other purposes; to the Committee on Financial Services.

By Mr. CAPUANO:

H.R. 4097. A bill to amend the Immigration and Nationality Act to provide for visas for certain advanced STEM graduates, and for other purposes; to the Committee on the Judiciary.

By Ms. JUDY CHU of California (for herself and Mr. ROYCE):

H.R. 4098. A bill to amend title III of the Higher Education Act of 1965 to strengthen minority-serving institutions; to the Committee on Education and the Workforce.

By Mr. CLAY (for himself and Mr. STIVERS):

H.R. 4099. A bill to increase from $10,000,000,000 to $50,000,000,000 the threshold figure at which regulated depository institutions are subject to direct examination and reporting requirements of the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Financial Services.

By Mr. CLAY (for himself and Mrs. WAGNER):

H.R. 4100. A bill to require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri; to the Committee on Energy and Commerce, and in addition to the Committee

on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. JONES, and Mr. JOHNSON of Georgia):

H.R. 4101. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Education and the Workforce.

By Mrs. COMSTOCK:

H.R. 4102. A bill to provide for the establishment of a mechanism to allow borrowers of Federal student loans to refinance their loans, to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payment of interest on certain refinanced student loans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAMER:

H.R. 4103. A bill to amend title 38, United States Code, to improve the provision of medical care to veterans at critical access hospitals; to the Committee on Veterans' Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY (for himself and Mr. PAULSEN):

H.R. 4104. A bill to amend the Internal Revenue Code of 1986 to treat bicycle sharing systems as mass transit facilities for purposes of the qualified transportation fringe; to the Committee on Ways and Means.

By Mr. DESJARLAIS (for himself, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. ROGERS of Kentucky, Mr. BARR, Mr. FINCHER, Mrs. BLACK, Mrs. BLACKBURN, and Mr. ROE of Tennessee):

H.R. 4105. A bill to amend the Horse Protection Act to provide increased protection for horses participating in shows, exhibitions, or sales, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DINGELL (for herself, Mr. CARTWRIGHT, and Mr. POCAN):

H.R. 4106. A bill to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy; to the Committee on Science, Space, and Technology.

By Mr. DONOVAN (for himself and Miss RICE of New York):

H.R. 4107. A bill to provide for transparency, accountability, and reform of the National Flood Insurance Program; to the Committee on Financial Services.

By Ms. GABBARD (for herself and Mr. AUSTIN SCOTT of Georgia):

H.R. 4108. A bill to prohibit the use of funds for the provision of assistance to Syrian opposition groups and individuals; to the Committee on Armed Services, and in addition to the Committees on Intelligence (Permanent Select), and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. TAKANO, Mr. CONYERS, Mr. CUMMINGS, Mr. GUTIÉRREZ, Mrs. NAPOLITANO, Mr. MCDERMOTT, and Ms. CLARKE of New York):

H.R. 4109. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Education and the Workforce.

By Ms. KELLY of Illinois:

H.R. 4110. A bill to require the Comptroller General of the United States to study the feasibility of modifying the 5-month waiting period for certain individuals entitled to disability insurance benefits under section 223 of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. LANCE (for himself, Mr. CRAMER, and Mr. LOEBSACK):

H.R. 4111. A bill to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934; to the Committee on Energy and Commerce.

By Mr. LUETKEMEYER (for himself and Mrs. KIRKPATRICK):

H.R. 4112. A bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. LEE, Ms. MOORE, and Mr. CÁRDENAS):

H.R. 4113. A bill to amend the Fair Labor Standards Act of 1938 regarding reasonable break time for nursing mothers; to the Committee on Education and the Workforce.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. RENACCI, Mr. COFFMAN, and Mr. SWALWELL of California):

H.R. 4114. A bill to amend the Internal Revenue Code of 1986 to increase the amount that can be withdrawn without penalty from individual retirement plans as first-time homebuyer distributions; to the Committee on Ways and Means.

By Ms. MENG:

H.R. 4115. A bill to adjust the amount of monthly old-age, survivors, and disability insurance payments under title II of the Social Security Act based on locality-based comparability payment rates; to the Committee on Ways and Means.

By Ms. MOORE (for herself and Mr. EMMER of Minnesota):

H.R. 4116. A bill to amend the Federal Deposit Insurance Act to ensure that the reciprocal deposits of an insured depository institution are not considered to be funds obtained by or through a deposit broker, and for other purposes; to the Committee on Financial Services.

By Mr. MURPHY of Florida (for himself, Mr. RANGEL, Ms. NORTON, and Mr. HONDA):

H.R. 4117. A bill to require statistics relating to community trust in law enforcement in the National Crime Victim's Survey, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 4118. A bill to authorize the Secretary of Veterans Affairs to provide support to university law school programs that are designed to provide legal assistance to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PALAZZO:

H.R. 4119. A bill to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes; to the Committee on Natural Resources.

By Mr. SALMON (for himself, Mr. GROTHMAN, and Mr. GOSAR):

H.R. 4120. A bill to amend the Head Start Act to authorize block grants to States for prekindergarten education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SERRANO (for himself, Mr. FATTAH, Mr. GRIJALVA, Mr. MEEKS, Mrs. NAPOLITANO, and Ms. VELÁZQUEZ):

H.R. 4121. A bill to amend the Food and Nutrition Act of 2008 to provide greater access to the supplemental nutrition assistance program by reducing duplicative and burdensome administrative requirements, authorize the Secretary of Agriculture to award grants to certain community-based nonprofit feeding and anti-hunger groups for the purpose of establishing and implementing a Beyond the Soup Kitchen Pilot Program for certain socially and economically disadvantaged populations, and for other purposes; to the Committee on Agriculture.

By Ms. SINEMA (for herself and Mr. SALMON):

H.R. 4122. A bill to amend the Immigration and Nationality Act to provide that aliens who were present in certain countries may not be admitted under the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. WALKER:

H.R. 4123. A bill to withhold United States contributions to the regularly assessed biennial budget of the United Nations until the United Nations adopts a definition of ''international terrorism'' concurrent with United States laws, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WALZ (for himself and Mr. GIBSON):

H.R. 4124. A bill to amend title 10, United States Code, to eliminate the age restriction on the commencement of the receipt of retired pay for non-regular service; to the Committee on Armed Services.

By Mrs. WATSON COLEMAN (for herself, Mr. HASTINGS, Mr. HONDA, Mrs. LAWRENCE, Mr. MCGOVERN, Mr. PALLONE, Mr. PAYNE, and Mr. SIRES):

H.R. 4125. A bill to direct the Secretary of Veterans Affairs to conduct a study on the feasibility of the Secretary entering into public-private partnerships to improve the access of veterans to medical facilities in densely populated communities and rural communities; to the Committee on Veterans' Affairs.

By Mr. YOHO (for himself, Mr. MEADOWS, Mr. ZINKE, Mr. BROOKS of Alabama, Mrs. MCMORRIS RODGERS, Mr. DUNCAN of South Carolina, and Mr. MILLER of Florida):

H.R. 4126. A bill to clarify that any action by the President in contravention of the restriction on transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, is without legal effect, and for other purposes; to the Committee on Armed Services.

By Mr. GOSAR (for himself, Mr. ABRAHAM, Mr. AMODEI, Mr. BABIN, Mr. BARR, Mr. BARTON, Mr. BENISHEK, Mr. BLUM, Mr. BOUSTANY, Mr. BROOKS of Alabama, Mr. BUCK, Mr. CARTER of Georgia, Mr. CHABOT, Mr. CHAFFETZ, Mr. CRAMER, Mr. CRAWFORD, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FARENTHOLD, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. GOHMERT, Mr. GRAVES of Louisiana, Mr. GRIFFITH, Mr. GROTHMAN, Mr. HARDY, Mr. HUELSKAMP, Mr. JOHNSON of Ohio, Mr. KELLY of Pennsylvania, Mr. KING of Iowa, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. JOYCE, Mr. LAMBORN, Mr. LUCAS, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MESSER, Mr. MCCLINTOCK, Mr. MCKINLEY, Ms. MCSALLY, Mrs. MILLER of Michigan, Mr. MOONEY of West Virginia, Mr. NEUGEBAUER, Mr. NEWHOUSE, Mr. PALMER, Mr. PEARCE, Mr. POMPEO, Mr. POSEY, Mr. RIBBLE, Mr. RICE of

South Carolina, Mr. ROHRABACHER, Mr. ROUZER, Mr. SALMON, Mr. AUSTIN SCOTT of Georgia, Mr. SESSIONS, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. STUTZMAN, Mr. THOMPSON of Pennsylvania, Mr. TROTT, Mrs. WALORSKI, Mr. WEBER of Texas, Mr. YOHO, Mr. YOUNG of Alaska, Mr. WILSON of South Carolina, Mr. ZINKE, Mr. SENSENBRENNER, and Mr. LABRADOR):

H.J. Res. 74. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Administrator of the Environmental Protection Agency relating to ''National Ambient Air Quality Standards for Ozone''; to the Committee on Energy and Commerce.

By Mr. GRAVES of Louisiana:

H. Con. Res. 95. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. WOODALL (for himself, Mr. HASTINGS, Mr. POSEY, Mr. MCCAUL, Mr. SESSIONS, Mr. DUNCAN of South Carolina, Mr. BISHOP of Utah, Mr. COOK, Mr. KELLY of Pennsylvania, Mr. TOM PRICE of Georgia, Mr. COLLINS of New York, and Mr. NEWHOUSE):

H. Con. Res. 96. Concurrent resolution condemning Palestinian incitement of violence and reaffirming the special bond between Israel and the United States; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania (for himself, Mr. FLORES, Mr. SESSIONS, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mr. SMITH of Texas, Mr. RIBBLE, Mr. ROE of Tennessee, Mr. MURPHY of Pennsylvania, Mr. ROUZER, Mr. CULBERSON, Mr. FLEMING, Mr. WILSON of South Carolina, Mr. JONES, Mr. DESJARLAIS, Mr. PITTS, Mrs. BLACKBURN, Mr. LAMALFA, Mr. LAMBORN, Mr. YODER, Mr. WALBERG, Mr. PITTENGER, Mr. CRAMER, Mr. WOODALL, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. WEBER of Texas, Mr. SAM JOHNSON of Texas, Mr. PALMER, Mr. ZINKE, Mr. SALMON, Mr. POSEY, Mr. RATCLIFFE, Mr. FARENTHOLD, Mr. LONG, Mr. MILLER of Florida, Mr. SCHWEIKERT, Mr. BRIDENSTINE, Mr. WILLIAMS, Mr. LUETKEMEYER, Mr. GROTHMAN, Mr. RENACCI, Mr. HENSARLING, Mr. GUTHRIE, Mr. MEADOWS, and Mr. BABIN):

H. Con. Res. 97. Concurrent resolution expressing the sense of Congress that the President should submit to the Senate for advice and consent the climate change agreement proposed for adoption at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Paris, France from November 30 to December 11, 2015; to the Committee on Foreign Affairs.

By Ms. ADAMS (for herself, Mr. CONYERS, Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, Ms. BROWN of Florida, Mr. RICHMOND, Mr. GRIJALVA, Ms. CLARKE of New York, Mrs. BEATTY, and Mr. HASTINGS):

H. Con. Res. 98. Concurrent resolution expressing the sense of the Congress that homelessness in America should be eliminated; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Mr. GIBSON, Miss RICE of New York, and Mr. COLLINS of New York):

H. Con. Res. 99. Concurrent resolution commemorating the 100th anniversary of the United States Army Reserve Officers' Training Corps; to the Committee on Armed Services.

By Mr. CHABOT (for himself, Ms. VELÁZQUEZ, Ms. ADAMS, Mr. ASHFORD, Mrs. BEATTY, Mr. BENISHEK, Mr. BLUM, Ms. BONAMICI, Mr. BOST, Mrs. BROOKS of Indiana, Ms. BROWN of Florida, Mrs. BUSTOS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COLLINS of New York, Mr. CURBELO of Florida, Ms. DELBENE, Mrs. ELLMERS of North Carolina, Mr. FATTAH, Mr. GIBSON, Mr. GRAVES of Missouri, Mr. GRIJALVA, Ms. HAHN, Mr. HANNA, Mr. HARDY, Mr. HUELSKAMP, Mr. KELLY of Mississippi, Mr. KING of Iowa, Mr. KNIGHT, Mrs. LAWRENCE, Mr. LUETKEMEYER, Mr. MARINO, Ms. MENG, Mr. MOULTON, Ms. NORTON, Mr. PAYNE, Ms. PINGREE, Mr. POCAN, Ms. SCHAKOWSKY, Mrs. RADEWAGEN, Mr. RYAN of Ohio, Mr. TAKAI, Mr. TIPTON, Ms. TITUS, Mr. VALADAO, Mr. VARGAS, Mr. SENSENBRENNER, Mr. KIND, Ms. BROWNLEY of California, Mr. BRAT, Mr. RICE of South Carolina, Mrs. KIRKPATRICK, and Mr. MCCAUL):

H. Res. 534. A resolution expressing support for the designation of a ''Small Business Saturday'' and supporting efforts to increase awareness of the value of locally owned small businesses; to the Committee on Small Business.

By Mr. HANNA (for himself, Mr. ISSA, Mr. ROYCE, Mr. ENGEL, Mr. MCDERMOTT, Ms. KAPTUR, Mr. FARR, Mr. ELLISON, Mr. BEYER, Mr. BOUSTANY, Mr. PALLONE, Mr. ABRAHAM, Ms. MCCOLLUM, Mr. TURNER, Ms. GRAHAM, Mrs. DINGELL, Mr. HIGGINS, Mr. WEBER of Texas, Mrs. WATSON COLEMAN, Mr. LAHOOD, Mr. WILSON of South Carolina, Mr. MEADOWS, Mr. CICILLINE, Mr. DUNCAN of South Carolina, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BISHOP of Michigan, Mr. GRAVES of Louisiana, Ms. LOFGREN, Mr. COSTA, Mr. CONNOLLY, Mr. LOWENTHAL, and Mr. MCGOVERN):

H. Res. 535. A resolution condemning in the strongest terms the terrorist attacks in Beirut, Lebanon, on November 12, 2015, that resulted in the loss of at least 43 lives; to the Committee on Foreign Affairs.

By Mr. SIRES (for himself, Ms. ROS-LEHTINEN, Mr. ENGEL, and Mr. DUNCAN of South Carolina):

H. Res. 536. A resolution supporting freedom of the press in Latin America and the Caribbean and condemning violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech; to the Committee on Foreign Affairs.

By Ms. JENKINS of Kansas:

H. Res. 537. A resolution expressing the sense of the House of Representatives that Federal law prohibits the transfer of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States; to the Committee on Armed Services.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Ms. SINEMA, Mr. TAKANO, Mr. POCAN, Mr. MURPHY of Florida, Mr. CICILLINE, Ms. DEGETTE, Mr. NADLER, Mr. HONDA, Ms. BROWNLEY of California, Ms. NORTON, Mr. SCHIFF, Mr. GRIJALVA, and Ms. LEE):

H. Res. 538. A resolution supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children; to the Committee on Education and the Workforce.

### ¶144.24 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

150. The SPEAKER presented a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 16, calling upon the President of the United States to encourage the Secretary of the United States Department of Health and Human Services to adopt policies to repeal the current and upcoming discriminatory donor suitability policies of the United States Food and Drug Administration (FDA) regarding blood donations by men who have had sex with another man and, instead, direct the FDA to develop science-based policies such as criteria based on risky behavior in lieu of sexual orientation; to the Committee on Energy and Commerce.

151. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 25, urging the President and Congress of the United States to support legislation that will provide a comprehensive solution to allow banks and credit unions to perform financial services for marijuana businesses; to the Committee on Energy and Commerce.

152. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 22, urging the federal government to take steps to reform the outdated and inadequate Official Poverty Measure to better reflect poverty and the unmet needs demonstrated by the Supplemental Poverty Measure; to the Committee on Oversight and Government Reform.

153. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 27, urging the Congress of the United States to permanently reauthorize and fully fund the federal land and Water Conservation Fund in order to maintain and preserve land and water resources; to the Committee on Natural Resources.

154. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 13, urging the Congress and President of the United States to continue to secure citizens' right to vote and remedy any racial discrimination in voting; to the Committee on the Judiciary.

155. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 26, urging the Congress of the United States to ban the sale or display of any Confederate flag, including the Confederate Battle Flag, on federal property and encourage states to ban the use of Confederate States of America symbolism from state flags, seals, and symbols, and would encourage the donation of Confederate artifacts to museums; to the Committee on the Judiciary.

### ¶144.25 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 169: Mr. FARENTHOLD.

H.R. 170: Mr. FARENTHOLD.

H.R. 223: Mr. WENSTRUP.

H.R. 224: Ms. TSONGAS, Mr. FATTAH, Mr. CONNOLLY, Mr. BUTTERFIELD, Ms. BROWNLEY of California, Mr. WELCH, Mr. BEYER, Mr. LARSON of Connecticut, Mr. LANGEVIN, Mr.

TED LIEU of California, Mr. SWALWELL of California, and Mr. DESAULNIER.
H.R. 282: Mr. YODER and Ms. MOORE.
H.R. 290: Mr. HASTINGS.
H.R. 359: Mr. AMODEI.
H.R. 379: Mr. LOEBSACK.
H.R. 452: Mr. ENGEL.
H.R. 539: Ms. ADAMS, Mr. JEFFRIES, Mr. FATTAH, Mr. ASHFORD, and Mr. GOSAR.
H.R. 540: Ms. VELÁZQUEZ and Mr. JEFFRIES.
H.R. 545: Mr. MICA, Mr. MEADOWS, and Mr. LANCE.
H.R. 670: Mr. KENNEDY.
H.R. 745: Mr. FARENTHOLD.
H.R. 746: Mr. AGUILAR, Mr. DESAULNIER, Mr. HUFFMAN, and Ms. PINGREE.
H.R. 816: Mr. MCCLINTOCK.
H.R. 820: Mr. KILDEE.
H.R. 845: Mr. COSTELLO of Pennsylvania.
H.R. 855: Mr. YOHO.
H.R. 911: Mr. BRADY of Pennsylvania.
H.R. 953: Mr. COSTELLO of Pennsylvania.
H.R. 969: Mr. GENE GREEN of Texas.
H.R. 985: Mr. ALLEN and Mr. KELLY of Mississippi.
H.R. 1076: Ms. SCHAKOWSKY, Ms. EDWARDS, Ms. CASTOR of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1150: Mr. POSEY and Mr. KINZINGER of Illinois.
H.R. 1174: Mr. FLEISCHMANN, Mr. SCHRADER, Mr. DESJARLAIS, Mr. ZELDIN, Ms. SEWELL of Alabama, and Mr. BUTTERFIELD.
H.R. 1220: Ms. ROYBAL-ALLARD.
H.R. 1258: Mrs. LAWRENCE.
H.R. 1268: Mr. PETERS.
H.R. 1288: Mr. JOHNSON of Ohio.
H.R. 1292: Mr. MOOLENAAR.
H.R. 1336: Mr. RENACCI.
H.R. 1342: Mr. EMMER of Minnesota, Mr. O'ROURKE, Ms. CLARK of Massachusetts, Mr. KELLY of Mississippi, Ms. KAPTUR, Mr. TED LIEU of California, and Mr. AGUILAR.
H.R. 1343: Mr. BABIN and Mr. LOBIONDO.
H.R. 1356: Ms. KUSTER.
H.R. 1453: Mr. KILDEE.
H.R. 1457: Mr. MCDERMOTT and Ms. JUDY CHU of California.
H.R. 1530: Mr. RUPPERSBERGER.
H.R. 1552: Mr. AGUILAR.
H.R. 1559: Mr. POE of Texas and Mr. LAHOOD.
H.R. 1576: Mr. COLLINS of New York.
H.R. 1604: Mr. SIRES.
H.R. 1610: Mr. LOBIONDO.
H.R. 1635: Mr. SENSENBRENNER.
H.R. 1685: Mr. LAHOOD.
H.R. 1763: Mr. GENE GREEN of Texas, Mr. COOK, and Mr. O'ROURKE.
H.R. 1769: Ms. MOORE.
H.R. 1786: Mr. LAHOOD.
H.R. 1814: Mr. CRENSHAW.
H.R. 1893: Mr. LONG.
H.R. 1942: Mrs. LAWRENCE.
H.R. 1971: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1979: Ms. FUDGE.
H.R. 1988: Mr. TURNER and Mr. STIVERS.
H.R. 2070: Mr. CLAY.
H.R. 2124: Mr. COLLINS of New York, Mr. LYNCH, and Mr. KILDEE.
H.R. 2156: Mr. KILDEE.
H.R. 2205: Mr. ROTHFUS.
H.R. 2293: Mrs. LAWRENCE.
H.R. 2342: Mr. KILDEE.
H.R. 2408: Mr. BUTTERFIELD.
H.R. 2434: Ms. HERRERA BEUTLER, Mr. PITTS, Mrs. ELLMERS of North Carolina, Mr. FLORES, Mr. YODER, Mr. LAMALFA, Mrs. WAGNER, and Mr. GUINTA.
H.R. 2449: Mr. HASTINGS, Mr. PRICE of North Carolina, Mrs. NAPOLITANO, Ms. BONAMICI, and Mr. LOEBSACK.
H.R. 2461: Ms. LOFGREN and Mrs. WALORSKI.
H.R. 2500: Mr. POMPEO and Mr. YOUNG of Alaska.
H.R. 2515: Ms. SINEMA and Mr. LANGEVIN.
H.R. 2519: Mr. BISHOP of Georgia.
H.R. 2521: Ms. MCCOLLUM.
H.R. 2533: Mr. LOWENTHAL.
H.R. 2568: Mr. POE of Texas.
H.R. 2646: Mr. AUSTIN SCOTT of Georgia and Mr. LOBIONDO.
H.R. 2689: Mr. NEWHOUSE.
H.R. 2715: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2752: Mr. DEFAZIO.
H.R. 2759: Mr. SWALWELL of California and Mrs. LAWRENCE.
H.R. 2850: Mr. JEFFRIES.
H.R. 2858: Mrs. LAWRENCE.
H.R. 2874: Mr. JOHNSON of Ohio, Mr. SAM JOHNSON of Texas, Mr. KING of Iowa, Mr. ROHRABACHER, Mr. HUNTER, Mr. COHEN, and Mr. WALZ.
H.R. 2894: Mr. LOBIONDO.
H.R. 2903: Mr. BLUM, Mr. BISHOP of Michigan, and Mr. WENSTRUP.
H.R. 2980: Ms. KUSTER.
H.R. 3026: Mr. MCCLINTOCK.
H.R. 3036: Mr. YOUNG of Alaska.
H.R. 3046: Mr. AGUILAR.
H.R. 3065: Mr. LIPINSKI and Mr. CAPUANO.
H.R. 3074: Mr. LOBIONDO.
H.R. 3222: Mr. CULBERSON.
H.R. 3223: Mr. RUSH, Mr. FOSTER, Mr. DOLD, and Mr. KINZINGER of Illinois.
H.R. 3229: Mr. BROOKS of Alabama and Mr. KLINE.
H.R. 3268: Mr. AMODEI and Mrs. LAWRENCE.
H.R. 3286: Mr. RUIZ.
H.R. 3294: Mrs. NAPOLITANO.
H.R. 3296: Mr. JODY B. HICE of Georgia.
H.R. 3314: Mr. GROTHMAN.
H.R. 3323: Mr. GOSAR.
H.R. 3326: Mr. LOUDERMILK, Mr. DENHAM, Mr. ALLEN, Mr. WENSTRUP, and Mr. KING of Iowa.
H.R. 3339: Mr. MEADOWS, Mrs. ROBY, Mr. TIPTON, Mr. MCKINLEY, and Mr. JODY B. HICE of Georgia.
H.R. 3377: Mr. LOWENTHAL and Mr. HASTINGS.
H.R. 3399: Mr. MCGOVERN.
H.R. 3459: Mr. LUCAS.
H.R. 3463: Mr. LOEBSACK.
H.R. 3516: Mr. VALADAO.
H.R. 3565: Mr. DESAULNIER.
H.R. 3573: Mr. SENSENBRENNER.
H.R. 3660: Mr. BARLETTA.
H.R. 3700: Mr. SESSIONS and Mr. RIBBLE.
H.R. 3734: Mr. PEARCE, Mrs. NOEM, Mr. WESTERMAN, Mr. YOUNG of Alaska, Mr. BARR, Mr. STEWART, Mr. THOMPSON of Pennsylvania, Mr. SMITH of Missouri, and Mr. AMODEI.
H.R. 3765: Mr. BURGESS.
H.R. 3779: Mr. MILLER of Florida.
H.R. 3799: Mr. GOSAR and Mr. YODER.
H.R. 3845: Mr. VALADAO, Mr. SHIMKUS, and Mr. EMMER of Minnesota.
H.R. 3860: Mr. WITTMAN.
H.R. 3862: Ms. FRANKEL of Florida, Mr. NOLAN, Mr. MCGOVERN, and Ms. TITUS.
H.R. 3865: Mrs. COMSTOCK.
H.R. 3879: Mr. SARBANES and Mr. HONDA.
H.R. 3880: Mr. STIVERS.
H.R. 3916: Mr. MCGOVERN.
H.R. 3917: Mr. SMITH of Missouri.
H.R. 3932: Mr. ZINKE, Mr. COFFMAN, and Mrs. WALORSKI.
H.R. 3940: Mr. COLLINS of New York, Mr. CHAFFETZ, Mr. LONG, Mr. BUCSHON, Mr. NEWHOUSE, and Mr. SENSENBRENNER.
H.R. 3946: Mr. WESTERMAN.
H.R. 3964: Mr. HASTINGS and Mr. TAKANO.
H.R. 3965: Mr. CAPUANO, Ms. BASS, and Mr. PETERS.
H.R. 3987: Mr. AMODEI.
H.R. 3991: Ms. TITUS.
H.R. 3997: Mr. PETERS, Mr. BEN RAY LUJÁN of New Mexico, Mr. QUIGLEY, Ms. MOORE, Mr. SIRES, and Mr. PERLMUTTER.
H.R. 4008: Mr. CONYERS, Ms. LOFGREN, Ms. VELÁZQUEZ, and Mr. HUFFMAN.
H.R. 4026: Mr. JODY B. HICE of Georgia, Mrs. BLACKBURN, and Mr. LAMALFA.
H.R. 4029: Ms. KAPTUR, Mr. KILDEE, and Mr. JOHNSON of Ohio.
H.R. 4031: Mr. ZELDIN and Mr. MILLER of Florida.
H.R. 4032: Mr. GOSAR, Mr. WILLIAMS, Mr. JONES, Mr. ZINKE, Mr. BURGESS, Mr. OLSON, Mr. MARCHANT, Mr. GOHMERT, and Mr. CLAWSON of Florida.
H.R. 4038: Mr. FITZPATRICK, Mr. PALAZZO, Mr. GRAVES of Louisiana, Mr. GIBBS, Mr. COLLINS of New York, Mr. DESJARLAIS, Mr. STIVERS, Mrs. ELLMERS of North Carolina, Mr. CHABOT, Mr. MILLER of Florida, Mrs. COMSTOCK, Mr. JOHNSON of Ohio, Mr. LONG, and Mr. FORBES.
H.R. 4058: Mr. BLUM.
H.R. 4062: Mr. BABIN, Mr. SIMPSON, and Mr. SMITH of Missouri.
H.R. 4068: Ms. JUDY CHU of California.
H.J. Res. 33: Mr. ROONEY of Florida.
H.J. Res. 59: Mr. GOSAR.
H.J. Res. 71: Mr. FINCHER, Mr. GROTHMAN, Mr. SMITH of Missouri, Mr. STEWART, Ms. JENKINS of Kansas, Mr. YOUNG of Indiana, Mr. BROOKS of Alabama, Mr. YOUNG of Alaska, Mrs. HARTZLER, Mr. MOONEY of West Virginia, Mr. GOHMERT, Mrs. MILLER of Michigan, Mr. NEWHOUSE, Mr. WEBSTER of Florida, Mr. LUETKEMEYER, Mr. KELLY of Pennsylvania, Mr. DESJARLAIS, Mr. MCCLINTOCK, Mr. LAMBORN, Mr. BYRNE, Mr. WENSTRUP, Mr. COLLINS of New York, Mr. CRAWFORD, Mr. COLLINS of Georgia, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. BLUM, Mr. TROTT, Mrs. WALORSKI, Mr. STUTZMAN, Mr. LABRADOR, Mr. KINZINGER of Illinois, Mr. GOODLATTE, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. YOHO, and Mr. PITTS.
H.J. Res. 72: Mr. FINCHER, Mr. GROTHMAN, Mr. SMITH of Missouri, Mr. STEWART, Ms. JENKINS of Kansas, Mr. YOUNG of Indiana, Mr. BROOKS of Alabama, Mr. YOUNG of Alaska, Mrs. HARTZLER, Mr. MOONEY of West Virginia, Mr. GOHMERT, Mrs. MILLER of Michigan, Mr. NEWHOUSE, Mr. JOLLY, Mr. WEBSTER of Florida, Mr. LUETKEMEYER, Mr. KELLY of Pennsylvania, Mr. DESJARLAIS, Mr. MCCLINTOCK, Mr. LAMBORN, Mr. WENSTRUP, Mr. BYRNE, Mr. COLLINS of New York, Mr. CRAWFORD, Mr. COLLINS of Georgia, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. BLUM, Mr. TROTT, Mrs. WALORSKI, Mr. STUTZMAN, Mr. LABRADOR, Mr. KINZINGER of Illinois, Mr. GOODLATTE, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. YOHO, and Mr. PITTS.
H. Con. Res. 89: Mr. BRADY of Texas.
H. Res. 12: Mr. MOONEY of West Virginia.
H. Res. 218: Mr. DUNCAN of South Carolina, Mr. WEBER of Texas, and Mr. ROHRABACHER.
H. Res. 432: Ms. BROWN of Florida, Mr. MULLIN, and Mr. HASTINGS.
H. Res. 445: Mr. WITTMAN.
H. Res. 469: Mr. ASHFORD.
H. Res. 494: Mr. WILLIAMS, Mr. CRAWFORD, Mrs. BLACKBURN, and Mr. SHUSTER.
H. Res. 501: Mr. WELCH.
H. Res. 508: Ms. MCCOLLUM.
H. Res. 510: Mr. WITTMAN.
H. Res. 519: Mr. SWALWELL of California.
H. Res. 521: Ms. ESHOO and Mr. LOWENTHAL.
H. Res. 523: Mr. GRIJALVA, Mr. PAYNE, Ms. CLARKE of New York, Mr. DAVID SCOTT of Georgia, Mr. KIND, Mr. SABLAN, Mr. CARSON of Indiana, Mr. FARENTHOLD, Ms. NORTON, Ms. JACKSON LEE, Mr. POCAN, Mr. COLLINS of New York, Mr. HONDA, Ms. CLARK of Massachusetts, Ms. GABBARD, Mr. TAKANO, and Ms. TITUS.
H. Res. 532: Ms. MCCOLLUM, Mr. JOYCE, Mr. JOHNSON of Ohio, Mr. RENACCI, and Mr. STIVERS.

## MONDAY, NOVEMBER 30, 2015 (145)

¶145.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. DENHAM,

who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*November 30, 2015.*

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

¶145.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DENHAM, announced he had examined and approved the Journal of the proceedings of Thursday, November 19, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶145.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3531. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting the Department's report on ''Protection of Military Installations'' as required by the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for FY 2015, pursuant to Public Law 113-291, Sec. 1056; (128 Stat. 3499); to the Committee on Armed Services.

3532. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2014 Merger Decisions Report, pursuant to 12 U.S.C. 1828(c)(9); Sept. 21, 1950, ch. 967, Sec. 2(18) (as added by Public Law 89-356, Sec. 1); (80 Stat. 9); to the Committee on Financial Services.

3533. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Stress Testing of Regulated Entities (RIN: 2590-AA74) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3534. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's interim final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 2590-AA45) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3535. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 2590-AA45) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3536. A letter from the Acting Deputy Assistant General Counsel, Division of Regulatory Services, Office of the General Counsel, Office of Postsecondary Education, Department of Education, transmitting the Department's final regulations — Program Integrity and Improvement [Docket ID: ED-2015-OPE-0020] (RIN: 1840-AD14) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3537. A letter from the Acting Deputy Assistant General Counsel, Division of Regulatory Services, Office of the General Counsel, Office of Postsecondary Education, Department of Education, transmitting the Department's Major final regulations — Student Assistance General Provisions, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program [Docket ID: ED-2014-OPE-0161] (RIN: 1840-AD18) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3538. A letter from the Acting Commissioner, FDA, Department of Health and Human Services, transmitting the Administration's Environmental Assessment report on the risks associated with genetically engineered seafood products, pursuant to 21 U.S.C. 2106; Public Law 110-85, Sec. 1007; to the Committee on Energy and Commerce.

3539. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Occupational Safety and Health Research and Related Activities: Removal of Regulations Regarding Administrative Functions, Practices, and Procedures [Docket No.: CDC-2015-0062; NIOSH-286] (RIN: 0920-AA55) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3540. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Saflufenacil; Pesticide Tolerances [EPA-HQ-OPP-2014-0640; FRL-9936-71] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3541. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — PM10 Plans and Redesignation Request; Truckee Meadows, Nevada; Deletion of TSP Area Designation [EPA-R09-OAR-2015-0633; FRL-9939-48-Region 9] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3542. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing: Correction [EPA-HQ-OAR-2013-0290 and EPA-HQ-OAR-2013-0291; FRL-9939-35-OAR] (RIN: 2060-AP69) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3543. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Aerospace Manufacturing and Rework Facilities Risk and Technology Review [EPA-HQ-OAR-2014-0830; FRL-9936-64-OAR] (RIN: 2060-AQ99) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3544. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aureobasidium pullulans strains DSM 14940 and DSM 14941; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0099; FRL-9936-50] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3545. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to the Definition of Volatile Organic Compound [EPA-R03-OAR-2015-0686; FRL-9939-38-Region 3] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3546. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; ME; Repeal of the Maine's General Conformity Provision [EPA-R01-OAR-2015-0593; A-1-FRL-9939-24-Region 1] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3547. A letter from the Program Analyst, Financial Operations, Office of Managing Director, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2014 [MD Docket No.: 14-92]; Assessment and Collection of Regulatory Fees for Fiscal Year 2013 [MD Docket No.: 13-140]; Procedures for Assessment and Collection of Regulatory Fees [MD Docket No.: 12-201] received November 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3548. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's Agency Financial Report for FY 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Energy and Commerce.

3549. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report entitled ''Report Pursuant to the Emergency Wartime Supplemental Appropriations Act, 2003 on Loan Guarantees to Israel'', pursuant to Public Law 108-11, Title I Chapter 5; (117 Stat. 576); to the Committee on Foreign Affairs.

3550. A communication from the President of the United States, transmitting a declaration of a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the situation in Burundi, pursuant to 50 U.S.C. 1703(b); Public Law 95-223 Sec. 204(b); (91 Stat. 1627) (H. Doc. No. 114—80); to the Committee on Foreign Affairs and ordered to be printed.

3551. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2015 Annual Report on the Benjamin A. Gilman International Scholarship Program, pursuant to 22 U.S.C. 2462 note; Public Law 106-309, Sec. 304; (114 Stat. 1095); to the Committee on Foreign Affairs.

3552. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d) Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

3553. A letter from the Acting Legislative Director, Natural Resources Conservation Service, Department of Agriculture, transmitting the Department's final rule — NRCS Procedures for Granting Equitable Relief (RIN: 0578-AA57) received November 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3554. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons and Modification of Certain Entries to the Entity List; and Removal of Certain Persons from

the Entity List [Docket No.: 150911846-5846-01] (RIN: 0694-AG74) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3555. A letter from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting the Department's Agency Financial Report for FY 2015, pursuant to 31 U.S.C. 3516 note; Public Law 112-217, Sec. 2(c); (126 Stat. 1591) and 31 U.S.C. 3115(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); and Public Law 108-330; to the Committee on Oversight and Government Reform.

3556. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Semiannual Report for the period April 1, 2015 through September 30, 2015, pursuant to 5 U.S.C. app. 5(a); to the Committee on Oversight and Government Reform.

3557. A letter from the Secretary, Department of the Treasury, transmitting the Department's Agency Financial Report for FY 2015, pursuant to 31 U.S.C. 3115(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3558. A letter from the Chairman of the Board and Chairman, Audit Committee, Farm Credit System Insurance Corporation, transmitting the Corporation's consolidated report to the President addressing the requirements of the Federal Managers' Financial Integrity Act and the Inspector General Act of 1978, pursuant to 5 U.S.C. app. Sec. 8G(h)(2); Public Law 95-452, Sec. 8G(h)(2) (as added by Public Law 100-504, Sec. 104(a)); (102 Stat. 2525); to the Committee on Oversight and Government Reform.

3559. A letter from the Chairman, Farm Credit System Insurance Corporation, transmitting the Corporation's draft Strategic Plan for Fiscal Years 2016 through 2021, pursuant to 5 U.S.C. 306(d); to the Committee on Oversight and Government Reform.

3560. A letter from the Treasurer, National Gallery of Art, transmitting the Gallery's Performance and Accountability Report for FY 2015, including the consolidated financial statements, federal financial statements (as supplementary schedules) and auditor's report, complying voluntarily with the spirit of the Accountability of Tax Dollars Act of 2002, Public Law 107-289; to the Committee on Oversight and Government Reform.

3561. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's Performance and Accountability Report for FY 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3562. A letter from the Director, Office of Government Ethics, transmitting the Annual Financial Report for the U.S. Office of Government Ethics for FY 2015, as submitted to the Office of Management and Budget, pursuant to 31 U.S.C. 3115(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3563. A letter from the Chair, Securities and Exchange Commission, transmitting the Commission's FY 2015 Agency Financial Report, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); (102 Stat. 2525); to the Committee on Oversight and Government Reform.

3564. A letter from the Chair, Securities and Exchange Commission, transmitting the Commission's Semiannual report for the period April 1, 2015 through September 30, 2015, pursuant to 5 U.S.C. app. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

3565. A letter from the Director, U.S. Trade and Development Agency, transmitting the Agency's Performance and Accountability Reports including audited financial statements for FY 2015, pursuant to 31 U.S.C. 3115(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3566. A letter from the Staff Director, United States Commission on Civil Rights, transmitting the Commission's Performance and Accountability Report for FY 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3567. A letter from the Executive Director, World War One Centennial Commission, transmitting the Commission's periodic report for the period ended September 30, 2015, pursuant to Public Law 112-272, Sec. 5(b)(1); (126 Stat. 2450); to the Committee on Oversight and Government Reform.

3568. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Federal Election Commission Fiscal Year 2015 Agency Financial Report, pursuant to 5 U.S.C. app. Sec. 8G(h)(2); Public Law 95-452, Sec. 8G(h)(2) (as added by Public Law 100-504, Sec. 104(a)); (102 Stat. 2525); to the Committee on House Administration.

3569. A letter from the Acting Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations, Areas of the National Park System, Lake Chelan National Recreation Area, Solid Waste Disposal [NPS-LACH-19666; PPPWNOCAM3 PPMOMFO1Z.F00000] (RIN: 1024-AE09) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3570. A letter from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting the Corporation's annual financial audit and management report for the fiscal year ending September 30, 2015, pursuant to 31 U.S.C. 9105; to the Committee on Transportation and Infrastructure.

3571. A letter from the Chief Impact Analyst, Office of Regulation Policy, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's direct final rule — Exempting Mental Health Peer Support Services from Copayments (RIN: 2900-AP11) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3572. A letter from the United States Trade Representative, Executive Office of the President, transmitting notification to Congress under Sec. 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 of the President's intent to agree under that section at the 2015 APEC Leaders' meeting to reduce tariffs on the 54 environmental products, included in Annex C to the 2012 APEC Leaders' Declaration, to five percent or less by the end of 2015, under the authority delegated by Executive Order 13701 of July 17, 2015; to the Committee on Ways and Means.

3573. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Contract Year 2016 Policy and Technical Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs [CMS-4159-F2] (RIN: 0938-AS20) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

3574. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Short Inpatient Hospital Stays; Transition for Certain Medicare-Dependent, Small Rural Hospitals under the Hospital Inpatient Prospective Payment System; Provider Administrative Appeals and Judicial Review [CMS-1633-FC; CMS-1607-F2] (RIN: 0938-AS42; RIN: 0938-AS11) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

3575. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Revisions to Payment Policies under the Physician Fee Schedule and Other Revisions to Part B for CY 2016 [CMS-1631-FC] (RIN: 0938-AS40) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

### ¶145.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. DENHAM, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 20, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 20, 2015 at 10:06 a.m.:

That the Senate agreed to without amendment H. Con. Res. 95.

That the Senate passed S. 2328.

That the Senate passed S. 1550.

That the Senate agree to House amendment to the bill S. 599.

Appointment:

Congressional Award Board

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

### ¶145.5 SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. DENHAM, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. MESSER, signed the following enrolled bill of the Senate on Monday, November 23, 2015:

S. 599. An Act to extend and expand the Medicaid emergency psychiatric demonstration project.

### ¶145.6 RECESS—2:07 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 7 minutes p.m., until approximately 4 p.m.

### ¶145.7 AFTER RECESS—4 P.M.

The SPEAKER pro tempore, Mr. COLLINS of New York, called the House to order.

### ¶145.8 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was commu-

nicated to the House by Mr. Sherman Williams, one of his secretaries.

¶145.9 GRASSROOTS RURAL AND SMALL COMMUNITY WATER SYSTEMS

Mr. SHIMKUS moved to suspend the rules and pass the bill of the Senate (S. 611) to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. SHIMKUS and Mr. SARBANES, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶145.10 STRENGTHENING STATE AND LOCAL CYBER CRIME FIGHTING

Mr. GOODLATTE moved to suspend the rules and pass the bill (H.R. 3490) to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. GOODLATTE and Mr. PIERLUISI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶145.11 OPEN BOOK ON EQUAL ACCESS TO JUSTICE

Mr. GOODLATTE moved to suspend the rules and pass the bill (H.R. 3279) to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. GOODLATTE and Mr. PIERLUISI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶145.12 DISABLED VETERANS

Mr. GOODLATTE moved to suspend the rules and pass the bill (H.R. 1755) to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans; as amended.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. GOODLATTE and Mr. PIERLUISI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶145.13 ROCKINGHAM COUNTY, VIRGINIA, LAND TRANSFER

Mr. LAMALFA moved to suspend the rules and pass the bill (H.R. 2288) to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. LAMALFA and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LAMALFA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶145.14 PRESERVATION RESEARCH AT INSTITUTIONS SERVING MINORITIES

Mr. LAMALFA moved to suspend the rules and pass the bill (H.R. 1541) to amend title 54, United States Code, to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs; as amended.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. LAMALFA and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶145.15 SUSANVILLE INDIAN RANCHERIA

Mr. LAMALFA moved to suspend the rules and pass the bill (H.R. 2212) to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. LAMALFA and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶145.16 BILLY FRANK JR. NISQUALLY WILDLIFE REFUGE

Mr. LAMALFA moved to suspend the rules and pass the bill (H.R. 2270) to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr.

Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LAHOOD, recognized Mr. LAMALFA and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LAHOOD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LAMALFA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶145.17 MESSAGE FROM THE PRESIDENT—LOCALITY PAY INCREASES FOR CIVILIAN FEDERAL EMPLOYEES

The SPEAKER pro tempore, Mr. LAHOOD, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

I am transmitting an alternative plan for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2016.

Title 5, United States Code, authorizes me to implement alternative pay plans for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems if, because of ''national emergency or serious economic conditions affecting the general welfare,'' I view the adjustments that would otherwise take effect as inappropriate.

Civilian Federal employees have already made significant sacrifices as a result of 3-year pay freeze that ended in January 2014. In January 2014 and again in January 2015, increases for civilian Federal employees were limited to a 1.0 percent overall pay increase, an amount lower than the private sector pay increases and statutory formula for adjustments to the base General Schedule for 2014 and 2015. However, as the country's economic recovery continues, we must maintain efforts to keep our Nation on a sustainable fiscal course. This is an effort that continues to require tough choices.

Under current law, locality pay increases averaging 28.74 percent and costing $26 billion would go into effect in January 2016. Federal agency budgets cannot sustain such increases. Accordingly, I have determined that under the authority of section 5304a of title 5, United States Code, locality-based comparability payments for the locality pay areas established by the President's Pay Agent, in the amounts set forth in the attached table, shall become effective on the first day of the first applicable pay period beginning on or after January 1, 2016. These rates are based on an allocation of 0.3 percent of payroll as indicated in my August 28, 2015, alternative pay plan for adjustments to the base General Schedule. These decisions will not materially affect our ability to attract and retain a well-qualified Federal workforce.

The adjustments described above shall take effect on the first applicable pay period beginning on or after January 1, 2016.

BARACK OBAMA.

THE WHITE HOUSE, *November 30, 2015.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Oversight and Government Reform and ordered to be printed (H. Doc. 114–81).

¶145.18 RECESS—5:30 P.M.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 30 minutes p.m., until approximately 6:30 p.m.

¶145.19 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. CONAWAY, called the House to order.

¶145.20 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. CONAWAY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, November 30, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 30, 2015 at 6:03 p.m.:

That the Senate passed S. 1698.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶145.21 PROVIDING FOR CONSIDERATION OF H.R. 8, S.J. RES. 23, AND S.J. RES. 24

Mr. BURGESS, by direction of the Committee on Rules, reported (Rept. No. 114–353) the resolution (H. Res. 539) providing for consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''; and providing for consideration of the joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

When said resolution and report were referred to the House Calendar and ordered printed.

¶145.22 H.R. 2288—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CONAWAY, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2288) to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays ..... 0

¶145.23 [Roll No. 644]

YEAS—407

| | | |
|---|---|---|
| Abraham | Chaffetz | Engel |
| Adams | Chu, Judy | Eshoo |
| Aderholt | Cicilline | Esty |
| Aguilar | Clark (MA) | Farenthold |
| Allen | Clarke (NY) | Fattah |
| Amash | Clawson (FL) | Fincher |
| Amodei | Clay | Fitzpatrick |
| Ashford | Cleaver | Fleischmann |
| Babin | Clyburn | Fleming |
| Barletta | Coffman | Forbes |
| Barr | Cohen | Fortenberry |
| Barton | Cole | Foster |
| Beatty | Collins (GA) | Foxx |
| Becerra | Collins (NY) | Frankel (FL) |
| Benishek | Comstock | Franks (AZ) |
| Bera | Conaway | Frelinghuysen |
| Beyer | Connolly | Fudge |
| Bilirakis | Conyers | Gabbard |
| Bishop (GA) | Cook | Gallego |
| Bishop (MI) | Cooper | Garamendi |
| Bishop (UT) | Costa | Garrett |
| Black | Costello (PA) | Gibbs |
| Blackburn | Courtney | Gibson |
| Blum | Crawford | Gohmert |
| Blumenauer | Crenshaw | Goodlatte |
| Bonamici | Crowley | Gosar |
| Bost | Cuellar | Gowdy |
| Boustany | Culberson | Graham |
| Boyle, Brendan F. | Cummings | Granger |
| | Curbelo (FL) | Graves (GA) |
| Brady (PA) | Davis (CA) | Graves (LA) |
| Brady (TX) | Davis, Danny | Graves (MO) |
| Brat | DeGette | Grayson |
| Bridenstine | Delaney | Green, Al |
| Brooks (AL) | DeLauro | Green, Gene |
| Brooks (IN) | DelBene | Griffith |
| Brown (FL) | Denham | Grijalva |
| Brownley (CA) | Dent | Grothman |
| Buck | DeSantis | Guinta |
| Bucshon | DeSaulnier | Guthrie |
| Burgess | DesJarlais | Gutiérrez |
| Bustos | Deutch | Hahn |
| Butterfield | Diaz-Balart | Hanna |
| Byrne | Dingell | Hardy |
| Calvert | Dold | Harper |
| Capps | Donovan | Harris |
| Capuano | Doyle, Michael F. | Hartzler |
| Carney | | Hastings |
| Carson (IN) | Duckworth | Heck (NV) |
| Carter (GA) | Duffy | Heck (WA) |
| Carter (TX) | Duncan (TN) | Hensarling |
| Cartwright | Edwards | Hice, Jody B. |
| Castor (FL) | Ellison | Higgins |
| Castro (TX) | Ellmers (NC) | Hill |
| Chabot | Emmer (MN) | Himes |

Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—26

Bass
Buchanan
Cárdenas
Cramer
Davis, Rodney
DeFazio
Doggett
Duncan (SC)
Farr
Flores
Herrera Beutler
Hinojosa
Jones
Joyce
Murphy (FL)
Pelosi
Rohrabacher
Ruppersberger
Rush
Sanchez, Loretta
Sewell (AL)
Slaughter
Speier
Takai
Williams
Wittman

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶145.24 H.R. 2270—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CONAWAY, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2270) to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 413 Nays ..... 2

¶145.25 [Roll No. 645]

YEAS—413

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Amash
Sensenbrenner

NOT VOTING—18

Bass
Cramer
DeFazio
Duncan (SC)
Farr
Herrera Beutler
Hinojosa
Murphy (FL)
Ratcliffe
Rohrabacher
Ruppersberger
Rush
Sanchez, Loretta
Sewell (AL)
Slaughter
Takai
Williams
Wittman

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶145.26 BREAST CANCER RESEARCH STAMP REAUTHORIZATION

Mr. CHAFFETZ moved to suspend the rules and pass the bill of the Senate (S. 1170) to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

The SPEAKER pro tempore, Mr. YOUNG of Iowa, recognized Mr. CHAFFETZ and Mrs. WATSON COLEMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. YOUNG of Iowa, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CHAFFETZ demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. YOUNG of Iowa, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, December 1, 2015.

¶145.27 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mr. YOUNG of Iowa, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, November 5, 2015.*

THE SPEAKER,
*House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: I, Kevin Brady, am submitting my resignation as the Vice-Chairman of the Joint Economic Committee (JEC) effective immediately. It has been an honor to have served in this position, and I look forward to taking on my new role as Chairman of the Ways and Means committee.

Sincerely,

KEVIN BRADY,
*Member of Congress.*

By unanimous consent, the resignation was accepted.

¶145.28 JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore, Mr. YOUNG of Iowa, pursuant to 15 United States Code 1024(a), and the order of the House of January 6, 2015, announced that the Speaker appointed the following Member on the part of the House to the Joint Economic Committee: Mr. TIBERI, to rank before Mr. AMASH.

*Ordered*, That the Clerk notify the Senate of the foregoing appointment.

¶145.29 SUBMISSION OF CONFERENCE REPORT—S. 1177

Mr. KLINE submitted a conference report (Rept. No. 114–354) on the bill of the Senate (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶145.30 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1550. An Act to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes; to the Committee on Oversight and Government Reform.

S. 1698. An Act to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits; to the Committee on Oversight and Government Reform.

S. 2328. An Act to reauthorized and amend the National Sea Grant College Program Act, and for other purposes; to the Committee on Natural Resources.

¶145.31 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 19, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 3996. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

H.R. 2262. An Act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

H.R. 208. An Act to improve the disaster assistance programs of the Small Business Administration.

H.R. 639. An Act to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

¶145.32 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DEFAZIO, for today;

To Mr. FARR, for today; and

To Mr. RUPPERSBERGER, for today through December 3.

And then,

¶145.33 ADJOURNMENT

On motion of Mr. JOHNSON of Ohio, at 9 o'clock and 35 minutes p.m., the House adjourned.

¶145.34 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 3490. A bill to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; with an amendment (Rept. 114–345, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1755. A bill to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans (Rept. 114–350). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3279. A bill to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes (Rept. 114–351). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 526. A bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes (Rept. 114–352). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 539. Resolution providing for consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''; and providing for consideration of the joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' (Rept. 114–353). Referred to the House Calendar.

Mr. KLINE: Committee of Conference. Conference report on S. 1177. An act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves (Rept. 114–354). Ordered to be printed.

¶145.35 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. NUNES (for himself and Mr. SCHIFF):

H.R. 4127. A bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BECERRA:

H.R. 4128. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCNERNEY:

H.R. 4129. A bill to direct the Secretary of Veterans Affairs to carry out a program under which the Secretary enters into partnership agreements with non-Federal entities for the construction of major construction projects authorized by law, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NOLAN:

H.R. 4130. A bill to temporarily prohibit the importation of certain iron and steel articles; to the Committee on Ways and Means.

By Mr. HECK of Washington (for himself, Ms. DELBENE, Mr. NEWHOUSE, Mr. KILMER, Mr. MCDERMOTT, Mr. COLE, and Mr. KILDEE):

H.R. 4131. A bill to direct the Chief of Engineers to transfer an archaeological collection, commonly referred to as the Kennewick Man or the Ancient One, to the Washington State Department of Archeology and Historic Preservation; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIQUIN:

H.R. 4132. A bill to amend section 320301 of title 54, Unites States Code, to require approval of affected States before national monuments may be designated under that section, and for other purposes; to the Committee on Natural Resources.

By Mr. BYRNE:

H.R. 4133. A bill to amend the United States Housing Act of 1937 to ensure accountability in the provision of public housing, and for other purposes; to the Committee on Financial Services.

By Mr. DEFAZIO (for himself and Ms. KUSTER):

H.R. 4134. A bill to require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH (for herself, Ms. SPEIER, Mr. SCHIFF, Mr. COHEN, Mr. QUIGLEY, Mr. JOHNSON of Georgia, Mr. VAN HOLLEN, Mr. ENGEL, Mr. GRAYSON, Ms. ESTY, Mr. LOWENTHAL, Mr. DAVID SCOTT of Georgia, and Ms. LOFGREN):

H.R. 4135. A bill to clarify the definition of nonimmigrant for purposes of chapter 44 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. PALLONE (for himself and Mrs. CAPPS):

H.R. 4136. A bill to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RYAN of Ohio:

H.R. 4137. A bill to award a Congressional Gold Medal to Simeon Booker in recognition of his achievements in the field of journalism, including reporting during the Civil Rights movement, as well as social and political commentary; to the Committee on Financial Services.

By Mr. GRIJALVA (for himself, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CONYERS, Mr. DEUTCH, Mr. ELLISON, Mr. HONDA, Mr. JOHNSON of Georgia, Ms. LEE, Mr. LEWIS, Mr. TED LIEU of California, Ms. NORTON, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. TAKANO, Mr. VAN HOLLEN, Mrs. LAWRENCE, Mrs. NAPOLITANO, Mr. FARR, Ms. SLAUGHTER, Ms. GABBARD, Mr. HUFFMAN, and Mr. COHEN):

H. Res. 540. A resolution expressing the sense of the House of Representatives that the policies of the United States should support a transition to near zero greenhouse gas emissions, 100 percent clean renewable energy, infrastructure modernization, green jobs, full employment, a sustainable economy, fair wages, affordable energy, expanding the middle class, and ending poverty to promote national economic competitiveness and national security and for the purpose of avoiding adverse impacts of a changing climate; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself and Mr. JEFFRIES):

H. Res. 541. A resolution expressing support for designation of June 2016 as ''National Gun Violence Awareness Month''; to the Committee on the Judiciary.

## ¶145.36 MEMORIALS

Under clause 3 of rule XII,

156. The SPEAKER presented a memorial of the House of Representatives of the State of Ohio, relative to House Resolution No. 107, requesting Congress to renew funding for Save the Dream Ohio through the United States Department of the Treasury's Hardest Hit Fund, to continue to provide assistance to homeowners in the state of Ohio at risk of foreclosure; which was referred to the Committee on Financial Services.

## ¶145.37 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Ms. LINDA T. SÁNCHEZ of California.
H.R. 25: Mr. HARDY.
H.R. 109: Mr. FLEMING.
H.R. 158: Mr. CRAMER and Ms. KAPTUR.
H.R. 267: Mr. KILMER.
H.R. 465: Mr. ZELDIN and Mr. DUNCAN of South Carolina.
H.R. 524: Mr. ROSS.
H.R. 551: Mr. AGUILAR, Mr. KEATING, and Mr. KILMER.
H.R. 565: Mr. CONNOLLY.
H.R. 592: Mr. EMMER of Minnesota, Mr. BISHOP of Georgia, Ms. NORTON, and Mr. VELA.
H.R. 624: Mr. MOONEY of West Virginia.
H.R. 699: Mr. TROTT.
H.R. 706: Mr. GRAYSON.
H.R. 816: Mr. ROSS.
H.R. 829: Mr. AGUILAR.
H.R. 842: Mr. JEFFRIES.
H.R. 887: Mr. KELLY of Mississippi.
H.R. 911: Ms. KAPTUR.
H.R. 921: Mr. MEEHAN.
H.R. 940: Mr. BENISHEK and Mr. JODY B. HICE of Georgia.
H.R. 953: Mr. HIMES.
H.R. 973: Mr. SHIMKUS and Mr. DAVID SCOTT of Georgia.
H.R. 1220: Ms. ESHOO.
H.R. 1221: Ms. FRANKEL of Florida and Mr. FLEISCHMANN.
H.R. 1247: Mrs. HARTZLER.
H.R. 1301: Ms. MOORE, Mr. WALDEN, and Mr. VELA.
H.R. 1303: Mr. GRAYSON.
H.R. 1343: Mr. MACARTHUR, Mr. ASHFORD, and Mr. HINOJOSA.
H.R. 1399: Mr. HANNA.
H.R. 1401: Mr. MICA.
H.R. 1457: Mr. SMITH of Texas and Ms. ESHOO.
H.R. 1459: Mr. YARMUTH.
H.R. 1567: Mr. ROSS.
H.R. 1588: Mr. DUNCAN of Tennessee.
H.R. 1635: Mr. LEWIS.
H.R. 1655: Ms. EDWARDS.
H.R. 1670: Ms. KUSTER and Mrs. WALORSKI.
H.R. 1706: Mr. NORCROSS.
H.R. 1714: Mr. KILMER.
H.R. 1728: Mr. LOEBSACK, Mr. AGUILAR, and Mrs. TORRES.
H.R. 1733: Mrs. CAROLYN B. MALONEY of New York.
H.R. 1751: Mr. LOEBSACK.
H.R. 1752: Mr. DENT.
H.R. 1761: Mr. FITZPATRICK.
H.R. 1779: Mr. JEFFRIES.
H.R. 1786: Mrs. ELLMERS of North Carolina.
H.R. 1818: Mr. KILMER, Mr. COLE, and Mrs. COMSTOCK.
H.R. 1838: Mr. COOK.
H.R. 1849: Mr. LOEBSACK.
H.R. 1902: Ms. MENG.
H.R. 1933: Ms. DUCKWORTH.
H.R. 1945: Mr. COURTNEY and Mr. TED LIEU of California.
H.R. 2148: Mr. WESTMORELAND.
H.R. 2191: Mr. MACARTHUR and Mrs. DAVIS of California.
H.R. 2209: Ms. KELLY of Illinois and Mr. HUDSON.
H.R. 2215: Mrs. LOVE.
H.R. 2218: Ms. JENKINS of Kansas and Mr. TAKANO.
H.R. 2224: Ms. KAPTUR, Mr. WELCH, Mr. GARAMENDI, and Ms. BROWN of Florida.
H.R. 2255: Mr. MASSIE.
H.R. 2290: Mr. MCKINLEY.
H.R. 2311: Mr. YOUNG of Iowa.
H.R. 2434: Mr. KILMER.
H.R. 2450: Mr. NORCROSS and Mr. LEVIN.
H.R. 2519: Mr. GROTHMAN.
H.R. 2622: Ms. JENKINS of Kansas.
H.R. 2646: Mr. PALAZZO and Mr. HURT of Virginia.
H.R. 2660: Mr. ENGEL and Mr. SEAN PATRICK MALONEY of New York.
H.R. 2680: Mr. HINOJOSA and Mr. LANGEVIN.
H.R. 2710: Mr. KLINE.
H.R. 2713: Mr. ASHFORD.
H.R. 2715: Ms. ROYBAL-ALLARD and Mr. LARSEN of Washington.
H.R. 2716: Mr. BRIDENSTINE.
H.R. 2737: Mr. SIMPSON, Ms. MCCOLLUM, Mr. LEVIN, and Ms. LEE.
H.R. 2748: Mr. HONDA.

H.R. 2775: Mr. SCOTT of Virginia.
H.R. 2808: Mr. GRAYSON.
H.R. 2836: Ms. BONAMICI.
H.R. 2858: Mr. COURTNEY.
H.R. 2867: Mr. CÁRDENAS, Ms. PINGREE, Ms. BROWNLEY of California, Ms. DUCKWORTH, and Ms. VELÁZQUEZ.
H.R. 2880: Ms. VELÁZQUEZ.
H.R. 2894: Ms. BORDALLO and Mr. KILMER.
H.R. 2903: Ms. KUSTER and Mr. RICE of South Carolina.
H.R. 2938: Mr. LOWENTHAL.
H.R. 2972: Mr. JEFFRIES.
H.R. 3119: Mr. WALZ, Mr. COOK, Mr. MACARTHUR, Mr. TAKANO, Ms. FRANKEL of Florida, and Mr. WITTMAN.
H.R. 3160: Mr. LEVIN.
H.R. 3164: Mr. GRAYSON.
H.R. 3180: Mr. BARLETTA.
H.R. 3183: Mr. CURBELO of Florida.
H.R. 3222: Mr. BUCK, Ms. JENKINS of Kansas, Mrs. WALORSKI, and Mrs. COMSTOCK.
H.R. 3225: Mr. HINOJOSA.
H.R. 3237: Mr. PAYNE.
H.R. 3250: Ms. BROWNLEY of California.
H.R. 3268: Mr. RUSH.
H.R. 3304: Ms. SLAUGHTER.
H.R. 3314: Mr. STUTZMAN.
H.R. 3326: Mr. MARCHANT, Mr. MOULTON, Mrs. NAPOLITANO, Mr. SALMON, Mr. LAHOOD, Mr. THOMPSON of Pennsylvania, Mr. ASHFORD, and Mr. BYRNE.
H.R. 3338: Mr. SENSENBRENNER.
H.R. 3339: Ms. ROYBAL-ALLARD, Mr. GUINTA, Mr. MEEHAN, and Mr. KILMER.
H.R. 3381: Ms. ESTY.
H.R. 3406: Mr. HINOJOSA and Mr. DAVID SCOTT of Georgia.
H.R. 3441: Mrs. MILLER of Michigan and Mrs. MCMORRIS RODGERS.
H.R. 3459: Mr. HUDSON and Mr. COLE.
H.R. 3466: Mr. FOSTER.
H.R. 3516: Mr. YODER, Mr. NEUGEBAUER, Mr. RATCLIFFE, Mrs. NOEM, and Ms. GRANGER.
H.R. 3517: Ms. CLARKE of New York.
H.R. 3541: Ms. CLARKE of New York, Ms. NORTON, and Mr. SHERMAN.
H.R. 3556: Mr. PAYNE.
H.R. 3558: Mr. FRELINGHUYSEN.
H.R. 3590: Mr. HUDSON.
H.R. 3632: Mr. MCDERMOTT and Mr. SCHIFF.
H.R. 3646: Mr. AUSTIN SCOTT of Georgia.
H.R. 3662: Mr. ABRAHAM, Mr. WILSON of South Carolina, and Mr. CURBELO of Florida.
H.R. 3668: Mr. FARR.
H.R. 3694: Mr. WEBER of Texas and Mr. CÁRDENAS.
H.R. 3698: Mr. HONDA.
H.R. 3706: Ms. JENKINS of Kansas, Mr. HECK of Washington, Mr. MCHENRY, and Mr. SWALWELL of California.
H.R. 3711: Mrs. NAPOLITANO and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 3760: Mr. HONDA.
H.R. 3765: Ms. ROS-LEHTINEN.
H.R. 3802: Mr. RATCLIFFE and Mr. OLSON.
H.R. 3804: Mr. ROKITA.
H.R. 3829: Mr. CLAWSON of Florida.
H.R. 3830: Mrs. LOWEY.
H.R. 3833: Mr. AL GREEN of Texas, Mr. CARSON of Indiana, Mr. RUSH, Mr. SCOTT of Virginia, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Mr. FATTAH, Mr. DANNY K. DAVIS of Illinois, Mr. DAVID SCOTT of Georgia, Mr. PAYNE, Ms. EDWARDS, Mr. CUMMINGS, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mrs. BEATTY, Ms. BASS, Mr. ELLISON, Mr. CLAY, Ms. FUDGE, Ms. KELLY of Illinois, and Ms. PLASKETT.
H.R. 3845: Mr. ROSS, Mr. FARENTHOLD, Mr. GIBBS, Mr. HUELSKAMP, Mr. HULTGREN, Mr. CRAMER, Mr. DESJARLAIS, Mr. YOHO, Mr. GRAVES of Missouri, Mr. THORNBERRY, Mrs. BROOKS of Indiana, and Mr. ZINKE.
H.R. 3850: Mr. HONDA.
H.R. 3852: Mr. PAYNE.
H.R. 3858: Mr. BARR.
H.R. 3861: Mr. MACARTHUR.
H.R. 3869: Mr. SESSIONS.
H.R. 3870: Mr. MCGOVERN, Mr. HONDA, and Mr. HASTINGS.
H.R. 3880: Mr. DESANTIS.
H.R. 3940: Mr. JODY B. HICE of Georgia, Mr. GOSAR, Mr. ROYCE, Mr. BENISHEK, Mr. WILSON of South Carolina, and Mr. BARLETTA.
H.R. 3984: Mr. PERRY.
H.R. 3986: Ms. DELBENE.
H.R. 3988: Ms. BROWNLEY of California.
H.R. 3991: Mr. BLUMENAUER.
H.R. 4006: Mr. AMASH.
H.R. 4008: Ms. LEE.
H.R. 4009: Mr. MCGOVERN.
H.R. 4013: Mr. SABLAN.
H.R. 4029: Mr. DAVID SCOTT of Georgia.
H.R. 4032: Mr. RATCLIFFE, Mr. CRAMER, Mr. FLORES, Mr. BROOKS of Alabama, and Mr. KING of Iowa.
H.R. 4078: Mr. WILSON of South Carolina, Mr. HARDY, Mr. MOOLENAAR, Mr. HUELSKAMP, Mr. BABIN, Ms. ROS-LEHTINEN, Mr. ZINKE, and Mr. GOSAR.
H.R. 4079: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. ESHOO, Ms. LORETTA SANCHEZ of California, Mr. PAYNE, Mr. VELA, Ms. ESTY, Mrs. TORRES, Mr. WELCH, Mr. GENE GREEN of Texas, Mr. RICHMOND, Ms. KELLY of Illinois, Ms. MCCOLLUM, Mrs. CAPPS, Mrs. LAWRENCE, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. EDWARDS, Ms. DELBENE, Mrs. BEATTY, Mr. COHEN, Mr. CARTWRIGHT, Mr. MCGOVERN, Mr. COURTNEY, Ms. PINGREE, and Mr. KILMER.
H.R. 4108: Mr. MASSIE.
H.R. 4113: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LOWENTHAL, Mrs. CAPPS, and Mr. RANGEL.
H.R. 4126: Mr. FARENTHOLD, Mr. GOSAR, and Mr. BUCK.
H. Con. Res. 94: Mr. DESJARLAIS, Mr. SMITH of Texas, Mr. DUNCAN of Tennessee, Mr. BABIN, Mr. CLAWSON of Florida, and Mr. BURGESS.
H. Con. Res. 97: Mr. BURGESS and Mr. ROKITA.
H. Res. 112: Mr. MEEHAN.
H. Res. 220: Mr. ROSKAM.
H. Res. 374: Mr. CASTRO of Texas, Mr. SMITH of Washington, and Mr. HASTINGS.
H. Res. 432: Ms. FRANKEL of Florida and Mr. ASHFORD.
H. Res. 469: Mrs. LOVE and Mr. DAVID SCOTT of Georgia.
H. Res. 505: Ms. LOFGREN, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. AGUILAR.
H. Res. 506: Mr. LOWENTHAL.
H. Res. 514: Mrs. HARTZLER and Mr. ROTHFUS.
H. Res. 527: Mr. MACARTHUR.
H. Res. 530: Mr. CARSON of Indiana and Mr. CONYERS.
H. Res. 536: Mr. CICILLINE and Mr. DIAZ-BALART.

¶145.38 PETITIONS

Under clause 3 of rule XII,

37. The SPEAKER presented a petition of the Board of Chosen Freeholders, Cumberland County, New Jersey, relative to Resolution No.: 2015-446, supporting Senate Bill No. 1647 (DRIVE), developing a reliable and innovative vision for the economy; which was referred to the Committee on Transportation and Infrastructure.

¶145.39 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2646: Mr. YODER.

## TUESDAY, DECEMBER 1, 2015 (146)

¶146.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. KELLY of Mississippi, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*December 1, 2015.*

I hereby appoint the Honorable TRENT KELLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶146.2 RECESS—10:51 A.M.

The SPEAKER pro tempore, Mr. KELLY of Mississippi, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 51 minutes a.m., until noon.

¶146.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. STEWART, called the House to order.

¶146.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. STEWART, announced he had examined and approved the Journal of the proceedings of Monday, November 30, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶146.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3576. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Nondiscrimination on the Basis of Disability Minority and Women Outreach Program Contracting (RIN: 3064-AE35) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3577. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Removal of Transferred OTS Regulations Regarding Safety and Soundness Guidelines and Compliance Procedures; Rules on Safety and Soundness (RIN: 3064-AE28) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3578. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Filing Requirements and Processing Procedures for Changes in Control With Respect to State Nonmember Banks and State Savings Associations (RIN: 3064-AE24) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3579. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Temporary Liquidity Guarantee Program; Unlimited Deposit Insurance Coverage for Noninterest-Bearing Transaction Accounts (RIN: 3064-AE34) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3580. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Removal of Transferred OTS Regulations Regarding Fair Credit Reporting and Amendments; Amendment to the ''Creditor'' Definition in Identity Theft Red Flags Rule; Removal of FDIC Regulations Regarding Fair Credit Reporting Transferred to the Consumer Financial Protection Bureau (RIN: 3064-AE29) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3581. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Program Integrity Issues [Docket ID: ED-2010-OPE-0004] (RIN: 1840-AD02) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3582. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — General Schedule Locality Pay Areas (RIN: 3206-AM88) received November 25, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3583. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Federal Long Term Care Insurance Program Eligibility Changes (RIN: 3206-AN05) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3584. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XE242) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3585. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; 2015 Management Area 1A Seasonal Annual Catch Limit Harvested [Docket No.: 130919816-4205-02] (RIN: 0648-XE292) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3586. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Yellowtail Snapper [Docket No.: 100812345-2142-03] (RIN: 0648-XE216) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3587. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE269) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3588. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2015 Gulf of Alaska Pollock Seasonal Apportionments [Docket No.: 140918791-4999-02] (RIN: 0648-XE293) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3589. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Georges Bank Haddock Catch Cap Harvested [Docket No.: 130919816-4205-02] (RIN: 0648-XE266) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

### ¶146.6 PROVIDING FOR CONSIDERATION OF H.R. 8, S.J. RES. 23, AND S.J. RES. 24

Mr. BURGESS, by direction of the Committee on Rules, called up the following resolution (H. Res. 539):

*Resolved,* That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House any joint resolution specified in section 3 of this resolution. All points of order against consideration of each such joint resolution are waived. Each such joint resolution shall be considered as read. All points of order against provisions in each such joint resolution are waived. The previous question shall be considered as ordered on each such joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to commit.

SEC. 3. The joint resolutions referred to in section 2 of this resolution are as follows:

(a) The joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

(b) The joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

When said resolution was considered.

After debate,

Mr. BURGESS moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

### ¶146.7 INTELLIGENCE AUTHORIZATION FY 2016

Mr. NUNES moved to suspend the rules and pass the bill (H.R. 4127) to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. NUNES and Mr. SCHIFF, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

### ¶146.8 H. RES. 539—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 539) providing for consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas

Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''; and providing for consideration of the joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 242 Nays ..... 179

¶146.9 [Roll No. 646]

YEAS—242

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

NAYS—179

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

NOT VOTING—12

Bishop (GA)
Cárdenas
Coffman
Herrera Beutler
Kirkpatrick
McCollum
Ruppersberger
Rush
Sewell (AL)
Slaughter
Takai
Williams

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 243 Noes ..... 181

¶146.10 [Roll No. 647]

AYES—243

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

NOES—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy

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

NOT VOTING—9

Fudge
Herrera Beutler
Kirkpatrick
Ruppersberger
Rush
Sewell (AL)
Slaughter
Takai
Williams

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶146.11 PROCEEDINGS VACATED—H.R. 4127

Mr. NUNES, by unanimous consent, requested that the proceedings by which the motion to reconsider was laid on the table and by which the motion that the House suspend the rules and pass the bill (H.R. 4127) to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, was agreed to, be vacated to the end that the Chair put the question on the motion de novo.

Accordingly,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. NUNES demanded a recorded vote on the motion to suspend the rules and pass said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶146.12 S. 1170—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1170) to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 422 / Nays ..... 1

¶146.13 [Roll No. 648]

YEAS—422

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—1

Amash

NOT VOTING—10

Fudge
Herrera Beutler
Kirkpatrick
Rogers (AL)
Ruppersberger
Rush
Sewell (AL)
Slaughter
Takai
Williams

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶146.14 H.R. 4127—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4127) to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 364 Noes ..... 58

¶146.15 [Roll No. 649]

AYES—364

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Duffy
Edwards
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grothman
Guinta
Guthrie
Gutiérrez
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pittenger
Poliquin
Pompeo
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—58

Amash
Bass
Blumenauer
Capuano
Clark (MA)
Clarke (NY)
Clawson (FL)
Conyers
DelBene
DesJarlais
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Ellison
Fattah
Gabbard
Gohmert
Gosar
Grayson
Griffith
Grijalva
Hahn
Harris
Honda
Huelskamp
Huffman
Jones
Jordan
Labrador
Lee
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lummis
Massie
McDermott
McGovern
Mooney (WV)
Moore
Mulvaney
O'Rourke
Pallone
Perry
Pingree
Pocan
Poe (TX)
Polis
Posey
Sanford
Schakowsky
Takano
Velázquez
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Yarmuth

NOT VOTING—11

Davis, Danny
Fudge
Herrera Beutler
Kirkpatrick
Pitts
Ruppersberger
Rush
Sewell (AL)
Slaughter
Takai
Williams

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶146.16 SUBMISSION OF CONFERENCE REPORT—H.R. 22

Mr. SHUSTER submitted a conference report (Rept. No. 114–357) on the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶146.17 STANDARDS OF PERFORMANCE FOR GREENHOUSE GAS EMISSIONS

Mr. WHITFIELD, pursuant to House Resolution 539, called up for consideration the joint resolution of the Senate (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

When said joint resolution was considered and read twice.

After debate,

Pursuant to House Resolution 539, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

Mr. TONKO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶146.18 CARBON POLLUTION EMISSION GUIDELINES

Mr. WHITFIELD, pursuant to House Resolution 539, called up for consideration the joint resolution of the Senate (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

When said joint resolution was considered and read twice.

After debate,

Pursuant to House Resolution 539, the previous question was ordered on the joint resolution.

The joint resolution was ordered to be read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

Mr. PALLONE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 242 Nays ..... 180

¶146.19 [Roll No. 650]

YEAS—242

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

NAYS—180

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

NOT VOTING—11

Graves (GA)
Herrera Beutler
Kirkpatrick
Ruppersberger
Rush
Sewell (AL)
Slaughter
Stewart
Stutzman
Takai
Williams

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶146.20 S.J. RES. 23—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the joint resolution of the Senate (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

The question being put,

Will the House pass said joint resolution?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 235 Nays ..... 188

¶146.21 [Roll No. 651]

YEAS—235

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

NAYS—188

Adams
Aguilar
Bass
Beatty
Becerra
Bera

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

NOT VOTING—10

Cramer
Herrera Beutler
Kirkpatrick
Ruppersberger
Rush
Sewell (AL)
Slaughter
Stutzman
Takai
Williams

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶146.22 TRADE FACILITATION AND TRADE ENFORCEMENT

On motion of Mr. BRADY of Texas, by direction of the Committee on Ways and Means, and pursuant to clause 1 of rule XXII, the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes; together with the House amendment to the amendment of the Senate thereto, was taken from the Speaker's table.

Mr. BRADY of Texas, moved that the House insist upon its amendment and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

When said motion was considered.

After debate,

On motion of Mr. BRADY of Texas, the previous question was ordered.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

Mr. LEVIN demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 252 Noes ..... 170

¶146.23 [Roll No. 652]

AYES—252

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

NOES—170

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

NOT VOTING—11

Black
Fortenberry
Herrera Beutler
Kirkpatrick
Ruppersberger
Rush
Sewell (AL)
Slaughter
Stutzman
Takai
Williams

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶146.24 PROVIDING FOR FURTHER CONSIDERATION OF H.R. 8 AND PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO S. 1177

Mr. BURGESS, by direction of the Committee on Rules, reported (Rept. No. 114–359) the resolution (H. Res. 542) providing for further consideration of the bill (H.R. 8) to modernize energy

infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, and providing for consideration of the conference report to accompany the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

When said resolution and report were referred to the House Calendar and ordered printed.

¶146.25 ENERGY SECURITY AND INFRASTRUCTURE

The SPEAKER pro tempore, Mr. ALLEN, pursuant to House Resolution 539 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes.

The SPEAKER pro tempore, Mr. ALLEN, by unanimous consent, designated Mr. JENKINS of West Virginia, as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. MACARTHUR, assumed the Chair.

When Mr. JENKINS of West Virginia, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶146.26 MOTION TO INSTRUCT CONFEREES—H.R. 644

Ms. KUSTER submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the House amendment to the amendment of the Senate to the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, be instructed to agree to the provisions contained in subtitle A of title VII of the Senate amendment relating to currency manipulation.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. BABIN, announced that the noes had it.

Ms. KUSTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BABIN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶146.27 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 611. An Act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

And then,

¶146.28 ADJOURNMENT

On motion of Ms. KAPTUR, at 8 o'clock and 45 minutes p.m., the House adjourned.

¶146.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KLINE: Committee on Education and the Workforce. H.R. 3459. A bill to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act; with an amendment (Rept. 114–355). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 189. A bill to extend foreclosure and eviction protections for servicemembers, and for other purposes (Rept. 114–356). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee of Conference. Conference report on H.R. 22. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes (Rept. 114–357). Ordered to be printed.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3016. A bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs; with amendments (Rept. 114–358). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 542. Resolution providing for further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, and providing for consideration of the conference report to accompany the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves (Rept. 114–359). Referred to the House Calendar.

¶146.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MILLER of Florida (for himself, Mr. BRIDENSTINE, and Mr. COSTELLO of Pennsylvania):

H.R. 4138. A bill to authorize the Secretary of Veterans Affairs to recoup relocation expenses paid to or on behalf of employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SINEMA (for herself and Mr. FITZPATRICK):

H.R. 4139. A bill to amend the Sarbanes-Oxley Act of 2002 to provide a temporary exemption for low-revenue issuers from certain auditor attestation requirements; to the Committee on Financial Services.

By Mr. GUINTA (for himself and Ms. SINEMA):

H.R. 4140. A bill to provide for a one-time supplementary payment to beneficiaries of Social Security and Veterans benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Veterans' Affairs, Transportation and Infrastructure, Appropriations, Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself and Mr. MEEHAN):

H.R. 4141. A bill to ensure that tax return preparers demonstrate minimum standards of competency; to the Committee on Ways and Means.

By Mr. AGUILAR:

H.R. 4142. A bill to amend the Trade Act of 1974 to increase the authorization of funds for trade adjustment assistance for firms; to the Committee on Ways and Means.

By Mr. DESANTIS:

H.R. 4143. A bill to temporarily restrict the admission to the United States of refugees from countries containing terrorist-controlled territory; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH (for herself, Mr. MURPHY of Florida, Mr. JOHNSON of Georgia, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONYERS, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Mr. ASHFORD, Ms. SCHAKOWSKY, and Mr. ELLISON):

H.R. 4144. A bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income beneficiaries, and recipients of veterans benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL:

H.R. 4145. A bill to require the Comptroller General of the United States to conduct a study of, and report to the Congress on, secure gun storage or safety devices; to the Committee on the Judiciary.

By Ms. LOFGREN:

H.R. 4146. A bill to authorize the Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans during World War II; to the Committee on Education and the Workforce.

By Ms. LOFGREN:

H.R. 4147. A bill to apologize for the treatment of Italian Americans during World War II; to the Committee on the Judiciary.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. MOORE, and Mr. CONYERS):

H.R. 4148. A bill to authorize assistance to aid in the prevention and treatment of obstetric fistula in foreign countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RICE of South Carolina:

H.R. 4149. A bill to amend the Federal Water Pollution Control Act with respect to

citizen suits and the specification of disposal sites, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RUIZ (for himself and Mr. WENSTRUP):

H.R. 4150. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to modify the hours of employment of physicians and physician assistants employed on a full-time basis by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SIMPSON:

H.R. 4151. A bill to amend chapter 2003 of title 54, United States Code, to fund the Land and Water Conservation Fund and provide for the use of such funds, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. DEUTCH, Mr. LIPINSKI, Mr. POMPEO, Mr. SHERMAN, and Mr. ZELDIN):

H. Con. Res. 100. Concurrent resolution expressing the sense of the Congress regarding the right of States and local governments to maintain economic sanctions against Iran; to the Committee on Foreign Affairs.

By Mr. TURNER (for himself, Ms. LORETTA SANCHEZ of California, Mr. MILLER of Florida, Mrs. WALORSKI, Mr. ROGERS of Alabama, Mr. DUNCAN of Tennessee, Mr. SHUSTER, Mr. KING of Iowa, Mr. YOUNG of Indiana, and Mr. ADERHOLT):

H. Res. 543. A resolution celebrating 135 years of diplomatic relations between the United States and Romania; to the Committee on Foreign Affairs.

By Mr. YOHO (for himself, Mr. GOSAR, Mr. WALKER, Mr. BENISHEK, and Mr. FITZPATRICK):

H. Res. 544. A resolution expressing the sense of the House of Representatives that the President should submit any binding and universal agreement on climate change adopted at the Conference of the Parties (''COP21'') of the United Nations Framework Convention on Climate Change to the Senate as a treaty under article II, section 2, clause 2 of the Constitution; to the Committee on Foreign Affairs.

## ¶146.31 MEMORIALS

Under clause 3 of rule XII,

157. The SPEAKER presented a memorial of the Legislature of the State of Tennessee, relative to House Joint Resolution No. 548, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

## ¶146.32 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 158: Mr. LOUDERMILK and Mrs. KIRKPATRICK.
H.R. 188: Mr. DANNY K. DAVIS of Illinois.
H.R. 472: Mr. TAKANO.
H.R. 503: Mr. SAM JOHNSON of Texas.
H.R. 540: Mr. BEYER.
H.R. 551: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 646: Mr. HIMES.
H.R. 686: Mr. ROSS.
H.R. 775: Mr. RIBBLE, Mr. KENNEDY, and Mr. SHUSTER.
H.R. 800: Mr. YOUNG of Indiana.
H.R. 816: Mr. NEWHOUSE.
H.R. 855: Mr. BILIRAKIS.
H.R. 865: Mrs. LOVE.
H.R. 879: Mrs. LOVE and Mrs. BROOKS of Indiana.
H.R. 911: Mr. DAVID SCOTT of Georgia.
H.R. 986: Ms. MCSALLY.
H.R. 999: Mr. SCHRADER and Mr. SESSIONS.
H.R. 1061: Mr. LOWENTHAL, Mr. AGUILAR, and Mr. LEVIN.
H.R. 1076: Mr. DOLD, Mr. LARSON of Connecticut, Ms. MCCOLLUM, Mr. DESAULNIER, Mr. COHEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. NADLER, Mr. SCHIFF, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. PASCRELL, Mr. COURTNEY, Ms. ESTY, Mr. NORCROSS, Ms. BONAMICI, and Mr. KENNEDY.
H.R. 1145: Mr. PETERSON and Mr. NOLAN.
H.R. 1197: Mr. RUPPERSBERGER and Mr. TAKAI.
H.R. 1220: Mr. REICHERT.
H.R. 1282: Mr. CUMMINGS.
H.R. 1283: Mrs. NAPOLITANO.
H.R. 1288: Ms. BROWNLEY of California, Mr. MCCAUL, Mr. PASCRELL, Mr. LEWIS, and Mr. MURPHY of Florida.
H.R. 1454: Ms. BONAMICI.
H.R. 1519: Mr. DEFAZIO.
H.R. 1559: Mr. BLUM.
H.R. 1571: Mrs. BEATTY and Ms. DUCKWORTH.
H.R. 1591: Mr. GROTHMAN.
H.R. 1608: Mr. SCHRADER, Mrs. BLACK, Ms. KAPTUR, and Mr. MCHENRY.
H.R. 1671: Mr. KING of Iowa and Mr. GARRETT.
H.R. 1714: Ms. SCHAKOWSKY.
H.R. 1763: Mrs. KIRKPATRICK, Mr. TONKO, and Mr. FITZPATRICK.
H.R. 1786: Mrs. NOEM.
H.R. 1814: Mr. EMMER of Minnesota.
H.R. 1818: Mr. FRELINGHUYSEN.
H.R. 1942: Mr. HIGGINS, Ms. KELLY of Illinois, and Mr. COURTNEY.
H.R. 1945: Miss RICE of New York.
H.R. 1988: Mr. JOYCE.
H.R. 2050: Mr. ENGEL and Mr. COFFMAN.
H.R. 2058: Mr. NEUGEBAUER and Mr. SANFORD.
H.R. 2063: Ms. SCHAKOWSKY.
H.R. 2095: Mr. GRAYSON.
H.R. 2215: Mr. LABRADOR.
H.R. 2218: Mr. KATKO.
H.R. 2302: Mr. DANNY K. DAVIS of Illinois and Ms. SCHAKOWSKY.
H.R. 2460: Mr. DONOVAN and Mr. MEEKS.
H.R. 2513: Mr. CRAWFORD and Mr. BRIDENSTINE.
H.R. 2515: Mr. ROTHFUS, Ms. KUSTER, and Mrs. KIRKPATRICK.
H.R. 2540: Mrs. MCMORRIS RODGERS and Mr. RUSH.
H.R. 2568: Mr. ROYCE.
H.R. 2612: Ms. MATSUI and Ms. BONAMICI.
H.R. 2640: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2641: Ms. DELAURO.
H.R. 2671: Mr. RYAN of Ohio.
H.R. 2672: Mr. RYAN of Ohio.
H.R. 2673: Mr. RYAN of Ohio.
H.R. 2674: Mr. RYAN of Ohio.
H.R. 2698: Mr. DUFFY.
H.R. 2715: Ms. ADAMS and Mr. DELANEY.
H.R. 2716: Mr. WILLIAMS.
H.R. 2739: Mr. CARTER of Georgia and Mr. KILDEE.
H.R. 2775: Mr. CAPUANO.
H.R. 2805: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2811: Ms. DEGETTE.
H.R. 2858: Mr. GIBSON.
H.R. 2880: Mr. CLYBURN, Mr. LOUDERMILK, and Mr. VEASEY.
H.R. 2894: Ms. LOFGREN.
H.R. 2896: Mr. ASHFORD.
H.R. 2900: Mr. MCDERMOTT.
H.R. 2903: Mrs. TORRES and Mr. DOLD.
H.R. 2911: Mr. RUPPERSBERGER, Mr. YOUNG of Indiana, Ms. ESHOO, and Mr. RIBBLE.
H.R. 2980: Mr. KILMER.
H.R. 2982: Mr. LANGEVIN.
H.R. 3026: Mr. VALADAO.
H.R. 3036: Mrs. MIMI WALTERS of California, Mr. ROHRABACHER, Mr. VELA, Mr. KNIGHT, Mr. SARBANES, and Mr. RANGEL.
H.R. 3046: Mr. HUFFMAN.
H.R. 3061: Mr. GARAMENDI.
H.R. 3222: Mr. HOLDING, Mr. PALMER, Mr. WILLIAMS, Mr. GOODLATTE, and Mr. RIGELL.
H.R. 3225: Mr. HUFFMAN.
H.R. 3229: Mr. PAULSEN, Mr. TONKO, Mr. DOGGETT, and Mr. DOLD.
H.R. 3238: Mr. WEBER of Texas.
H.R. 3314: Mr. HURT of Virginia.
H.R. 3316: Mr. AGUILAR, Mr. MEEHAN, and Mr. BEYER.
H.R. 3326: Mr. GRAVES of Georgia and Mr. TROTT.
H.R. 3339: Mr. FATTAH and Mrs. NOEM.
H.R. 3355: Mr. DOLD.
H.R. 3399: Ms. MCCOLLUM and Mr. WELCH.
H.R. 3426: Mr. FATTAH.
H.R. 3459: Mrs. LOVE and Mr. NEWHOUSE.
H.R. 3539: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3556: Mr. DESAULNIER.
H.R. 3565: Ms. LOFGREN.
H.R. 3569: Ms. DUCKWORTH.
H.R. 3591: Mr. DOLD and Mr. JOHNSON of Georgia.
H.R. 3626: Mr. GOODLATTE.
H.R. 3632: Ms. ESHOO and Mr. SIRES.
H.R. 3638: Mr. DOLD.
H.R. 3640: Mr. KATKO.
H.R. 3666: Ms. KUSTER.
H.R. 3706: Mrs. MCMORRIS RODGERS and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 3722: Mr. AUSTIN SCOTT of Georgia.
H.R. 3741: Mr. MOULTON.
H.R. 3742: Mr. WITTMAN, Mr. STIVERS, Ms. KAPTUR, and Mrs. KIRKPATRICK.
H.R. 3764: Mr. GOODLATTE.
H.R. 3765: Mr. SCHWEIKERT.
H.R. 3784: Mr. FINCHER.
H.R. 3802: Mr. SCHWEIKERT.
H.R. 3808: Mr. WESTMORELAND, Mr. BUCK, Mr. BARR, Mr. TIPTON, Mr. MULVANEY, Mr. LUCAS, Mr. PITTENGER, Mr. PEARCE, Mr. DAVID SCOTT of Georgia, Mr. HULTGREN, Mr. LAMBORN, Mr. COFFMAN, Mr. MARCHANT, Mr. EMMER of Minnesota, Mr. BRIDENSTINE, Mr. KILDEE, Ms. JENKINS of Kansas, and Mr. POMPEO.
H.R. 3841: Ms. TITUS and Mr. SCOTT of Virginia.
H.R. 3845: Mrs. HARTZLER, Mr. ABRAHAM, and Mr. STIVERS.
H.R. 3848: Mr. UPTON.
H.R. 3863: Mr. SANFORD and Ms. LOFGREN.
H.R. 3878: Mr. RICHMOND and Mr. LOWENTHAL.
H.R. 3917: Ms. FRANKEL of Florida, Mr. PEARCE, Mr. OLSON, and Mr. HUDSON.
H.R. 3919: Mr. MCGOVERN.
H.R. 3940: Mr. HUELSKAMP, Mrs. NOEM, Mr. GUTHRIE, and Mr. BISHOP of Utah.
H.R. 4000: Mr. SHIMKUS, Mr. GUTHRIE, and Mr. COLLINS of New York.
H.R. 4007: Mr. BROOKS of Alabama.
H.R. 4008: Mr. GRIJALVA.
H.R. 4018: Mr. DIAZ-BALART and Mrs. BLACKBURN.
H.R. 4029: Mr. BRADY of Pennsylvania and Mr. GARAMENDI.
H.R. 4032: Mr. JODY B. HICE of Georgia, Mr. ROUZER, Mr. SAM JOHNSON of Texas, Mr. POSEY, and Mr. DESJARLAIS.
H.R. 4055: Ms. MATSUI, Ms. MOORE, Mr. MCDERMOTT, Mr. SERRANO, and Mr. PASCRELL.
H.R. 4062: Mr. PASCRELL.
H.R. 4068: Mr. RYAN of Ohio and Ms. JACKSON LEE.
H.R. 4078: Mr. MILLER of Florida.
H.R. 4085: Mr. HARPER, Mr. JOYCE, Mr. RANGEL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COHEN, and Mr. AUSTIN SCOTT of Georgia.
H.R. 4087: Mr. HONDA and Mr. WILSON of South Carolina.

H.R. 4126: Mr. SMITH of Missouri.
H.R. 4135: Mr. FOSTER, Mr. NADLER, Mr. MURPHY of Florida, Mr. PERLMUTTER, and Mr. SWALWELL of California.
H.J. Res. 22: Mr. PAYNE and Mr. DESAULNIER.
H.J. Res. 47: Mr. HUFFMAN.
H.J. Res. 74: Mr. ROE of Tennessee.
H. Con. Res. 97: Mr. LOUDERMILK and Mrs. MIMI WALTERS of California.
H. Res. 12: Mrs. LOVE.
H. Res. 32: Ms. ESTY.
H. Res. 54: Mr. ROYCE, Mrs. LOVE, and Ms. SEWELL of Alabama.
H. Res. 318: Mr. DELANEY.
H. Res. 398: Mr. HUELSKAMP.
H. Res. 467: Mr. DAVID SCOTT of Georgia and Ms. VELÁZQUEZ.
H. Res. 508: Ms. LOFGREN.
H. Res. 534: Mr. GOSAR, Mr. SCHRADER, Ms. DELAURO, Mr. DUNCAN of Tennessee, Mr. BEYER, Ms. SLAUGHTER, Mr. GRAVES of Louisiana, and Ms. HERRERA BEUTLER.
H. Res. 535: Mr. HONDA.
H. Res. 537: Mr. HUELSKAMP.
H. Res. 540: Mr. MCDERMOTT, Mr. SERRANO, and Ms. JUDY CHU of California.

## WEDNESDAY, DECEMBER 2, 2015 (147)

¶147.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. PALAZZO, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*December 2, 2015.*

I hereby appoint the Honorable STEVEN M. PALAZZO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶147.2 RECESS—10:54 A.M.

The SPEAKER pro tempore, Mr. PALAZZO, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 54 minutes a.m., until noon.

¶147.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶147.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, December 1, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶147.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3590. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's interim rule — Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate [Doc. No.: AMS-FV-15-0035; FV15-906-1 IR] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3591. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's interim rule — Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate [Doc. No.: AMS-FV-15-0034; FV15-987-1 IFR] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3592. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule — Walnuts Grown in California; Increased Assessment Rate [Doc. No.: AMS-FV-15-0026; FV15-984-1 FR] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3593. A letter from the Associate Administrator, Agricultural Marketing Service, Livestock, Poultry, and Seed Program, Department of Agriculture, transmitting the Department's final rule — Soybean Promotion and Research: Amend the Order To Adjust Representation on the United Soybean Board [Doc. No.: AMS-LPS-15-0016] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3594. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's Major final rule — User Fees for Agricultural Quarantine and Inspection Services [Docket No.: APHIS-2013-0021] (RIN: 0579-AD77) received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3595. A letter from the Associate Administrator, Specialty Crops Program, Promotion and Economics Division, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's termination of proceeding — Hardwood Lumber and Hardwood Plywood Promotion, Research and Information Order; Termination of Rulemaking Proceeding [Doc. No.: AMS-FV-11-0074; PR-A1, A2, B and B2] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3596. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Stanley E. Clarke III, Air National Guard of the United States, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3597. A letter from the Special Inspector General, Office of the Special Inspector General for the Troubled Asset Relief Program (SIGTARP), transmitting the Program's Quarterly Report to Congress for the period ending October 28, 2015, pursuant to 12 U.S.C. 5231(i); to the Committee on Financial Services.

3598. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's report entitled ''A Clear Vision for the Future of Juvenile Justice, 2013 Annual Report'', pursuant to 42 U.S.C. 5617; Public Law 93-415, Sec. 207 (as added by Public Law 100-690, Sec. 7255); (102 Stat. 4437) and 42 U.S.C. 5773(a)(6); Public Law 93-415, Sec. 404(a)(6) (as amended by Public Law 113-38, Sec. 2(b)); (127 Stat. 527) and 42 U.S.C. 3796ee-8(b); Public Law 90-351, Sec 1808(b) (as added by Public Law 107-273, Sec. 12102(a)); (116 Stat. 1867); to the Committee on Education and the Workforce.

3599. A letter from the Director, Office of Government Relations, Corporation for National and Community Service, transmitting the Corporation's final rule — Implementation of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (RIN: 3045-AA61) received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3600. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Artificially Sweetened Fruit Jelly and Artificially Sweetened Fruit Preserves and Jams; Revocation of Standards of Identity [Docket No.: FDA-1997-P-0007 (formerly Docket No.: 1997P-0142)] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3601. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's Major final rule — Federal Motor Vehicle Safety Standards; Electronic Stability Control Systems for Heavy Vehicles [Docket No.: NHTSA-2015-0056] (RIN: 2127-AK97) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3602. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was Declared in Executive Order 13303 of May 22, 2003, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c) and 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

3603. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c) and 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

3604. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's semiannual report for the period of April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3605. A letter from the Chairwoman, Federal Trade Commission, transmitting the Commission's semiannual report to Congress for the period April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3606. A letter from the Chairman, National Endowment for the Arts, transmitting the Endowment's semiannual report for the period of April 1, 2015 through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3607. A letter from the Acting Chair, Occupational Safety and Health Review Commission, transmitting the Commission's Fiscal Year 2015 Performance and Accountability Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3608. A letter from the Chief, Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of the Delmarva Peninsula Fox Squirrel From the List of Endangered and Threatened Wildlife [Docket No.: FWS-R5-ES-2014-0021; FXES11130900000; 4500030113] (RIN: 1018-AY83) received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3609. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish In the Bering Sea and Aleutian Islands Management Area; Correction [Docket No.: 141021887-5172-02] (RIN: 0648-XE223) received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3610. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-4207; Directorate Identifier 2015-NM-123-AD; Amendment 39-18304; AD 2015-21-11] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3611. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0498; Directorate Identifier 2014-NM-152-AD; Amendment 39-18305; AD 2015-22-01] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3612. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-4205; Directorate Identifier 2015-NM-149-AD; Amendment 39-18301; AD 2015-21-08] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3613. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: FAA-2015-0783; Amendment No.: 97-1337] (RIN: 2120-AA65) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3614. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0574; Directorate Identifier 2013-NM-258-AD; Amendment 39-18315; AD 2015-22-10] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3615. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation (Type Certificate Previously Held by Schweizer Aircraft Corporation) [Docket No.: FAA-2015-1008; Directorate Identifier 2013-SW-064-AD; Amendment 39-18317; AD 2015-23-01] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3616. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Placida, FL [Docket No.: FAA-2015-2890; Airspace Docket No.: 15-ASO-8] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3617. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule, correction — Amendment of Class E Airspace for the following Missouri Towns: Chillicothe, MO; Cuba, MO; Farmington, MO; Lamar, MO; Mountain View, MO; Nevada, MO; and Poplar Bluff, MO [Docket No.: FAA-2015-0842; Airspace Docket NO.: 15-ACE-2] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3618. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Burbank, CA [Docket No.: FAA-2015-1140; Airspace Docket No.: 15-AWP-5] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3619. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters [Docket No.: FAA-2015-4345; Directorate Identifier 2015-SW-049-AD; Amendment 39-18306; AD 2015-22-02] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3620. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GA 8 Airvan (Pty) Ltd Airplanes [Docket No.: FAA-2014-1123; Directorate Identifier 2014-CE-037-AD; Amendment 39-18308; AD 2015-06-02 R2] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3621. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fiberglas-Technik Rudolf Lindner GmbH & Co. KG Gliders [Docket No.: FAA-2015-3300; Directorate Identifier 2015-CE-024-AD; Amendment 38-18309; AD 2015-22-04] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3622. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Gliders [Docket No.: FAA-2015-3224; Directorate Identifier 2015-CE-026-AD; Amendment 39-18290; AD 2015-20-11] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3623. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Extension of the Prohibition Against Certain Flights in the Simferopol (UKFV) and Dnipropetrovsk (UKDV) Flight Information Regions (FIRs) [Docket No.: FAA-2014-0225; Amdt. No.: 91-331B] (RIN: 2120-AK78) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3624. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2015-1658; Directorate Identifier 2015-NE-18-AD; Amendment 39-18320; AD 2015-23-04] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3625. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only notice — Publication of the Tier 2 Tax Rates for 2016 received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3626. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Additional Rules Regarding Inversions and Related Transactions [Notice 2015-79] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3627. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Section 529A Interim Guidance Regarding Certain Provisions of Proposed Regulations Relating to Qualified ABLE Programs [Notice 2015-81] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3628. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Increase in De Minimis Safe Harbor Limit for Taxpayers Without an Applicable Financial Statement [Notice 2015-82] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3629. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting the Department's Privacy Office 2015 Annual Report to Congress, pursuant to 6 U.S.C. 142(a)(6); Public Law 107-296, Sec. 222(5); (116 Stat. 2155); to the Committee on Homeland Security.

## ¶147.6 PROVIDING FOR FURTHER CONSIDERATION OF H.R. 8 AND PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO S. 1177

Mr. BURGESS, by direction of the Committee on Rules, called up the following resolution (H. Res. 542):

*Resolved,* That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the

House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes. No further general debate shall be in order. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-36. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

When said resolution was considered.

After debate,

Mr. BURGESS moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that the ayes had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 243 / Nays ..... 177

¶147.7 [Roll No. 653]

YEAS—243

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

NAYS—177

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

NOT VOTING—13

Bucshon
Cleaver
Cuellar
Huffman
Meeks
Nadler
Payne
Ruppersberger
Sanchez, Loretta
Speier
Takai
Webster (FL)
Williams

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that the ayes had it.

Mr. POLIS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 240 / Noes ..... 181

¶147.8 [Roll No. 654]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford

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

NOES—181

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

NOT VOTING—12

Bishop (MI)
Black
Cuellar
Marchant
McCollum
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶147.9 MOTION TO INSTRUCT CONFEREES TO H.R. 644—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Ms. KUSTER, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the amendment of the Senate to the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 193 / Nays ..... 232

¶147.10 [Roll No. 655]

YEAS—193

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Griffith
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meng
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—232

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Beyer
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grijalva
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo

| | | |
|---|---|---|
| Posey | Salmon | Valadao |
| Price, Tom | Sanford | Wagner |
| Ratcliffe | Scalise | Walberg |
| Reed | Schweikert | Walden |
| Reichert | Scott, Austin | Walker |
| Renacci | Sensenbrenner | Walorski |
| Ribble | Sessions | Walters, Mimi |
| Rice (NY) | Shimkus | Weber (TX) |
| Rice (SC) | Shuster | Wenstrup |
| Rigell | Simpson | Westerman |
| Roby | Smith (MO) | Westmoreland |
| Roe (TN) | Smith (NE) | Whitfield |
| Rogers (AL) | Smith (TX) | Wilson (SC) |
| Rogers (KY) | Stefanik | Wittman |
| Rohrabacher | Stewart | Womack |
| Rokita | Stivers | Woodall |
| Rooney (FL) | Stutzman | Yoder |
| Ros-Lehtinen | Thompson (PA) | Yoho |
| Roskam | Thornberry | Young (AK) |
| Ross | Tiberi | Young (IA) |
| Rothfus | Tipton | Young (IN) |
| Rouzer | Trott | Zeldin |
| Royce | Turner | Zinke |
| Russell | Upton | |

NOT VOTING—8

| | | |
|---|---|---|
| Cuellar | Ruppersberger | Webster (FL) |
| Meeks | Sanchez, Loretta | Williams |
| Payne | Takai | |

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶147.11 APPOINTMENT OF CONFEREES—H.R. 644

Thereupon, the SPEAKER pro tempore, Mr. FLEISCHMANN, by unanimous consent, appointed Messrs. BRADY of Texas, REICHERT, TIBERI, LEVIN, and Ms. Linda T. SÁNCHEZ of California, as managers on the part of the House at said conference.

*Ordered*, That the Clerk notify the Senate of the foregoing appointments.

¶147.12 EVERY CHILD ACHIEVES

Mr. KLINE, pursuant to House Resolution 542, called up the following conference report (Rept. No. 114–354):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1177), to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Every Student Succeeds Act''.*

***SEC. 2. TABLE OF CONTENTS.***

*The table of contents for this Act is as follows:*

***SEC. 3. REFERENCES.***

*Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).*

***SEC. 4. TRANSITION.***

*(a) FUNDING AUTHORITY.—*

*(1) MULTI-YEAR AWARDS.—*

*(A) PROGRAMS NO LONGER AUTHORIZED.—Except as otherwise provided in this Act or the amendments made by this Act, the recipient of a multiyear award under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act, under a program that is not authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, and—*

*(i) that is not substantively similar to a program authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award, except that no additional funds for such program may be awarded after September 30, 2016; and*

*(ii) that is substantively similar to a program authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award.*

*(B) AUTHORIZED PROGRAMS.—Except as otherwise provided in this Act, or the amendments made by this Act, the recipient of a multiyear award under a program that was authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act, and that is authorized under such Act (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award.*

*(2) PLANNING AND TRANSITION.—Notwithstanding any other provision of law, a recipient of funds under a program described in paragraph (1)(A)(ii) or (1)(B) may use funds awarded to the recipient under such program, to carry out necessary and reasonable planning and transition activities in order to ensure the recipient's compliance with the amendments to such program made by this Act.*

*(b) ORDERLY TRANSITION.—Subject to subsection (a)(1)(A)(i), the Secretary shall take such steps as are necessary to provide for the orderly transition to, and implementation of, programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et. seq.), as amended by this Act, from programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act.*

*(c) TERMINATION OF CERTAIN WAIVERS.—*

*(1) IN GENERAL.—Notwithstanding any other provision of this Act, and subject to section 5(e)(2), a waiver described in paragraph (2) shall be null and void and have no legal effect on or after August 1, 2016.*

*(2) WAIVERS.—A waiver shall be subject to paragraph (1) if the waiver was granted by the Secretary of Education to a State or consortium of local educational agencies under the program first introduced in a letter to chief State school officers dated September 23, 2011, and authorized under section 9401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7861), as in effect on the day before the date of enactment of this Act.*

***SEC. 5. EFFECTIVE DATES.***

*(a) IN GENERAL.—Except as otherwise provided in this Act, or an amendment made by this Act, this Act, and the amendments made by this Act, shall be effective upon the date of enactment of this Act.*

*(b) NONCOMPETITIVE PROGRAMS.—With respect to noncompetitive programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq) and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) under which any funds are allotted by the Secretary of Education to recipients on the basis of a formula, the amendments made by this Act shall be effective beginning on July 1, 2016, except as otherwise provided in such amendments.*

*(c) COMPETITIVE PROGRAMS.—With respect to programs that are conducted by the Secretary of Education on a competitive basis (and are not programs described in subsection (b)) under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the amendments made by this Act with respect to appropriations for use under such programs shall be effective beginning on October 1, 2016, except as otherwise provided in such amendments.*

*(d) IMPACT AID.—With respect to title VII of the Elementary and Secondary Education Act of 1965, as amended by this Act, the amendments made by this Act shall take effect with respect to appropriations for use under such title beginning fiscal year 2017, except as otherwise provided in such amendments.*

*(e) TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—*

*(1) EFFECTIVE DATES FOR SECTION 1111 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Notwithstanding any other provision of this Act, or the amendments made by this Act, and subject to paragraph (2) of this subsection—*

*(A) section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), as in effect on the day before the date of enactment of this Act, shall be effective through the close of August 1, 2016;*

*(B) subsections (c) and (d) of section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, shall take effect beginning with school year 2017–2018; and*

*(C) section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), as amended by this Act, and any other provision of section 1111 of such Act (20 U.S.C. 6311), as amended by this Act, which is not described in subparagraph (B) of this paragraph, shall take effect in a manner consistent with subsection (a).*

*(2) SPECIAL RULE.—*

*(A) IN GENERAL.—Notwithstanding any other provision of this Act (including subsection (b) and paragraph (1)), any school or local educational agency described in subparagraph (B) shall continue to implement interventions applicable to such school or local educational agency under clause (i) or (ii) of subparagraph (B) until—*

*(i) the State plan for the State in which the school or agency is located under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, is approved under such section (20 U.S.C. 6311); or*

*(ii) subsections (c) and (d) of section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, take effect in accordance with paragraph (1)(B), whichever occurs first.*

*(B) CERTAIN SCHOOLS AND LOCAL EDUCATIONAL AGENCIES.—A school or local educational agency shall be subject to the requirements of subparagraph (A), if such school or local educational agency has been identified by the State in which the school or local educational agency is located—*

*(i) as in need of improvement, corrective action, or restructuring under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), as in effect on the day before the date of enactment of this Act; or*

*(ii) as a priority or focus school under a waiver granted by the Secretary of Education under section 9401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7861), as in effect on the day before the date of enactment of this Act.*

***SEC. 6. TABLE OF CONTENTS OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.***

*Section 2 is amended to read as follows:*

***TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES***

***PART A—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES***

***SEC. 1000. REDESIGNATIONS.***

*Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended—*

*(1) by striking sections 1116, 1117, and 1119;*

*(2) by redesignating section 1118 as section 1116;*

*(3) by redesignating section 1120 as section 1117;*

*(4) by redesignating section 1120A as section 1118; and*

*(5) by redesignating section 1120B as section 1119.*

***SEC. 1001. STATEMENT OF PURPOSE.***

*Section 1001 (20 U.S.C. 6301) is amended to read as follows:*

***"SEC. 1001. STATEMENT OF PURPOSE.***

*''The purpose of this title is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.''.*

***SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.***

*Section 1002 (20 U.S.C. 6302) is amended to read as follows:*

***"SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.***

*''(a) LOCAL EDUCATIONAL AGENCY GRANTS.—There are authorized to be appropriated to carry out the activities described in part A—*

*''(1) $15,012,317,605 for fiscal year 2017;*

*''(2) $15,457,459,042 for fiscal year 2018;*

*''(3) $15,897,371,442 for fiscal year 2019; and*

*''(4) $16,182,344,591 for fiscal year 2020.*

*''(b) STATE ASSESSMENTS.—There are authorized to be appropriated to carry out the activities described in part B, $378,000,000 for each of fiscal years 2017 through 2020.*

*''(c) EDUCATION OF MIGRATORY CHILDREN.—There are authorized to be appropriated to carry out the activities described in part C, $374,751,000 for each of fiscal years 2017 through 2020.*

*''(d) PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.—There are authorized to be appropriated to carry out the activities described in part D, $47,614,000 for each of fiscal years 2017 through 2020.*

*''(e) FEDERAL ACTIVITIES.—For the purpose of carrying out evaluation activities related to title I under section 8601, there are authorized to be appropriated $710,000 for each of fiscal years 2017 through 2020.*

*''(f) SENSE OF CONGRESS REGARDING ADJUSTMENTS TO AUTHORIZATIONS OF APPROPRIATIONS PROVIDED IN THIS ACT FOR FUTURE BUDGET AGREEMENTS.—It is the sense of Congress that if legislation is enacted that revises the limits on discretionary spending established under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)), the levels of appropriations authorized throughout this Act should be adjusted in a manner that is consistent with the adjustments in nonsecurity category funding provided for under the revised limits on discretionary spending.''.*

***SEC. 1003. SCHOOL IMPROVEMENT.***

*Section 1003 (20 U.S.C. 6303) is amended to read as follows:*

***"SEC. 1003. SCHOOL IMPROVEMENT.***

*''(a) STATE RESERVATIONS.—To carry out subsection (b) and the State educational agency's statewide system of technical assistance and support for local educational agencies, each State shall reserve the greater of—*

*''(1) 7 percent of the amount the State receives under subpart 2 of part A; or*

*''(2) the sum of the amount the State—*

*''(A) reserved for fiscal year 2016 under this subsection, as in effect on the day before the date of enactment of the Every Student Succeeds Act; and*

*''(B) received for fiscal year 2016 under subsection (g), as in effect on the day before the date of enactment of the Every Student Succeeds Act.*

*''(b) USES.—Of the amount reserved under subsection (a) for any fiscal year, the State educational agency—*

*''(1)(A) shall allocate not less than 95 percent of that amount to make grants to local educational agencies on a formula or competitive basis, to serve schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); or*

*''(B) may, with the approval of the local educational agency, directly provide for these activities or arrange for their provision through other entities such as school support teams, educational service agencies, or nonprofit or for-profit external providers with expertise in using evidence-based strategies to improve student achievement, instruction, and schools; and*

*''(2) shall use the funds not allocated to local educational agencies under paragraph (1) to carry out this section, which shall include—*

*''(A) establishing the method, consistent with paragraph (1)(A), the State will use to allocate funds to local educational agencies under such paragraph, including ensuring—*

*''(i) the local educational agencies receiving an allotment under such paragraph represent the geographic diversity of the State; and*

*''(ii) that allotments are of sufficient size to enable a local educational agency to effectively implement selected strategies;*

*''(B) monitoring and evaluating the use of funds by local educational agencies receiving an allotment under such paragraph; and*

*''(C) as appropriate, reducing barriers and providing operational flexibility for schools in the implementation of comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d).*

*''(c) DURATION.—The State educational agency shall award each subgrant under subsection (b) for a period of not more than 4 years, which may include a planning year.*

*''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting a State from allocating subgrants under this section to a statewide school district, consortium of local educational agencies, or an educational service agency that serves schools implementing comprehensive support and improvement activities or targeted support and improvement activities, if such entities are legally constituted or recognized as local educational agencies in the State.*

*''(e) APPLICATION.—To receive an allotment under subsection (b)(1), a local educational agency shall submit an application to the State educational agency at such time, in such form, and including such information as the State educational agency may require. Each application shall include, at a minimum—*

*''(1) a description of how the local educational agency will carry out its responsibilities under section 1111(d) for schools receiving funds under this section, including how the local educational agency will—*

*''(A) develop comprehensive support and improvement plans under section 1111(d)(1) for schools receiving funds under this section;*

*''(B) support schools developing or implementing targeted support and improvement plans under section 1111(d)(2), if funds received under this section are used for such purpose;*

*''(C) monitor schools receiving funds under this section, including how the local educational agency will carry out its responsibilities under clauses (iv) and (v) of section 1111(d)(2)(B) if funds received under this section are used to support schools implementing targeted support and improvement plans;*

*''(D) use a rigorous review process to recruit, screen, select, and evaluate any external partners with whom the local educational agency will partner;*

*''(E) align other Federal, State, and local resources to carry out the activities supported with funds received under subsection (b)(1); and*

*''(F) as appropriate, modify practices and policies to provide operational flexibility that enables full and effective implementation of the plans described in paragraphs (1) and (2) of section 1111(d); and*

*''(2) an assurance that each school the local educational agency proposes to serve will receive all of the State and local funds it would have received in the absence of funds received under this section.*

*''(f) PRIORITY.—The State educational agency, in allocating funds to local educational agencies under this section, shall give priority to local educational agencies that—*

*''(1) serve high numbers, or a high percentage of, elementary schools and secondary schools implementing plans under paragraphs (1) and (2) of section 1111(d);*

*''(2) demonstrate the greatest need for such funds, as determined by the State; and*

*''(3) demonstrate the strongest commitment to using funds under this section to enable the lowest-performing schools to improve student achievement and student outcomes.*

*''(g) UNUSED FUNDS.—If, after consultation with local educational agencies in the State, the State educational agency determines that the amount of funds reserved to carry out subsection (b) is greater than the amount needed to provide the assistance described in that subsection, the State educational agency shall allocate the excess amount to local educational agencies in accordance with—*

*''(1) the relative allocations the State educational agency made to those agencies for that fiscal year under subpart 2 of part A; or*

*''(2) section 1126(c).*

*''(h) SPECIAL RULE.—Notwithstanding any other provision of this section, the amount of funds reserved by the State educational agency under subsection (a) for fiscal year 2018 and each subsequent fiscal year shall not decrease the amount of funds each local educational agency receives under subpart 2 of part A below the amount received by such local educational agency under such subpart for the preceding fiscal year.*

*''(i) REPORTING.—The State shall include in the report described in section 1111(h)(1) a list of all the local educational agencies and schools that received funds under this section, including the amount of funds each school received and the types of strategies implemented in each school with such funds.''.*

***SEC. 1004. DIRECT STUDENT SERVICES.***

*The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended by inserting after section 1003 (20 U.S.C. 6303) the following:*

***"SEC. 1003A. DIRECT STUDENT SERVICES.***

*''(a) STATE RESERVATION.—*

*''(1) IN GENERAL.—*

*''(A) STATES.—Each State educational agency, after meaningful consultation with geographically diverse local educational agencies described in subparagraph (B), may reserve not more than 3 percent of the amount the State educational agency receives under subpart 2 of part A for each fiscal year to carry out this section.*

*''(B) CONSULTATION.—A State educational agency shall consult under subparagraph (A) with local educational agencies that include—*

*''(i) suburban, rural, and urban local educational agencies;*

*''(ii) local educational agencies serving a high percentage of schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i); and*

*''(iii) local educational agencies serving a high percentage of schools implementing targeted support and improvement plans under section 1111(d)(2).*

*''(2) PROGRAM ADMINISTRATION.—Of the funds reserved under paragraph (1)(A), the State educational agency may use not more than 1 percent to administer the program described in this section.*

*''(b) AWARDS.—*

*''(1) IN GENERAL.—From the amount reserved under subsection (a) by a State educational agency, the State educational agency shall award grants to geographically diverse local educational agencies described in subsection (a)(1)(B)(i).*

''(2) PRIORITY.—In making such awards, the State educational agency shall prioritize awards to local educational agencies serving the highest percentage of schools, as compared to other local educational agencies in the State—

''(A) identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i); or

''(B) implementing targeted support and improvement plans under section 1111(d)(2).

''(c) LOCAL USE OF FUNDS.—A local educational agency receiving an award under this section—

''(1) may use not more than 1 percent of its award for outreach and communication to parents about available direct student services described in paragraph (3) in the local educational agency and State;

''(2) may use not more than 2 percent of its award for administrative costs related to such direct student services;

''(3) shall use the remainder of the award to pay the costs associated with one or more of the following direct student services—

''(A) enrollment and participation in academic courses not otherwise available at a student's school, including—

''(i) advanced courses; and

''(ii) career and technical education coursework that—

''(I) is aligned with the challenging State academic standards; and

''(II) leads to industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

''(B) credit recovery and academic acceleration courses that lead to a regular high school diploma;

''(C) activities that assist students in successfully completing postsecondary level instruction and examinations that are accepted for credit at institutions of higher education (including Advanced Placement and International Baccalaureate courses), which may include reimbursing low-income students to cover part or all of the costs of fees for such examinations;

''(D) components of a personalized learning approach, which may include high-quality academic tutoring; and

''(E) in the case of a local educational agency that does not reserve funds under section 1111(d)(1)(D)(v), transportation to allow a student enrolled in a school identified for comprehensive support and improvement under section 1111(c)(4)(D)(i) to transfer to another public school (which may include a charter school) that has not been identified by the State under such section; and

''(4) in paying the costs associated with the direct student services described in paragraph (3), shall—

''(A) first, pay such costs for students who are enrolled in schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i);

''(B) second, pay such costs for low-achieving students who are enrolled in schools implementing targeted support and improvement plans under section 1111(d)(2); and

''(C) with any remaining funds, pay such costs for other low-achieving students served by the local educational agency.

''(d) APPLICATION.—A local educational agency desiring to receive an award under subsection (b) shall submit an application to the State educational agency at such time and in such manner as the State educational agency shall require. At a minimum, each application shall describe how the local educational agency will—

''(1) provide adequate outreach to ensure parents can exercise a meaningful choice of direct student services for their child's education;

''(2) ensure parents have adequate time and information to make a meaningful choice prior to enrolling their child in a direct student service;

''(3) in the case of a local educational agency offering public school choice under this section, ensure sufficient availability of seats in the public schools the local educational agency will make available for public school choice options;

''(4) prioritize services to students who are lowest-achieving;

''(5) select providers of direct student services, which may include one or more of—

''(A) the local educational agency or other local educational agencies;

''(B) community colleges or other institutions of higher education;

''(C) non-public entities;

''(D) community-based organizations; or

''(E) in the case of high-quality academic tutoring, a variety of providers of such tutoring that are selected and approved by the State and appear on the State's list of such providers required under subsection (e)(2);

''(6) monitor the provision of direct student services; and

''(7) publicly report the results of direct student service providers in improving relevant student outcomes in a manner that is accessible to parents.

''(e) PROVIDERS AND SCHOOLS.—A State educational agency that reserves an amount under subsection (a) shall—

''(1) ensure that each local educational agency that receives an award under this section and intends to provide public school choice under subsection (c)(3)(E) can provide a sufficient number of options to provide a meaningful choice for parents;

''(2) compile and maintain an updated list of State-approved high-quality academic tutoring providers that—

''(A) is developed using a fair negotiation and rigorous selection and approval process;

''(B) provides parents with meaningful choices;

''(C) offers a range of tutoring models, including online and on campus; and

''(D) includes only providers that—

''(i) have a demonstrated record of success in increasing students' academic achievement;

''(ii) comply with all applicable Federal, State, and local health, safety, and civil rights laws; and

''(iii) provide instruction and content that is secular, neutral, and non-ideological;

''(3) ensure that each local educational agency receiving an award is able to provide an adequate number of high-quality academic tutoring options to ensure parents have a meaningful choice of services;

''(4) develop and implement procedures for monitoring the quality of services provided by direct student service providers; and

''(5) establish and implement clear criteria describing the course of action for direct student service providers that are not successful in improving student academic outcomes, which, for a high-quality academic tutoring provider, may include a process to remove State approval under paragraph (2).''.

**SEC. 1005. STATE PLANS.**

Section 1111 (20 U.S.C. 6311) is amended to read as follows:

**''SEC. 1111. STATE PLANS.**

''(a) FILING FOR GRANTS.—

''(1) IN GENERAL.—For any State desiring to receive a grant under this part, the State educational agency shall file with the Secretary a plan that is—

''(A) developed by the State educational agency with timely and meaningful consultation with the Governor, members of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents; and

''(B) is coordinated with other programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (20 U.S.C. 701 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.), the Education Technical Assistance Act of 2002 (20 U.S.C. 9601 et. seq.), the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.), the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.), and the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

''(2) LIMITATION.—Consultation required under paragraph (1)(A) shall not interfere with the timely submission of the plan required under this section.

''(3) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 8302.

''(4) PEER REVIEW AND SECRETARIAL APPROVAL.—

''(A) IN GENERAL.—The Secretary shall—

''(i) establish a peer-review process to assist in the review of State plans;

''(ii) establish multidisciplinary peer-review teams and appoint members of such teams—

''(I) who are representative of—

''(aa) parents, teachers, principals, other school leaders, specialized instructional support personnel, State educational agencies, local educational agencies, and the community (including the business community); and

''(bb) researchers who are familiar with—

''(AA) the implementation of academic standards, assessments, or accountability systems; and

''(BB) how to meet the needs of disadvantaged students, children with disabilities, and English learners, the needs of low-performing schools, and other educational needs of students;

''(II) that include, to the extent practicable, majority representation of individuals who, in the most recent 2 years, have had practical experience in the classroom, school administration, or State or local government (such as direct employees of a school, local educational agency, or State educational agency); and

''(III) who represent a regionally diverse cross-section of States;

''(iii) make available to the public, including by such means as posting to the Department's website, the list of peer reviewers who have reviewed State plans under this section;

''(iv) ensure that the peer-review teams consist of varied individuals so that the same peer reviewers are not reviewing all of the State plans;

''(v) approve a State plan not later than 120 days after its submission, unless the Secretary meets the requirements of clause (vi);

''(vi) have the authority to disapprove a State plan only if—

''(I) the Secretary—

''(aa) determines how the State plan fails to meet the requirements of this section;

''(bb) immediately provides to the State, in writing, notice of such determination, and the supporting information and rationale to substantiate such determination;

''(cc) offers the State an opportunity to revise and resubmit its State plan, and provides the State—

''(AA) technical assistance to assist the State in meeting the requirements of this section;

''(BB) in writing, all peer-review comments, suggestions, recommendations, or concerns relating to its State plan; and

''(CC) a hearing, unless the State declines the opportunity for such hearing; and

''(II) the State—

''(aa) does not revise and resubmit its State plan; or

''(bb) in a case in which a State revises and resubmits its State plan after a hearing is conducted under subclause (I)(cc)(CC), or after the

*State has declined the opportunity for such a hearing, the Secretary determines that such revised State plan does not meet the requirements of this section.*

*''(B) PURPOSE OF PEER REVIEW.—The peer-review process shall be designed to—*

*''(i) maximize collaboration with each State;*

*''(ii) promote effective implementation of the challenging State academic standards through State and local innovation; and*

*''(iii) provide transparent, timely, and objective feedback to States designed to strengthen the technical and overall quality of the State plans.*

*''(C) STANDARD AND NATURE OF REVIEW.—Peer reviewers shall conduct an objective review of State plans in their totality and out of respect for State and local judgments, with the goal of supporting State- and local-led innovation and providing objective feedback on the technical and overall quality of a State plan.*

*''(D) PROHIBITION.—Neither the Secretary nor the political appointees of the Department, may attempt to participate in, or influence, the peer-review process.*

*''(5) PUBLIC REVIEW.—All written communications, feedback, and notifications under this subsection shall be conducted in a manner that is transparent and immediately made available to the public on the Department's website, including—*

*''(A) plans submitted or resubmitted by a State;*

*''(B) peer-review guidance, notes, and comments and the names of the peer reviewers (once the peer reviewers have completed their work);*

*''(C) State plan determinations by the Secretary, including approvals or disapprovals; and*

*''(D) notices and transcripts of hearings under this section.*

*''(6) DURATION OF THE PLAN.—*

*''(A) IN GENERAL.—Each State plan shall—*

*''(i) remain in effect for the duration of the State's participation under this part; and*

*''(ii) be periodically reviewed and revised as necessary by the State educational agency to reflect changes in the State's strategies and programs under this part.*

*''(B) ADDITIONAL INFORMATION.—*

*''(i) IN GENERAL.—If a State makes significant changes to its plan at any time, such as the adoption of new challenging State academic standards or new academic assessments under subsection (b), or changes to its accountability system under subsection (c), such information shall be submitted to the Secretary in the form of revisions or amendments to the State plan.*

*''(ii) REVIEW OF REVISED PLANS.—The Secretary shall review the information submitted under clause (i) and approve changes to the State plan, or disapprove such changes in accordance with paragraph (4)(A)(vi), within 90 days, without undertaking the peer-review process under such paragraph.*

*''(iii) SPECIAL RULE FOR STANDARDS.—If a State makes changes to its challenging State academic standards, the requirements of subsection (b)(1), including the requirement that such standards need not be submitted to the Secretary pursuant to subsection (b)(1)(A), shall still apply.*

*''(7) FAILURE TO MEET REQUIREMENTS.—If a State fails to meet any of the requirements of this section, the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.*

*''(8) PUBLIC COMMENT.—Each State shall make the State plan publicly available for public comment for a period of not less than 30 days, by electronic means and in an easily accessible format, prior to submission to the Secretary for approval under this subsection. The State, in the plan it files under this subsection, shall provide an assurance that public comments were taken into account in the development of the State plan.*

*''(b) CHALLENGING ACADEMIC STANDARDS AND ACADEMIC ASSESSMENTS.—*

*''(1) CHALLENGING STATE ACADEMIC STANDARDS.—*

*''(A) IN GENERAL.—Each State, in the plan it files under subsection (a), shall provide an assurance that the State has adopted challenging academic content standards and aligned academic achievement standards (referred to in this Act as 'challenging State academic standards'), which achievement standards shall include not less than 3 levels of achievement, that will be used by the State, its local educational agencies, and its schools to carry out this part. A State shall not be required to submit such challenging State academic standards to the Secretary.*

*''(B) SAME STANDARDS.—Except as provided in subparagraph (E), the standards required by subparagraph (A) shall—*

*''(i) apply to all public schools and public school students in the State; and*

*''(ii) with respect to academic achievement standards, include the same knowledge, skills, and levels of achievement expected of all public school students in the State.*

*''(C) SUBJECTS.—The State shall have such academic standards for mathematics, reading or language arts, and science, and may have such standards for any other subject determined by the State.*

*''(D) ALIGNMENT.—*

*''(i) IN GENERAL.—Each State shall demonstrate that the challenging State academic standards are aligned with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards.*

*''(ii) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to authorize public institutions of higher education to determine the specific challenging State academic standards required under this paragraph.*

*''(E) ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—*

*''(i) IN GENERAL.—The State may, through a documented and validated standards-setting process, adopt alternate academic achievement standards for students with the most significant cognitive disabilities, provided those standards—*

*''(I) are aligned with the challenging State academic content standards under subparagraph (A);*

*''(II) promote access to the general education curriculum, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);*

*''(III) reflect professional judgment as to the highest possible standards achievable by such students;*

*''(IV) are designated in the individualized education program developed under section 614(d)(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(3)) for each such student as the academic achievement standards that will be used for the student; and*

*''(V) are aligned to ensure that a student who meets the alternate academic achievement standards is on track to pursue postsecondary education or employment, consistent with the purposes of Public Law 93–112, as in effect on July 22, 2014.*

*''(ii) PROHIBITION ON ANY OTHER ALTERNATE OR MODIFIED ACADEMIC ACHIEVEMENT STANDARDS.—A State shall not develop, or implement for use under this part, any alternate academic achievement standards for children with disabilities that are not alternate academic achievement standards that meet the requirements of clause (i).*

*''(F) ENGLISH LANGUAGE PROFICIENCY STANDARDS.—Each State plan shall demonstrate that the State has adopted English language proficiency standards that—*

*''(i) are derived from the 4 recognized domains of speaking, listening, reading, and writing;*

*''(ii) address the different proficiency levels of English learners; and*

*''(iii) are aligned with the challenging State academic standards.*

*''(G) PROHIBITIONS.—*

*''(i) STANDARDS REVIEW OR APPROVAL.—A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval.*

*''(ii) FEDERAL CONTROL.—The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.*

*''(H) EXISTING STANDARDS.—Nothing in this part shall prohibit a State from revising, consistent with this section, any standards adopted under this part before or after the date of enactment of the Every Student Succeeds Act.*

*''(2) ACADEMIC ASSESSMENTS.—*

*''(A) IN GENERAL.—Each State plan shall demonstrate that the State educational agency, in consultation with local educational agencies, has implemented a set of high-quality student academic assessments in mathematics, reading or language arts, and science. The State retains the right to implement such assessments in any other subject chosen by the State.*

*''(B) REQUIREMENTS.—The assessments under subparagraph (A) shall—*

*''(i) except as provided in subparagraph (D), be—*

*''(I) the same academic assessments used to measure the achievement of all public elementary school and secondary school students in the State; and*

*''(II) administered to all public elementary school and secondary school students in the State;*

*''(ii) be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards and whether the student is performing at the student's grade level;*

*''(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;*

*''(iv) be of adequate technical quality for each purpose required under this Act and consistent with the requirements of this section, the evidence of which shall be made public, including on the website of the State educational agency;*

*''(v)(I) in the case of mathematics and reading or language arts, be administered—*

*''(aa) in each of grades 3 through 8; and*

*''(bb) at least once in grades 9 through 12;*

*''(II) in the case of science, be administered not less than one time during—*

*''(aa) grades 3 through 5;*

*''(bb) grades 6 through 9; and*

*''(cc) grades 10 through 12; and*

*''(III) in the case of any other subject chosen by the State, be administered at the discretion of the State;*

*''(vi) involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks;*

*''(vii) provide for—*

*''(I) the participation in such assessments of all students;*

*''(II) the appropriate accommodations, such as interoperability with, and ability to use, assistive technology, for children with disabilities (as defined in section 602(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(3))), including students with the most significant cognitive disabilities, and students with a disability who are provided accommodations under an Act other than the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), necessary to measure the academic achievement of such children relative to the challenging State academic standards or alter-*

*nate academic achievement standards described in paragraph (1)(E); and*

*''(III) the inclusion of English learners, who shall be assessed in a valid and reliable manner and provided appropriate accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency, as determined under subparagraph (G);*

*''(viii) at the State's discretion—*

*''(I) be administered through a single summative assessment; or*

*''(II) be administered through multiple statewide interim assessments during the course of the academic year that result in a single summative score that provides valid, reliable, and transparent information on student achievement or growth;*

*''(ix) notwithstanding clause (vii)(III), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of Puerto Rico) for 3 or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;*

*''(x) produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (iii), regarding achievement on such assessments that allow parents, teachers, principals, and other school leaders to understand and address the specific academic needs of students, and that are provided to parents, teachers, and school leaders, as soon as is practicable after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand;*

*''(xi) enable results to be disaggregated within each State, local educational agency, and school by—*

*''(I) each major racial and ethnic group;*

*''(II) economically disadvantaged students as compared to students who are not economically disadvantaged;*

*''(III) children with disabilities as compared to children without disabilities;*

*''(IV) English proficiency status;*

*''(V) gender; and*

*''(VI) migrant status,*

*except that such disaggregation shall not be required in the case of a State, local educational agency, or a school in which the number of students in a subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student;*

*''(xii) enable itemized score analyses to be produced and reported, consistent with clause (iii), to local educational agencies and schools, so that parents, teachers, principals, other school leaders, and administrators can interpret and address the specific academic needs of students as indicated by the students' achievement on assessment items; and*

*''(xiii) be developed, to the extent practicable, using the principles of universal design for learning.*

*''(C) EXCEPTION FOR ADVANCED MATHEMATICS IN MIDDLE SCHOOL.—A State may exempt any 8th grade student from the assessment in mathematics described in subparagraph (B)(v)(I)(aa) if—*

*''(i) such student takes the end-of-course assessment the State typically administers to meet the requirements of subparagraph (B)(v)(I)(bb) in mathematics;*

*''(ii) such student's achievement on such end-of-course assessment is used for purposes of subsection (c)(4)(B)(i), in lieu of such student's achievement on the mathematics assessment required under subparagraph (B)(v)(I)(aa), and such student is counted as participating in the assessment for purposes of subsection (c)(4)(B)(vi); and*

*''(iii) in high school, such student takes a mathematics assessment pursuant to subparagraph (B)(v)(I)(bb) that—*

*''(I) is any end-of-course assessment or other assessment that is more advanced than the assessment taken by such student under clause (i) of this subparagraph; and*

*''(II) shall be used to measure such student's academic achievement for purposes of subsection (c)(4)(B)(i).*

*''(D) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—*

*''(i) ALTERNATE ASSESSMENTS ALIGNED WITH ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS.—A State may provide for alternate assessments aligned with the challenging State academic standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities, if the State—*

*''(I) consistent with clause (ii), ensures that, for each subject, the total number of students assessed in such subject using the alternate assessments does not exceed 1 percent of the total number of all students in the State who are assessed in such subject;*

*''(II) ensures that the parents of such students are clearly informed, as part of the process for developing the individualized education program (as defined in section 614(d)(1)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)))—*

*''(aa) that their child's academic achievement will be measured based on such alternate standards; and*

*''(bb) how participation in such assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma;*

*''(III) promotes, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the involvement and progress of students with the most significant cognitive disabilities in the general education curriculum;*

*''(IV) describes in the State plan the steps the State has taken to incorporate universal design for learning, to the extent feasible, in alternate assessments;*

*''(V) describes in the State plan that general and special education teachers, and other appropriate staff—*

*''(aa) know how to administer the alternate assessments; and*

*''(bb) make appropriate use of accommodations for students with disabilities on all assessments required under this paragraph;*

*''(VI) develops, disseminates information on, and promotes the use of appropriate accommodations to increase the number of students with significant cognitive disabilities—*

*''(aa) participating in academic instruction and assessments for the grade level in which the student is enrolled; and*

*''(bb) who are tested based on challenging State academic standards for the grade level in which the student is enrolled; and*

*''(VII) does not preclude a student with the most significant cognitive disabilities who takes an alternate assessment based on alternate academic achievement standards from attempting to complete the requirements for a regular high school diploma.*

*''(ii) SPECIAL RULES.—*

*''(I) RESPONSIBILITY UNDER IDEA.—Subject to the authority and requirements for the individualized education program team for a child with a disability under section 614(d)(1)(A)(i)(VI)(bb) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VI)(bb)), such team, consistent with the guidelines established by the State and required under section 612(a)(16)(C) of such Act (20 U.S.C. 1412(c)(16)(C)) and clause (i)(II) of this subparagraph, shall determine when a child with a significant cognitive disability shall participate in an alternate assessment aligned with the alternate academic achievement standards.*

*''(II) PROHIBITION ON LOCAL CAP.—Nothing in this subparagraph shall be construed to permit the Secretary or a State educational agency to impose on any local educational agency a cap on the percentage of students administered an alternate assessment under this subparagraph, except that a local educational agency exceeding the cap applied to the State under clause (i)(I) shall submit information to the State educational agency justifying the need to exceed such cap.*

*''(III) STATE SUPPORT.—A State shall provide appropriate oversight, as determined by the State, of any local educational agency that is required to submit information to the State under subclause (II).*

*''(IV) WAIVER AUTHORITY.—This subparagraph shall be subject to the waiver authority under section 8401.*

*''(E) STATE AUTHORITY.—If a State educational agency provides evidence, which is satisfactory to the Secretary, that neither the State educational agency nor any other State government official, agency, or entity has sufficient authority, under State law, to adopt challenging State academic standards, and academic assessments aligned with such standards, which will be applicable to all students enrolled in the State's public elementary schools and secondary schools, then the State educational agency may meet the requirements of this subsection by—*

*''(i) adopting academic standards and academic assessments that meet the requirements of this subsection, on a statewide basis, and limiting their applicability to students served under this part; or*

*''(ii) adopting and implementing policies that ensure that each local educational agency in the State that receives grants under this part will adopt academic content and student academic achievement standards, and academic assessments aligned with such standards, which—*

*''(I) meet all of the criteria in this subsection and any regulations regarding such standards and assessments that the Secretary may publish; and*

*''(II) are applicable to all students served by each such local educational agency.*

*''(F) LANGUAGE ASSESSMENTS.—*

*''(i) IN GENERAL.—Each State plan shall identify the languages other than English that are present to a significant extent in the participating student population of the State and indicate the languages for which annual student academic assessments are not available and are needed.*

*''(ii) SECRETARIAL ASSISTANCE.—The State shall make every effort to develop such assessments and may request assistance from the Secretary if linguistically accessible academic assessment measures are needed. Upon request, the Secretary shall assist with the identification of appropriate academic assessment measures in the needed languages, but shall not mandate a specific academic assessment or mode of instruction.*

*''(G) ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—*

*''(i) IN GENERAL.—Each State plan shall demonstrate that local educational agencies in the State will provide for an annual assessment of English proficiency of all English learners in the schools served by the State educational agency.*

*''(ii) ALIGNMENT.—The assessments described in clause (i) shall be aligned with the State's English language proficiency standards described in paragraph (1)(F).*

''(H) LOCALLY-SELECTED ASSESSMENT.—

''(i) IN GENERAL.—Nothing in this paragraph shall be construed to prohibit a local educational agency from administering a locally-selected assessment in lieu of the State-designed academic assessment under subclause (I)(bb) and subclause (II)(cc) of subparagraph (B)(v), if the local educational agency selects a nationally-recognized high school academic assessment that has been approved for use by the State as described in clause (iii) or (iv) of this subparagraph.

''(ii) STATE TECHNICAL CRITERIA.—To allow for State approval of nationally-recognized high school academic assessments that are available for local selection under clause (i), a State educational agency shall establish technical criteria to determine if any such assessment meets the requirements of clause (v).

''(iii) STATE APPROVAL.—If a State educational agency chooses to make a nationally-recognized high school assessment available for selection by a local educational agency under clause (i), which has not already been approved under this clause, such State educational agency shall—

''(I) conduct a review of the assessment to determine if such assessment meets or exceeds the technical criteria established by the State educational agency under clause (ii);

''(II) submit evidence in accordance with subsection (a)(4) that demonstrates such assessment meets the requirements of clause (v); and

''(III) after fulfilling the requirements of subclauses (I) and (II), approve such assessment for selection and use by any local educational agency that requests to use such assessment under clause (i).

''(iv) LOCAL EDUCATIONAL AGENCY OPTION.—

''(I) LOCAL EDUCATIONAL AGENCY.—If a local educational agency chooses to submit a nationally-recognized high school academic assessment to the State educational agency, subject to the approval process described in subclause (I) and subclause (II) of clause (iii) to determine if such assessment fulfills the requirements of clause (v), the State educational agency may approve the use of such assessment consistent with clause (i).

''(II) STATE EDUCATIONAL AGENCY.—Upon such approval, the State educational agency shall approve the use of such assessment in any other local educational agency in the State that subsequently requests to use such assessment without repeating the process described in subclauses (I) and (II) of clause (iii).

''(v) REQUIREMENTS.—To receive approval from the State educational agency under clause (iii), a locally-selected assessment shall—

''(I) be aligned to the State's academic content standards under paragraph (1), address the depth and breadth of such standards, and be equivalent in its content coverage, difficulty, and quality to the State-designed assessments under this paragraph (and may be more rigorous in its content coverage and difficulty than such State-designed assessments);

''(II) provide comparable, valid, and reliable data on academic achievement, as compared to the State-designed assessments, for all students and for each subgroup of students defined in subsection (c)(2), with results expressed in terms consistent with the State's academic achievement standards under paragraph (1), among all local educational agencies within the State;

''(III) meet the requirements for the assessments under subparagraph (B) of this paragraph, including technical criteria, except the requirement under clause (i) of such subparagraph; and

''(IV) provide unbiased, rational, and consistent differentiation between schools within the State to meet the requirements of subsection (c).

''(vi) PARENTAL NOTIFICATION.—A local educational agency shall notify the parents of high school students served by the local educational agency—

''(I) of its request to the State educational agency for approval to administer a locally-selected assessment; and

''(II) upon approval, and at the beginning of each subsequent school year during which the locally selected assessment will be administered, that the local educational agency will be administering a different assessment than the State-designed assessments under subclause (I)(bb) and subclause (II)(cc) of subparagraph (B)(v).

''(I) DEFERRAL.—A State may defer the commencement, or suspend the administration, but not cease the development, of the assessments described in this paragraph, for 1 year for each year for which the amount appropriated for grants under part B is less than $369,100,000.

''(J) ADAPTIVE ASSESSMENTS.—

''(i) IN GENERAL.—Subject to clause (ii), a State retains the right to develop and administer computer adaptive assessments as the assessments described in this paragraph, provided the computer adaptive assessments meet the requirements of this paragraph, except that—

''(I) subparagraph (B)(i) shall not be interpreted to require that all students taking the computer adaptive assessment be administered the same assessment items; and

''(II) such assessment—

''(aa) shall measure, at a minimum, each student's academic proficiency based on the challenging State academic standards for the student's grade level and growth toward such standards; and

''(bb) may measure the student's level of academic proficiency and growth using items above or below the student's grade level, including for use as part of a State's accountability system under subsection (c).

''(ii) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES AND ENGLISH LEARNERS.—In developing and administering computer adaptive assessments—

''(I) as the assessments allowed under subparagraph (D), a State shall ensure that such computer adaptive assessments—

''(aa) meet the requirements of this paragraph, including subparagraph (D), except such assessments shall not be required to meet the requirements of clause (i)(II); and

''(bb) assess the student's academic achievement to measure, in the subject being assessed, whether the student is performing at the student's grade level; and

''(II) as the assessments required under subparagraph (G), a State shall ensure that such computer adaptive assessments—

''(aa) meet the requirements of this paragraph, including subparagraph (G), except such assessment shall not be required to meet the requirements of clause (i)(II); and

''(bb) assess the student's language proficiency, which may include growth towards such proficiency, in order to measure the student's acquisition of English.

''(K) RULE OF CONSTRUCTION ON PARENT RIGHTS.—Nothing in this paragraph shall be construed as preempting a State or local law regarding the decision of a parent to not have the parent's child participate in the academic assessments under this paragraph.

''(L) LIMITATION ON ASSESSMENT TIME.—Subject to Federal or State requirements related to assessments, evaluations, and accommodations, each State may, at the sole discretion of such State, set a target limit on the aggregate amount of time devoted to the administration of assessments for each grade, expressed as a percentage of annual instructional hours.

''(3) EXCEPTION FOR RECENTLY ARRIVED ENGLISH LEARNERS.—

''(A) ASSESSMENTS.—With respect to recently arrived English learners who have been enrolled in a school in one of the 50 States in the United States or the District of Columbia for less than 12 months, a State may choose to—

''(i) exclude—

''(I) such an English learner from one administration of the reading or language arts assessment required under paragraph (2); and

''(II) such an English learner's results on any of the assessments required under paragraph (2)(B)(v)(I) or (2)(G) for the first year of the English learner's enrollment in such a school for the purposes of the State-determined accountability system under subsection (c); or

''(ii)(I) assess, and report the performance of, such an English learner on the reading or language arts and mathematics assessments required under paragraph (2)(B)(v)(I) in each year of the student's enrollment in such a school; and

''(II) for the purposes of the State-determined accountability system—

''(aa) for the first year of the student's enrollment in such a school, exclude the results on the assessments described in subclause (I);

''(bb) include a measure of student growth on the assessments described in subclause (I) in the second year of the student's enrollment in such a school; and

''(cc) include proficiency on the assessments described in subclause (I) in the third year of the student's enrollment in such a school, and each succeeding year of such enrollment.

''(B) ENGLISH LEARNER SUBGROUP.—With respect to a student previously identified as an English learner and for not more than 4 years after the student ceases to be identified as an English learner, a State may include the results of the student's assessments under paragraph (2)(B)(v)(I) within the English learner subgroup of the subgroups of students (as defined in subsection (c)(2)(D)) for the purposes of the State-determined accountability system.

''(c) STATEWIDE ACCOUNTABILITY SYSTEM.—

''(1) IN GENERAL.—Each State plan shall describe a statewide accountability system that complies with the requirements of this subsection and subsection (d).

''(2) SUBGROUP OF STUDENTS.—In this subsection and subsection (d), the term 'subgroup of students' means—

''(A) economically disadvantaged students;

''(B) students from major racial and ethnic groups;

''(C) children with disabilities; and

''(D) English learners.

''(3) MINIMUM NUMBER OF STUDENTS.—Each State shall describe—

''(A) with respect to any provisions under this part that require disaggregation of information by each subgroup of students—

''(i) the minimum number of students that the State determines are necessary to be included to carry out such requirements and how that number is statistically sound, which shall be the same State-determined number for all students and for each subgroup of students in the State;

''(ii) how such minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when determining such minimum number; and

''(iii) how the State ensures that such minimum number is sufficient to not reveal any personally identifiable information.

''(4) DESCRIPTION OF SYSTEM.—The statewide accountability system described in paragraph (1) shall be based on the challenging State academic standards for reading or language arts and mathematics described in subsection (b)(1) to improve student academic achievement and school success. In designing such system to meet the requirements of this part, the State shall carry out the following:

''(A) ESTABLISHMENT OF LONG-TERM GOALS.—Establish ambitious State-designed long-term goals, which shall include measurements of interim progress toward meeting such goals—

''(i) for all students and separately for each subgroup of students in the State—

''(I) for, at a minimum, improved—

''(aa) academic achievement, as measured by proficiency on the annual assessments required under subsection (b)(2)(B)(v)(I); and

''(bb) high school graduation rates, including—

''(AA) the four-year adjusted cohort graduation rate; and

''(BB) at the State's discretion, the extended-year adjusted cohort graduation rate, except that the State shall set a more rigorous long-term goal for such graduation rate, as compared to the long-term goal set for the four-year adjusted cohort graduation rate;

''(II) for which the term set by the State for such goals is the same multi-year length of time for all students and for each subgroup of students in the State; and

''(III) that, for subgroups of students who are behind on the measures described in items (aa) and (bb) of subclause (I), take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps; and

''(ii) for English learners, for increases in the percentage of such students making progress in achieving English language proficiency, as defined by the State and measured by the assessments described in subsection (b)(2)(G), within a State-determined timeline.

''(B) INDICATORS.—Except for the indicator described in clause (iv), annually measure, for all students and separately for each subgroup of students, the following indicators:

''(i) For all public schools in the State, based on the long-term goals established under subparagraph (A), academic achievement—

''(I) as measured by proficiency on the annual assessments required under subsection (b)(2)(B)(v)(I); and

''(II) at the State's discretion, for each public high school in the State, student growth, as measured by such annual assessments.

''(ii) For public elementary schools and secondary schools that are not high schools in the State—

''(I) a measure of student growth, if determined appropriate by the State; or

''(II) another valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance.

''(iii) For public high schools in the State, and based on State-designed long term goals established under subparagraph (A)—

''(I) the four-year adjusted cohort graduation rate; and

''(II) at the State's discretion, the extended-year adjusted cohort graduation rate.

''(iv) For public schools in the State, progress in achieving English language proficiency, as defined by the State and measured by the assessments described in subsection (b)(2)(G), within a State-determined timeline for all English learners—

''(I) in each of the grades 3 through 8; and

''(II) in the grade for which such English learners are otherwise assessed under subsection (b)(2)(B)(v)(I) during the grade 9 through grade 12 period, with such progress being measured against the results of the assessments described in subsection (b)(2)(G) taken in the previous grade.

''(v)(I) For all public schools in the State, not less than one indicator of school quality or student success that—

''(aa) allows for meaningful differentiation in school performance;

''(bb) is valid, reliable, comparable, and statewide (with the same indicator or indicators used for each grade span, as such term is determined by the State); and

''(cc) may include one or more of the measures described in subclause (II).

''(II) For purposes of subclause (I), the State may include measures of—

''(III) student engagement;

''(IV) educator engagement;

''(V) student access to and completion of advanced coursework;

''(VI) postsecondary readiness;

''(VII) school climate and safety; and

''(VIII) any other indicator the State chooses that meets the requirements of this clause.

''(C) ANNUAL MEANINGFUL DIFFERENTIATION.—Establish a system of meaningfully differentiating, on an annual basis, all public schools in the State, which shall—

''(i) be based on all indicators in the State's accountability system under subparagraph (B), for all students and for each of subgroup of students, consistent with the requirements of such subparagraph;

''(ii) with respect to the indicators described in clauses (i) through (iv) of subparagraph (B) afford—

''(I) substantial weight to each such indicator; and

''(II) in the aggregate, much greater weight than is afforded to the indicator or indicators utilized by the State and described in subparagraph (B)(v), in the aggregate; and

''(iii) include differentiation of any such school in which any subgroup of students is consistently underperforming, as determined by the State, based on all indicators under subparagraph (B) and the system established under this subparagraph.

''(D) IDENTIFICATION OF SCHOOLS.—Based on the system of meaningful differentiation described in subparagraph (C), establish a State-determined methodology to identify—

''(i) beginning with school year 2017–2018, and at least once every three school years thereafter, one statewide category of schools for comprehensive support and improvement, as described in subsection (d)(1), which shall include—

''(I) not less than the lowest-performing 5 percent of all schools receiving funds under this part in the State;

''(II) all public high schools in the State failing to graduate one third or more of their students; and

''(III) public schools in the State described under subsection (d)(3)(A)(i)(II); and

''(ii) at the discretion of the State, additional statewide categories of schools.

''(E) ANNUAL MEASUREMENT OF ACHIEVEMENT.—(i) Annually measure the achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students, who are enrolled in public schools on the assessments described under subsection (b)(2)(v)(I).

''(ii) For the purpose of measuring, calculating, and reporting on the indicator described in subparagraph (B)(i), include in the denominator the greater of—

''(I) 95 percent of all such students, or 95 percent of all such students in the subgroup, as the case may be; or

''(II) the number of students participating in the assessments.

''(iii) Provide a clear and understandable explanation of how the State will factor the requirement of clause (i) of this subparagraph into the statewide accountability system.

''(F) PARTIAL ATTENDANCE.—(i) In the case of a student who has not attended the same school within a local educational agency for at least half of a school year, the performance of such student on the indicators described in clauses (i), (ii), (iv), and (v) of subparagraph (B)—

''(I) may not be used in the system of meaningful differentiation of all public schools as described in subparagraph (C) for such school year; and

''(II) shall be used for the purpose of reporting on the State and local educational agency report cards under subsection (h) for such school year.

''(ii) In the case of a high school student who has not attended the same school within a local educational agency for at least half of a school year and has exited high school without a regular high school diploma and without transferring to another high school that grants a regular high school diploma during such school year, the local educational agency shall, in order to calculate the graduation rate pursuant to subparagraph (B)(iii), assign such student to the high school—

''(I) at which such student was enrolled for the greatest proportion of school days while enrolled in grades 9 through 12; or

''(II) in which the student was most recently enrolled.

''(5) ACCOUNTABILITY FOR CHARTER SCHOOLS.—The accountability provisions under this Act shall be overseen for charter schools in accordance with State charter school law.

''(d) SCHOOL SUPPORT AND IMPROVEMENT ACTIVITIES.—

''(1) COMPREHENSIVE SUPPORT AND IMPROVEMENT.—

''(A) IN GENERAL.—Each State educational agency receiving funds under this part shall notify each local educational agency in the State of any school served by the local educational agency that is identified for comprehensive support and improvement under subsection (c)(4)(D)(i).

''(B) LOCAL EDUCATIONAL AGENCY ACTION.—Upon receiving such information from the State, the local educational agency shall, for each school identified by the State and in partnership with stakeholders (including principals and other school leaders, teachers, and parents), locally develop and implement a comprehensive support and improvement plan for the school to improve student outcomes, that—

''(i) is informed by all indicators described in subsection (c)(4)(B), including student performance against State-determined long-term goals;

''(ii) includes evidence-based interventions;

''(iii) is based on a school-level needs assessment;

''(iv) identifies resource inequities, which may include a review of local educational agency and school-level budgeting, to be addressed through implementation of such comprehensive support and improvement plan;

''(v) is approved by the school, local educational agency, and State educational agency; and

''(vi) upon approval and implementation, is monitored and periodically reviewed by the State educational agency.

''(C) STATE EDUCATIONAL AGENCY DISCRETION.—With respect to any high school in the State identified under subsection (c)(4)(D)(i)(II), the State educational agency may—

''(i) permit differentiated improvement activities that utilize evidence-based interventions in the case of such a school that predominantly serves students—

''(I) returning to education after having exited secondary school without a regular high school diploma; or

''(II) who, based on their grade or age, are significantly off track to accumulate sufficient academic credits to meet high school graduation requirements, as established by the State; and

''(ii) in the case of such a school that has a total enrollment of less than 100 students, permit the local educational agency to forego implementation of improvement activities required under this paragraph.

''(D) PUBLIC SCHOOL CHOICE.—

''(i) IN GENERAL.—A local educational agency may provide all students enrolled in a school identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

''(ii) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest-achieving children from low-income families, as determined by the local educational agency for the purposes of allocating funds to schools under section 1113(a)(3).

''(iii) TREATMENT.—A student who uses the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the student transfers in the same manner as all other students at the public school.

''(iv) SPECIAL RULE.—A local educational agency shall permit a student who transfers to another public school under this paragraph to remain in that school until the student has completed the highest grade in that school.

''(v) FUNDING FOR TRANSPORTATION.—A local educational agency may spend an amount equal to not more than 5 percent of its allocation under subpart 2 of this part to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

''(2) TARGETED SUPPORT AND IMPROVEMENT.—

''(A) IN GENERAL.—Each State educational agency receiving funds under this part shall, using the meaningful differentiation of schools described in subsection (c)(4)(C)—

''(i) notify each local educational agency in the State of any school served by the local educational agency in which any subgroup of students is consistently underperforming, as described in subsection (c)(4)(C)(iii); and

''(ii) ensure such local educational agency provides notification to such school with respect to which subgroup or subgroups of students in such school are consistently underperforming as described in subsection (c)(4)(C)(iii).

''(B) TARGETED SUPPORT AND IMPROVEMENT PLAN.—Each school receiving a notification described in this paragraph, in partnership with stakeholders (including principals and other school leaders, teachers and parents), shall develop and implement a school-level targeted support and improvement plan to improve student outcomes based on the indicators in the statewide accountability system established under subsection (c)(4), for each subgroup of students that was the subject of notification that—

''(i) is informed by all indicators described in subsection (c)(4)(B), including student performance against long-term goals;

''(ii) includes evidence-based interventions;

''(iii) is approved by the local educational agency prior to implementation of such plan;

''(iv) is monitored, upon submission and implementation, by the local educational agency; and

''(v) results in additional action following unsuccessful implementation of such plan after a number of years determined by the local educational agency.

''(C) ADDITIONAL TARGETED SUPPORT.—A plan described in subparagraph (B) that is developed and implemented in any school receiving a notification under this paragraph from the local educational agency in which any subgroup of students, on its own, would lead to identification under subsection (c)(4)(D)(i)(I) using the State's methodology under subsection (c)(4)(D) shall also identify resource inequities (which may include a review of local educational agency and school level budgeting), to be addressed through implementation of such plan.

''(D) SPECIAL RULE.—The State educational agency, based on the State's differentiation of schools under subsection (c)(4)(C) for school year 2017–2018, shall notify local educational agencies of any schools served by the local educational agency in which any subgroup of students, on its own, would lead to identification under subsection (c)(4)(D)(i)(I) using the State's methodology under subsection (c)(4)(D), after which notification of such schools under this paragraph shall result from differentiation of schools pursuant to subsection (c)(4)(C)(iii).

''(3) CONTINUED SUPPORT FOR SCHOOL AND LOCAL EDUCATIONAL AGENCY IMPROVEMENT.—To ensure continued progress to improve student academic achievement and school success in the State, the State educational agency—

''(A) shall—

''(i) establish statewide exit criteria for—

''(I) schools identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i), which, if not satisfied within a State-determined number of years (not to exceed four years), shall result in more rigorous State-determined action, such as the implementation of interventions (which may include addressing school-level operations); and

''(II) schools described in paragraph (2)(C), which, if not satisfied within a State-determined number of years, shall, in the case of such schools receiving assistance under this part, result in identification of the school by the State for comprehensive support and improvement under subsection (c)(4)(D)(i)(III);

''(ii) periodically review resource allocation to support school improvement in each local educational agency in the State serving—

''(I) a significant number of schools identified for comprehensive support and improvement under subsection (c)(4)(D)(i); and

''(II) a significant number of schools implementing targeted support and improvement plans under paragraph (2); and

''(iii) provide technical assistance to each local educational agency in the State serving a significant number of—

''(I) schools implementing comprehensive support and improvement plans under paragraph (1); or

''(II) schools implementing targeted support and improvement plans under paragraph (2); and

''(B) may—

''(i) take action to initiate additional improvement in any local educational agency with—

''(I) a significant number of schools that are consistently identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) and not meeting exit criteria established by the State under subparagraph (A)(i)(I); or

''(II) a significant number of schools implementing targeted support and improvement plans under paragraph (2); and

''(ii) consistent with State law, establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified for comprehensive support and improvement under subsection (c)(4)(D)(i).

''(4) RULE OF CONSTRUCTION FOR COLLECTIVE BARGAINING.—Nothing in this subsection shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded to school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employers and their employees.

''(e) PROHIBITION.—

''(1) IN GENERAL.—Nothing in this Act shall be construed to authorize or permit the Secretary—

''(A) when promulgating any rule or regulation, to promulgate any rule or regulation on the development or implementation of the statewide accountability system established under this section that would—

''(i) add new requirements that are inconsistent with or outside the scope of this part;

''(ii) add new criteria that are inconsistent with or outside the scope of this part; or

''(iii) be in excess of statutory authority granted to the Secretary;

''(B) as a condition of approval of the State plan, or revisions or amendments to, the State plan, or approval of a waiver request submitted under section 8401, to—

''(i) require a State to add any requirements that are inconsistent with or outside the scope of this part;

''(ii) require a State to add or delete one or more specific elements of the challenging State academic standards; or

''(iii) prescribe—

''(I) numeric long-term goals or measurements of interim progress that States establish for all students, for any subgroups of students, and for English learners with respect to English language proficiency, under this part, including—

''(aa) the length of terms set by States in designing such goals; or

''(bb) the progress expected from any subgroups of students in meeting such goals;

''(II) specific academic assessments or assessment items that States or local educational agencies use to meet the requirements of subsection (b)(2) or otherwise use to measure student academic achievement or student growth under this part;

''(III) indicators that States use within the State accountability system under this section, including any requirement to measure student growth, or, if a State chooses to measure student growth, the specific metrics used to measure such growth under this part;

''(IV) the weight of any measure or indicator used to identify or meaningfully differentiate schools, under this part;

''(V) the specific methodology used by States to meaningfully differentiate or identify schools under this part;

''(VI) any specific school support and improvement strategies or activities that State or local educational agencies establish and implement to intervene in, support, and improve schools and improve student outcomes under this part;

''(VII) exit criteria established by States under subsection (d)(3)(A)(i);

''(VIII) provided that the State meets the requirements in subsection (c)(3), a minimum number of students established by a State under such subsection;

''(IX) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency;

''(X) indicators or specific measures of teacher, principal, or other school leader effectiveness or quality; or

''(XI) the way in which the State factors the requirement under subsection (c)(4)(E)(i) into the statewide accountability system under this section; or

''(C) to issue new non-regulatory guidance that—

''(i) in seeking to provide explanation of requirements under this section for State or local educational agencies, either in response to requests for information or in anticipation of such requests, provides a strictly limited or exhaustive list to illustrate successful implementation of provisions under this section; or

''(ii) purports to be legally binding; or

''(D) to require data collection under this part beyond data derived from existing Federal, State, and local reporting requirements.

''(2) DEFINING TERMS.—In carrying out this part, the Secretary shall not, through regulation or as a condition of approval of the State plan or revisions or amendments to the State plan, promulgate a definition of any term used in this part, or otherwise prescribe any specification for any such term, that is inconsistent with or outside the scope of this part or is in violation of paragraph (1).

''(f) EXISTING STATE LAW.—Nothing in this section shall be construed to alter any State law or regulation granting parents authority over schools that repeatedly failed to make adequate yearly progress under this part, as in effect on the day before the date of the enactment of the Every Student Succeeds Act.

''(g) OTHER PLAN PROVISIONS.—

''(1) DESCRIPTIONS.—Each State plan shall describe—

''(A) how the State will provide assistance to local educational agencies and individual elementary schools choosing to use funds under this part to support early childhood education programs;

''(B) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description (except that nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system);

''(C) how the State educational agency will support local educational agencies receiving assistance under this part to improve school conditions for student learning, including through reducing—

''(i) incidences of bullying and harassment;

''(ii) the overuse of discipline practices that remove students from the classroom; and

''(iii) the use of aversive behavioral interventions that compromise student health and safety;

''(D) how the State will support local educational agencies receiving assistance under this part in meeting the needs of students at all levels of schooling (particularly students in the middle grades and high school), including how the State will work with such local educational agencies to provide effective transitions of students to middle grades and high school to decrease the risk of students dropping out;

''(E) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.) to ensure the educational stability of children in foster care, including assurances that—

''(i) any such child enrolls or remains in such child's school of origin, unless a determination is made that it is not in such child's best interest to attend the school of origin, which decision shall be based on all factors relating to the child's best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;

''(ii) when a determination is made that it is not in such child's best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment;

''(iii) the enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records; and

''(iv) the State educational agency will designate an employee to serve as a point of contact for child welfare agencies and to oversee implementation of the State agency responsibilities required under this subparagraph, and such point of contact shall not be the State's Coordinator for Education of Homeless Children and Youths under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(d)(3));

''(F) how the State educational agency will provide support to local educational agencies in the identification, enrollment, attendance, and school stability of homeless children and youths; and

''(G) such other factors the State educational agency determines appropriate to provide students an opportunity to achieve the knowledge and skills described in the challenging State academic standards.

''(2) ASSURANCES.—Each State plan shall contain assurances that—

''(A) the State will make public any methods or criteria the State is using to measure teacher, principal, or other school leader effectiveness for the purpose of meeting the requirements described in paragraph (1)(B);

''(B) the State educational agency will notify local educational agencies, Indian tribes and tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under this section;

''(C) the State educational agency will assist each local educational agency and school affected by the State plan to meet the requirements of this part;

''(D) the State will participate in the biennial State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)) if the Secretary pays the costs of administering such assessments;

''(E) the State educational agency will modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources to improve educational opportunities and reduce unnecessary fiscal and accounting requirements;

''(F) the State educational agency will support the collection and dissemination to local educational agencies and schools of effective parent and family engagement strategies, including those included in the parent and family engagement policy under section 1116;

''(G) the State educational agency will provide the least restrictive and burdensome regulations for local educational agencies and individual schools participating in a program assisted under this part;

''(H) the State educational agency will ensure that local educational agencies, in developing and implementing programs under this part, will, to the extent feasible, work in consultation with outside intermediary organizations (such as educational service agencies), or individuals, that have practical expertise in the development or use of evidence-based strategies and programs to improve teaching, learning, and schools;

''(I) the State educational agency has appropriate procedures and safeguards in place to ensure the validity of the assessment process;

''(J) the State educational agency will ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification;

''(K) the State educational agency will coordinate activities funded under this part with other Federal activities as appropriate;

''(L) the State educational agency has involved the committee of practitioners established under section 1603(b) in developing the plan and monitoring its implementation;

''(M) the State has professional standards for paraprofessionals working in a program supported with funds under this part, including qualifications that were in place on the day before the date of enactment of the Every Student Succeeds Act; and

''(N) the State educational agency will provide the information described in clauses (ii), (iii), and (vii) of subsection (h)(1)(C) to the public in an easily accessible and user-friendly manner that can be cross-tabulated by, at a minimum, each major racial and ethnic group, gender, English proficiency status, and children with or without disabilities, which—

''(i) may be accomplished by including such information on the annual State report card described subsection (h)(1)(C); and

''(ii) shall be presented in a manner that—

''(I) is first anonymized and does not reveal personally identifiable information about an individual student;

''(II) does not include a number of students in any subgroup of students that is insufficient to yield statistically reliable information or that would reveal personally identifiable information about an individual student; and

''(III) is consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(3) RULES OF CONSTRUCTION.—Nothing in paragraph (2)(N) shall be construed to—

''(A) require groups of students obtained by any entity that cross-tabulates the information provided under such paragraph to be considered subgroups of students, as defined in subsection (c)(2), for the purposes of the State accountability system under subsection (c); or

''(B) require or prohibit States or local educational agencies from publicly reporting data in a cross-tabulated manner, in order to meet the requirements of paragraph (2)(N).

''(4) TECHNICAL ASSISTANCE.—Upon request by a State educational agency, the Secretary shall provide technical assistance to such agency to—

''(A) meet the requirements of paragraph (2)(N); or

''(B) in the case of a State educational agency choosing, at its sole discretion, to disaggregate data described in clauses (ii) and (iii)(II) of subsection (h)(1)(C) for Asian and Native Hawaiian or Pacific Islander students using the same race response categories as the decennial census of the population, assist such State educational agency in such disaggregation and in using such data to improve academic outcomes for such students.

''(h) REPORTS.—

''(1) ANNUAL STATE REPORT CARD.—

''(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.

''(B) IMPLEMENTATION.—The State report card required under this paragraph shall be—

''(i) concise;

''(ii) presented in an understandable and uniform format that is developed in consultation with parents and, to the extent practicable, in a language that parents can understand; and

''(iii) widely accessible to the public, which shall include making available on a single webpage of the State educational agency's website, the State report card, all local educational agency report cards for each local educational agency in the State required under paragraph (2), and the annual report to the Secretary under paragraph (5).

''(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

''(i) A clear and concise description of the State's accountability system under subsection (c), including—

''(I) the minimum number of students that the State determines are necessary to be included in each of the subgroups of students, as defined in subsection (c)(2), for use in the accountability system;

''(II) the long-term goals and measurements of interim progress for all students and for each of the subgroups of students, as defined in subsection (c)(2);

''(III) the indicators described in subsection (c)(4)(B) used to meaningfully differentiate all public schools in the State;

''(IV) the State's system for meaningfully differentiating all public schools in the State, including—

''(aa) the specific weight of the indicators described in subsection (c)(4)(B) in such differentiation;

''(bb) the methodology by which the State differentiates all such schools;

''(cc) the methodology by which the State differentiates a school as consistently underperforming for any subgroup of students described in section (c)(4)(C)(iii), including the time period used by the State to determine consistent underperformance; and

''(dd) the methodology by which the State identifies a school for comprehensive support and improvement as required under subsection (c)(4)(D)(i);

''(V) the number and names of all public schools in the State identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) or implementing targeted support and improvement plans under subsection (d)(2); and

''(VI) the exit criteria established by the State as required under clause (i) of subsection (d)(3)(A), including the length of years established under clause (i)(II) of such subsection.

''(ii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), homeless status, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title), information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

''(iii) For all students and disaggregated by each of the subgroups of students, as defined in

*subsection (c)(2), and for purposes of subclause (II) of this clause, homeless status and status as a child in foster care—*

*''(I) information on the performance on the other academic indicator under subsection (c)(4)(B)(ii) for public elementary schools and secondary schools that are not high schools, used by the State in the State accountability system; and*

*''(II) high school graduation rates, including four-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.*

*''(iv) Information on the number and percentage of English learners achieving English language proficiency.*

*''(v) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), information on the performance on the other indicator or indicators of school quality or student success under subsection (c)(4)(B)(v) used by the State in the State accountability system.*

*''(vi) Information on the progress of all students and each subgroup of students, as defined in subsection (c)(2), toward meeting the State-designed long term goals under subsection (c)(4)(A), including the progress of all students and each such subgroup of students against the State measurements of interim progress established under such subsection.*

*''(vii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.*

*''(viii) Information submitted by the State educational agency and each local educational agency in the State, in accordance with data collection conducted pursuant to section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1)), on—*

*''(I) measures of school quality, climate, and safety, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), incidences of violence, including bullying and harassment; and*

*''(II) the number and percentage of students enrolled in—*

*''(aa) preschool programs; and*

*''(bb) accelerated coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment programs.*

*''(ix) The professional qualifications of teachers in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools) on the number and percentage of—*

*''(I) inexperienced teachers, principals, and other school leaders;*

*''(II) teachers teaching with emergency or provisional credentials; and*

*''(III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed.*

*''(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.*

*''(xi) The number and percentages of students with the most significant cognitive disabilities who take an alternate assessment under subsection (b)(2)(D), by grade and subject.*

*''(xii) Results on the State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)), compared to the national average of such results.*

*''(xiii) Where available, for each high school in the State, and beginning with the report card prepared under this paragraph for 2017, the cohort rate (in the aggregate, and disaggregated for each subgroup of students defined in subsection (c)(2)), at which students who graduate from the high school enroll, for the first academic year that begins after the students' graduation—*

*''(I) in programs of public postsecondary education in the State; and*

*''(II) if data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State.*

*''(xiv) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State's public elementary schools and secondary schools, which may include the number and percentage of students attaining career and technical proficiencies (as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2323(b)) and reported by States only in a manner consistent with section 113(c) of such Act (20 U.S.C. 2323(c)).*

*''(D) RULES OF CONSTRUCTION.—Nothing in subparagraph (C)(viii) shall be construed as requiring—*

*''(i) reporting of any data that are not collected in accordance with section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1); or*

*''(ii) disaggregation of any data other than as required under subsection (b)(2)(B)(xi).*

*''(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—*

*''(A) PREPARATION AND DISSEMINATION.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency.*

*''(B) IMPLEMENTATION.—Each local educational agency report card shall be—*

*''(i) concise;*

*''(ii) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and*

*''(iii) accessible to the public, which shall include—*

*''(I) placing such report card on the website of the local educational agency; and*

*''(II) in any case in which a local educational agency does not operate a website, providing the information to the public in another manner determined by the local educational agency.*

*''(C) MINIMUM REQUIREMENTS.—The State educational agency shall ensure that each local educational agency collects appropriate data and includes in the local educational agency's annual report the information described in paragraph (1)(C), disaggregated in the same manner as required under such paragraph, except for clause (xii) of such paragraph, as applied to the local educational agency and each school served by the local educational agency, including—*

*''(i) in the case of a local educational agency, information that shows how students served by the local educational agency achieved on the academic assessments described in subsection (b)(2) compared to students in the State as a whole;*

*''(ii) in the case of a school, information that shows how the school's students' achievement on the academic assessments described in subsection (b)(2) compared to students served by the local educational agency and the State as a whole; and*

*''(iii) any other information that the local educational agency determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each public school served by the local educational agency, whether or not such information is included in the annual State report card.*

*''(D) ADDITIONAL INFORMATION.—In the case of a local educational agency that issues a report card for all students, the local educational agency may include the information under this section as part of such report.*

*''(3) PREEXISTING REPORT CARDS.—A State educational agency or local educational agency may use public report cards on the performance of students, schools, local educational agencies, or the State, that were in effect prior to the date of enactment of the Every Student Succeeds Act for the purpose of this subsection, so long as any such report card is modified, as may be needed, to contain the information required by this subsection, and protects the privacy of individual students.*

*''(4) COST REDUCTION.—Each State educational agency and local educational agency receiving assistance under this part shall, wherever possible, take steps to reduce data collection costs and duplication of effort by obtaining the information required under this subsection through existing data collection efforts.*

*''(5) ANNUAL STATE REPORT TO THE SECRETARY.—Each State educational agency receiving assistance under this part shall report annually to the Secretary, and make widely available within the State—*

*''(A) information on the achievement of students on the academic assessments required by subsection (b)(2), including the disaggregated results for the subgroups of students as defined in subsection (c)(2);*

*''(B) information on the acquisition of English proficiency by English learners;*

*''(C) the number and names of each public school in the State—*

*''(i) identified for comprehensive support and improvement under subsection (c)(4)(D)(i); and*

*''(ii) implementing targeted support and improvement plans under subsection (d)(2); and*

*''(D) information on the professional qualifications of teachers in the State, including information on the number and the percentage of the following teachers:*

*''(i) Inexperienced teachers.*

*''(ii) Teachers teaching with emergency or provisional credentials.*

*''(iii) Teachers who are not teaching in the subject or field for which the teacher is certified or licensed.*

*''(6) REPORT TO CONGRESS.—The Secretary shall transmit annually to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that provides national and State-level data on the information collected under paragraph (5). Such report shall be submitted through electronic means only.*

*''(i) PRIVACY.—*

*''(1) IN GENERAL.—Information collected or disseminated under this section (including any information collected for or included in the reports described in subsection (h)) shall be collected and disseminated in a manner that protects the privacy of individuals consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974') and this Act.*

*''(2) SUFFICIENCY.—The reports described in subsection (h) shall only include data that are sufficient to yield statistically reliable information.*

*''(3) DISAGGREGATION.—Disaggregation under this section shall not be required if such disaggregation will reveal personally identifiable information about any student, teacher, principal, or other school leader, or will provide data that are insufficient to yield statistically reliable information.*

*''(j) VOLUNTARY PARTNERSHIPS.—A State retains the right to enter into a voluntary partnership with another State to develop and implement the challenging State academic standards and assessments required under this section, except that the Secretary shall not attempt to influence, incentivize, or coerce State—*

''(1) adoption of the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States, or assessments tied to such standards; or

''(2) participation in such partnerships.

''(k) SPECIAL RULE WITH RESPECT TO BUREAU-FUNDED SCHOOLS.—In determining the assessments to be used by each school operated or funded by the Bureau of Indian Education receiving funds under this part, the following shall apply until the requirements of section 8204(c) have been met:

''(1) Each such school that is accredited by the State in which it is operating shall use the assessments and other academic indicators the State has developed and implemented to meet the requirements of this section, or such other appropriate assessment and academic indicators as approved by the Secretary of the Interior.

''(2) Each such school that is accredited by a regional accrediting organization (in consultation with and with the approval of the Secretary of the Interior, and consistent with assessments and academic indicators adopted by other schools in the same State or region) shall adopt an appropriate assessment and other academic indicators that meet the requirements of this section.

''(3) Each such school that is accredited by a tribal accrediting agency or tribal division of education shall use an assessment and other academic indicators developed by such agency or division, except that the Secretary of the Interior shall ensure that such assessment and academic indicators meet the requirements of this section.

''(l) CONSTRUCTION.—Nothing in this part shall be construed to prescribe the use of the academic assessments described in this part for student promotion or graduation purposes.''.

**SEC. 1006. LOCAL EDUCATIONAL AGENCY PLANS.**

Section 1112 (20 U.S.C. 6312) is amended to read as follows:

**''SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.**

''(a) PLANS REQUIRED.—

''(1) SUBGRANTS.—A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that—

''(A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), administrators (including administrators of programs described in other parts of this title), other appropriate school personnel, and with parents of children in schools served under this part; and

''(B) as appropriate, is coordinated with other programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (20 U.S.C. 701 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.), the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.), and other Acts as appropriate.

''(2) CONSOLIDATED APPLICATION.—The plan may be submitted as part of a consolidated application under section 8305.

''(3) STATE APPROVAL.—

''(A) IN GENERAL.—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

''(B) APPROVAL.—The State educational agency shall approve a local educational agency's plan only if the State educational agency determines that the local educational agency's plan—

''(i) provides that schools served under this part substantially help children served under this part meet the challenging State academic standards; and

''(ii) meets the requirements of this section.

''(4) DURATION.—Each local educational agency plan shall be submitted for the first year for which this part is in effect following the date of enactment of the Every Student Succeeds Act and shall remain in effect for the duration of the agency's participation under this part.

''(5) REVIEW.—Each local educational agency shall periodically review and, as necessary, revise its plan.

''(6) RULE OF CONSTRUCTION.—Consultation required under paragraph (1)(A) shall not interfere with the timely submission of the plan required under this section.

''(b) PLAN PROVISIONS.—To ensure that all children receive a high-quality education, and to close the achievement gap between children meeting the challenging State academic standards and those children who are not meeting such standards, each local educational agency plan shall describe—

''(1) how the local educational agency will monitor students' progress in meeting the challenging State academic standards by—

''(A) developing and implementing a well-rounded program of instruction to meet the academic needs of all students;

''(B) identifying students who may be at risk for academic failure;

''(C) providing additional educational assistance to individual students the local educational agency or school determines need help in meeting the challenging State academic standards; and

''(D) identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning;

''(2) how the local educational agency will identify and address, as required under State plans as described in section 1111(g)(1)(B), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers;

''(3) how the local educational agency will carry out its responsibilities under paragraphs (1) and (2) of section 1111(d);

''(4) the poverty criteria that will be used to select school attendance areas under section 1113;

''(5) in general, the nature of the programs to be conducted by such agency's schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

''(6) the services the local educational agency will provide homeless children and youths, including services provided with funds reserved under section 1113(c)(3)(A), to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the local educational agency is providing under the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.);

''(7) the strategy the local educational agency will use to implement effective parent and family engagement under section 1116;

''(8) if applicable, how the local educational agency will support, coordinate, and integrate services provided under this part with early childhood education programs at the local educational agency or individual school level, including plans for the transition of participants in such programs to local elementary school programs;

''(9) how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under section 1115, will identify the eligible children most in need of services under this part;

''(10) how the local educational agency will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including, if applicable—

''(A) through coordination with institutions of higher education, employers, and other local partners; and

''(B) through increased student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills;

''(11) how the local educational agency will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of discipline, disaggregated by each of the subgroups of students, as defined in section 1111(c)(2);

''(12) if determined appropriate by the local educational agency, how such agency will support programs that coordinate and integrate—

''(A) academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities and promote skills attainment important to in-demand occupations or industries in the State; and

''(B) work-based learning opportunities that provide students in-depth interaction with industry professionals and, if appropriate, academic credit; and

''(13) any other information on how the local educational agency proposes to use funds to meet the purposes of this part, and that the local educational agency determines appropriate to provide, which may include how the local educational agency will—

''(A) assist schools in identifying and serving gifted and talented students; and

''(B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

''(c) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—

''(1) ensure that migratory children and formerly migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

''(2) provide services to eligible children attending private elementary schools and secondary schools in accordance with section 1117, and timely and meaningful consultation with private school officials regarding such services;

''(3) participate, if selected, in the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3));

''(4) coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children and youths, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

''(5) collaborate with the State or local child welfare agency to—

''(A) designate a point of contact if the corresponding child welfare agency notifies the local educational agency, in writing, that the agency has designated an employee to serve as a point of contact for the local educational agency; and

''(B) by not later than 1 year after the date of enactment of the Every Student Succeeds Act, develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall—

''(i) ensure that children in foster care needing transportation to the school of origin will

*promptly receive transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)); and*

*''(ii) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if—*

*''(I) the local child welfare agency agrees to reimburse the local educational agency for the cost of such transportation;*

*''(II) the local educational agency agrees to pay for the cost of such transportation; or*

*''(III) the local educational agency and the local child welfare agency agree to share the cost of such transportation; and*

*''(6) ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification; and*

*''(7) in the case of a local educational agency that chooses to use funds under this part to provide early childhood education services to low-income children below the age of compulsory school attendance, ensure that such services comply with the performance standards established under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)).*

*''(d) SPECIAL RULE.—For local educational agencies using funds under this part for the purposes described in subsection (c)(7), the Secretary shall—*

*''(1) consult with the Secretary of Health and Human Services and establish procedures (taking into consideration existing State and local laws, and local teacher contracts) to assist local educational agencies to comply with such subsection; and*

*''(2) disseminate to local educational agencies the education performance standards in effect under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)), and such agencies affected by such subsection (c)(7) shall plan to comply with such subsection (taking into consideration existing State and local laws, and local teacher contracts), including by pursuing the availability of other Federal, State, and local funding sources to assist with such compliance.*

*''(e) PARENTS RIGHT-TO-KNOW.—*

*''(1) INFORMATION FOR PARENTS.—*

*''(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:*

*''(i) Whether the student's teacher—*

*''(I) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;*

*''(II) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and*

*''(III) is teaching in the field of discipline of the certification of the teacher.*

*''(ii) Whether the child is provided services by paraprofessionals and, if so, their qualifications.*

*''(B) ADDITIONAL INFORMATION.—In addition to the information that parents may request under subparagraph (A), a school that receives funds under this part shall provide to each individual parent of a child who is a student in such school, with respect to such student—*

*''(i) information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required under this part; and*

*''(ii) timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.*

*''(2) TESTING TRANSPARENCY.—*

*''(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the local educational agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.*

*''(B) ADDITIONAL INFORMATION.—Subject to subparagraph (C), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency's website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—*

*''(i) the subject matter assessed;*

*''(ii) the purpose for which the assessment is designed and used;*

*''(iii) the source of the requirement for the assessment; and*

*''(iv) where such information is available—*

*''(I) the amount of time students will spend taking the assessment, and the schedule for the assessment; and*

*''(II) the time and format for disseminating results.*

*''(C) LOCAL EDUCATIONAL AGENCY THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.*

*''(3) LANGUAGE INSTRUCTION.—*

*''(A) NOTICE.—Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III shall, not later than 30 days after the beginning of the school year, inform parents of an English learner identified for participation or participating in such a program, of—*

*''(i) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;*

*''(ii) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;*

*''(iii) the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;*

*''(iv) how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;*

*''(v) how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;*

*''(vi) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;*

*''(vii) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)); and*

*''(viii) information pertaining to parental rights that includes written guidance—*

*''(I) detailing the right that parents have to have their child immediately removed from such program upon their request;*

*''(II) detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and*

*''(III) assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.*

*''(B) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.—For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children's parents during the first 2 weeks of the child being placed in a language instruction educational program consistent with subparagraph (A).*

*''(C) PARENTAL PARTICIPATION.—*

*''(i) IN GENERAL.—Each local educational agency receiving funds under this part shall implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can—*

*''(I) be involved in the education of their children; and*

*''(II) be active participants in assisting their children to—*

*''(aa) attain English proficiency;*

*''(bb) achieve at high levels within a well-rounded education; and*

*''(cc) meet the challenging State academic standards expected of all students.*

*''(ii) REGULAR MEETINGS.—Implementing an effective means of outreach to parents under clause (i) shall include holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part or title III.*

*''(D) BASIS FOR ADMISSION OR EXCLUSION.—A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.*

*''(4) NOTICE AND FORMAT.—The notice and information provided to parents under this subsection shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.''.*

***SEC. 1007. ELIGIBLE SCHOOL ATTENDANCE AREAS.***

*Section 1113 (20 U.S.C. 6313) is amended—*

*(1) in subsection (a)—*

*(A) by striking paragraph (3) and inserting the following:*

*''(3) RANKING ORDER.—*

*''(A) RANKING.—Except as provided in subparagraph (B), if funds allocated in accordance with subsection (c) are insufficient to serve all eligible school attendance areas, a local educational agency shall—*

*''(i) annually rank, without regard to grade spans, such agency's eligible school attendance areas in which the concentration of children from low-income families exceeds 75 percent from highest to lowest according to the percentage of children from low-income families; and*

*''(ii) serve such eligible school attendance areas in rank order.*

*''(B) EXCEPTION.—A local educational agency may lower the threshold in subparagraph (A)(i)*

*to 50 percent for high schools served by such agency.''; and*

*(B) by striking paragraph (5) and inserting the following:*

*''(5) MEASURES.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), a local educational agency shall use the same measure of poverty, which measure shall be the number of children aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid Program, or a composite of such indicators, with respect to all school attendance areas in the local educational agency—*

*''(i) to identify eligible school attendance areas;*

*''(ii) to determine the ranking of each area; and*

*''(iii) to determine allocations under subsection (c).*

*''(B) SECONDARY SCHOOLS.—For measuring the number of students in low-income families in secondary schools, the local educational agency shall use the same measure of poverty, which shall be—*

*''(i) the measure described under subparagraph (A); or*

*''(ii) subject to meeting the conditions of subparagraph (C), an accurate estimate of the number of students in low-income families in a secondary school that is calculated by applying the average percentage of students in low-income families of the elementary school attendance areas as calculated under subparagraph (A) that feed into the secondary school to the number of students enrolled in such school.*

*''(C) MEASURE OF POVERTY.—The local educational agency shall have the option to use the measure of poverty described in subparagraph (B)(ii) after—*

*''(i) conducting outreach to secondary schools within such agency to inform such schools of the option to use such measure; and*

*''(ii) a majority of such schools have approved the use of such measure.'';*

*(2) in subsection (b)(1)(D)(i), by striking ''section 1120A(c)'' and inserting ''section 1118(c)''; and*

*(3) in subsection (c)—*

*(A) by striking paragraph (3) and inserting the following:*

*''(3) RESERVATION OF FUNDS.—*

*''(A) IN GENERAL.—A local educational agency shall reserve such funds as are necessary under this part, determined in accordance with subparagraphs (B) and (C), to provide services comparable to those provided to children in schools funded under this part to serve—*

*''(i) homeless children and youths, including providing educationally related support services to children in shelters and other locations where children may live;*

*''(ii) children in local institutions for neglected children; and*

*''(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.*

*''(B) METHOD OF DETERMINATION.—The share of funds determined under subparagraph (A) shall be determined—*

*''(i) based on the total allocation received by the local educational agency; and*

*''(ii) prior to any allowable expenditures or transfers by the local educational agency.*

*''(C) HOMELESS CHILDREN AND YOUTHS.—Funds reserved under subparagraph (A)(i) may be—*

*''(i) determined based on a needs assessment of homeless children and youths in the local educational agency, taking into consideration the number and needs of homeless children and youths in the local educational agency, and which needs assessment may be the same needs assessment as conducted under section 723(b)(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11433(b)(1)); and*

*''(ii) used to provide homeless children and youths with services not ordinarily provided to other students under this part, including providing—*

*''(I) funding for the liaison designated pursuant to section 722(g)(1)(J)(ii) of such Act (42 U.S.C. 11432(g)(1)(J)(ii)); and*

*''(II) transportation pursuant to section 722(g)(1)(J)(iii) of such Act (42 U.S.C. 11432(g)(1)(J)(iii)).'';*

*(B) in paragraph (4), by striking ''school improvement, corrective action, and restructuring under section 1116(b)'' and inserting ''comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d)''; and*

*(C) by adding at the end the following:*

*''(5) EARLY CHILDHOOD EDUCATION.—A local educational agency may reserve funds made available to carry out this section to provide early childhood education programs for eligible children.''.*

***SEC. 1008. SCHOOLWIDE PROGRAMS.***

*Section 1114 (20 U.S.C. 6314) is amended—*

*(1) by striking subsection (a) and inserting the following:*

*''(a) IN GENERAL.—*

*''(1) USE OF FUNDS FOR SCHOOLWIDE PROGRAMS.—*

*''(A) ELIGIBILITY.—A local educational agency may consolidate and use funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families.*

*''(B) EXCEPTION.—A school that serves an eligible school attendance area in which less than 40 percent of the children are from low-income families, or a school for which less than 40 percent of the children enrolled in the school are from such families, may operate a schoolwide program under this section if the school receives a waiver from the State educational agency to do so, after taking into account how a schoolwide program will best serve the needs of the students in the school served under this part in improving academic achievement and other factors.*

*''(2) IDENTIFICATION OF STUDENTS NOT REQUIRED.—*

*''(A) IN GENERAL.—No school participating in a schoolwide program shall be required to identify—*

*''(i) particular children under this part as eligible to participate in a schoolwide program; or*

*''(ii) individual services as supplementary.*

*''(B) SUPPLEMENTAL FUNDS.—In accordance with the method of determination described in section 1118(b)(2), a school participating in a schoolwide program shall use funds available to carry out this section only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and English learners.*

*''(3) EXEMPTION FROM STATUTORY AND REGULATORY REQUIREMENTS.—*

*''(A) EXEMPTION.—Except as provided in paragraph (2), the Secretary may, through publication of a notice in the Federal Register, exempt schoolwide programs under this section from statutory or regulatory provisions of any other noncompetitive formula grant program administered by the Secretary (other than formula or discretionary grant programs under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), except as provided in section 613(a)(2)(D) of such Act (20 U.S.C. 1413(a)(2)(D))), or any discretionary grant program administered by the Secretary, to support schoolwide programs if the intent and purposes of such other programs are met.*

*''(B) REQUIREMENTS.—A school that chooses to use funds from such other programs shall not be relieved of the requirements relating to health, safety, civil rights, student and parental participation and involvement, services to private school children, comparability of services, maintenance of effort, uses of Federal funds to supplement, not supplant non-Federal funds (in accordance with the method of determination described in section 1118(b)(2)), or the distribution of funds to State educational agencies or local educational agencies that apply to the receipt of funds from such programs.*

*''(C) RECORDS.—A school that chooses to consolidate and use funds from different Federal programs under this section shall not be required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds as long as the school maintains records that demonstrate that the schoolwide program, considered as a whole, addresses the intent and purposes of each of the Federal programs that were consolidated to support the schoolwide program.'';*

*(2) by striking subsection (b) and inserting the following:*

*''(b) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program shall develop a comprehensive plan (or amend a plan for such a program that was in existence on the day before the date of the enactment of the Every Student Succeeds Act) that—*

*''(1) is developed during a 1-year period, unless—*

*''(A) the local educational agency determines, in consultation with the school, that less time is needed to develop and implement the schoolwide program; or*

*''(B) the school is operating a schoolwide program on the day before the date of the enactment of the Every Student Succeeds Act, in which case such school may continue to operate such program, but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section;*

*''(2) is developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals present in the school, administrators (including administrators of programs described in other parts of this title), the local educational agency, to the extent feasible, tribes and tribal organizations present in the community, and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, if the plan relates to a secondary school, students, and other individuals determined by the school;*

*''(3) remains in effect for the duration of the school's participation under this part, except that the plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure that all students are provided opportunities to meet the challenging State academic standards;*

*''(4) is available to the local educational agency, parents, and the public, and the information contained in such plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand; and*

*''(5) if appropriate and applicable, is developed in coordination and integration with other Federal, State, and local services, resources, and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and schools implementing comprehensive support and improve-*

*ment activities or targeted support and improvement activities under section 1111(d);*

*''(6) is based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards, particularly the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards and any other factors as determined by the local educational agency; and*

*''(7) includes a description of—*

*''(A) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—*

*''(i) provide opportunities for all children, including each of the subgroups of students (as defined in section 1111(c)(2)) to meet the challenging State academic standards;*

*''(ii) use methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education; and*

*''(iii) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, through activities which may include—*

*''(I) counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students' skills outside the academic subject areas;*

*''(II) preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school (such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high schools);*

*''(III) implementation of a schoolwide tiered model to prevent and address problem behavior, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);*

*''(IV) professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments, and to recruit and retain effective teachers, particularly in high-need subjects; and*

*''(V) strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs; and*

*''(B) if programs are consolidated, the specific State educational agency and local educational agency programs and other Federal programs that will be consolidated in the schoolwide program.'';*

*(3) by striking subsection (c) and inserting the following:*

*''(c) PRESCHOOL PROGRAMS.—A school that operates a schoolwide program under this section may use funds available under this part to establish or enhance preschool programs for children who are under 6 years of age.*

*''(d) DELIVERY OF SERVICES.—The services of a schoolwide program under this section may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.*

*''(e) USE OF FUNDS FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—*

*''(1) IN GENERAL.—A secondary school operating a schoolwide program under this section may use funds received under this part to operate dual or concurrent enrollment programs that address the needs of low-achieving secondary school students and those at risk of not meeting the challenging State academic standards.*

*''(2) FLEXIBILITY OF FUNDS.—A secondary school using funds received under this part for a dual or concurrent enrollment program described in paragraph (1) may use such funds for any of the costs associated with such program, including the costs of—*

*''(A) training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education, where appropriate, for the purpose of integrating rigorous academics in such program;*

*''(B) tuition and fees, books, required instructional materials for such program, and innovative delivery methods; and*

*''(C) transportation to and from such program.*

*''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.''.*

***SEC. 1009. TARGETED ASSISTANCE SCHOOLS.***

*Section 1115 (20 U.S.C. 6315) is amended—*

*(1) by striking subsection (a) and inserting the following:*

*''(a) IN GENERAL.—In all schools selected to receive funds under section 1113(c) that are ineligible for a schoolwide program under section 1114, have not received a waiver under section 1114(a)(1)(B) to operate such a schoolwide program, or choose not to operate such a schoolwide program, a local educational agency serving such school may use funds received under this part only for programs that provide services to eligible children under subsection (c) identified as having the greatest need for special assistance.'';*

*(2) by redesignating subsections (b) and (c) as subsections (c) and (b), respectively, and moving those redesignated subsections so as to appear in alphabetical order;*

*(3) by striking subsection (b), as redesignated by paragraph (2), and inserting the following:*

*''(b) TARGETED ASSISTANCE SCHOOL PROGRAM.—To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this part the opportunity to meet the challenging State academic standards, each targeted assistance program under this section shall—*

*''(1) determine which students will be served;*

*''(2) serve participating students identified as eligible children under subsection (c), including by—*

*''(A) using resources under this part to help eligible children meet the challenging State academic standards, which may include programs, activities, and academic courses necessary to provide a well-rounded education;*

*''(B) using methods and instructional strategies to strengthen the academic program of the school through activities, which may include—*

*''(i) expanded learning time, before- and after-school programs, and summer programs and opportunities; and*

*''(ii) a schoolwide tiered model to prevent and address behavior problems, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);*

*''(C) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under subpart 2 of part B of title II, or State-run preschool programs to elementary school programs;*

*''(D) providing professional development with resources provided under this part, and, to the extent practicable, from other sources, to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible children in programs under this section or in the regular education program;*

*''(E) implementing strategies to increase the involvement of parents of eligible children in accordance with section 1116; and*

*''(F) if appropriate and applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); and*

*''(G) provide to the local educational agency assurances that the school will—*

*''(i) help provide an accelerated, high-quality curriculum;*

*''(ii) minimize the removal of children from the regular classroom during regular school hours for instruction provided under this part; and*

*''(iii) on an ongoing basis, review the progress of eligible children and revise the targeted assistance program under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.'';*

*(4) in subsection (c), as redesignated by paragraph (2)—*

*(A) in paragraph (1)(B)—*

*(i) by striking ''the State's challenging student academic achievement standards'' and inserting ''the challenging State academic standards''; and*

*(ii) by striking ''such criteria as teacher judgment, interviews with parents, and developmentally appropriate measures'' and inserting ''criteria, including objective criteria, established by the local educational agency and supplemented by the school''; and*

*(B) in paragraph (2)—*

*(i) in subparagraph (A), by striking ''limited English proficient children'' and inserting ''English learners'';*

*(ii) in subparagraph (B)—*

*(I) by striking the heading and inserting ''HEAD START AND PRESCHOOL CHILDREN''; and*

*(II) by striking ''Head Start, Even Start, or Early Reading First program,'' and inserting ''Head Start program, the literacy program under subpart 2 of part B of title II,''; and*

*(iii) in subparagraph (C), by striking the heading and inserting ''MIGRANT CHILDREN'';*

*(5) in subsection (e)—*

*(A) in paragraph (2)(B)—*

*(i) by striking ''and'' at the end of clause (ii);*

*(ii) by redesignating clause (iii) as clause (v); and*

*(iii) by inserting after clause (ii) the following new clauses:*

*''(iii) family support and engagement services;*

*''(iv) integrated student supports; and''; and*

*(iv) in clause (v), as redesignated by clause (iii), by striking ''pupil services'' and inserting ''specialized instructional support''; and*

*(B) by striking paragraph (3); and*

*(6) by adding at the end the following:*

*''(f) USE OF FUNDS FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—A secondary school operating a targeted assistance program under this section may use funds received under this part to provide dual or concurrent enrollment program services described under section 1114(e) to eligible children under subsection (c)(1)(B) who are identified as having the greatest need for special assistance.*

*''(g) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local educational agency or school to submit the results of a comprehensive needs assessment or plan under section 1114(b), or a program described in subsection (b), for review or approval by the Secretary.*

*''(h) DELIVERY OF SERVICES.—The services of a targeted assistance program under this section may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.''.*

***SEC. 1010. PARENT AND FAMILY ENGAGEMENT.***

*Section 1116, as redesignated by section 1000(2), is amended—*

*(1) in the section heading, by striking ''**PARENTAL INVOLVEMENT**'' and inserting ''**PARENT AND FAMILY ENGAGEMENT**'';*

*(2) in subsection (a)—*

*(A) in paragraph (1)—*

*(i) by inserting ''conducts outreach to all parents and family members and'' after ''only if such agency''; and*

*(ii) by inserting ''and family members'' after ''and procedures for the involvement of parents'';*

*(B) in paragraph (2)—*

*(i) in the matter preceding subparagraph (A)—*

*(I) by inserting ''and family members'' after '', and distribute to, parents'';*

*(II) by striking ''written parent involvement policy'' and inserting ''written parent and family engagement policy''; and*

*(III) by striking ''expectations for parent involvement'' and inserting ''expectations and objectives for meaningful parent and family involvement''; and*

*(ii) by striking subparagraphs (A) through (F) and inserting the following:*

*''(A) involve parents and family members in jointly developing the local educational agency plan under section 1112, and the development of support and improvement plans under paragraphs (1) and (2) of section 1111(d).*

*''(B) provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the local educational agency in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;*

*''(C) coordinate and integrate parent and family engagement strategies under this part with parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs;*

*''(D) conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools served under this part, including identifying—*

*''(i) barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);*

*''(ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and*

*''(iii) strategies to support successful school and family interactions;*

*''(E) use the findings of such evaluation in subparagraph (D) to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policies described in this section; and*

*''(F) involve parents in the activities of the schools served under this part, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the local educational agency to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy.''; and*

*(C) in paragraph (3)—*

*(i) by striking subparagraph (A) and inserting the following:*

*''(A) IN GENERAL.—Each local educational agency shall reserve at least 1 percent of its allocation under subpart 2 to assist schools to carry out the activities described in this section, except that this subparagraph shall not apply if 1 percent of such agency's allocation under subpart 2 for the fiscal year for which the determination is made is $5,000 or less. Nothing in this subparagraph shall be construed to limit local educational agencies from reserving more than 1 percent of its allocation under subpart 2 to assist schools to carry out activities described in this section.'';*

*(ii) in subparagraph (B), by striking ''(B) PARENTAL INPUT.—Parents of children'' and inserting ''(B) PARENT AND FAMILY MEMBER INPUT.—Parents and family members of children'';*

*(iii) in subparagraph (C)—*

*(I) by striking ''95 percent'' and inserting ''90 percent''; and*

*(II) by inserting '', with priority given to high-need schools'' after ''schools served under this part''; and*

*(iv) by adding at the end the following:*

*''(D) USE OF FUNDS.—Funds reserved under subparagraph (A) by a local educational agency shall be used to carry out activities and strategies consistent with the local educational agency's parent and family engagement policy, including not less than 1 of the following:*

*''(i) Supporting schools and nonprofit organizations in providing professional development for local educational agency and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.*

*''(ii) Supporting programs that reach parents and family members at home, in the community, and at school.*

*''(iii) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.*

*''(iv) Collaborating, or providing subgrants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement.*

*''(v) Engaging in any other activities and strategies that the local educational agency determines are appropriate and consistent with such agency's parent and family engagement policy.'';*

*(3) in subsection (b)—*

*(A) in the subsection heading, by striking ''PARENTAL INVOLVEMENT POLICY'' and inserting ''PARENT AND FAMILY ENGAGEMENT POLICY'';*

*(B) in paragraph (1)—*

*(i) by inserting ''and family members'' after ''distribute to, parents''; and*

*(ii) by striking ''written parental involvement policy'' and inserting ''written parent and family engagement policy'';*

*(C) in paragraph (2)—*

*(i) by striking ''parental involvement policy'' and inserting ''parent and family engagement policy''; and*

*(ii) by inserting ''and family members'' after ''that applies to all parents''; and*

*(D) in paragraph (3)—*

*(i) by striking ''parental involvement policy'' and inserting ''parent and family engagement policy''; and*

*(ii) by inserting ''and family members in all schools served by the local educational agency'' after ''policy that applies to all parents'';*

*(4) in subsection (c)—*

*(A) in paragraph (3)—*

*(i) by striking ''parental involvement policy'' and inserting ''parent and family engagement policy''; and*

*(ii) by striking ''1114(b)(2)'' and inserting ''1114(b)'';*

*(B) in paragraph (4)(B), by striking ''the proficiency levels students are expected to meet'' and inserting ''the achievement levels of the challenging State academic standards''; and*

*(C) in paragraph (5), by striking ''1114(b)(2)'' and inserting ''1114(b)'';*

*(5) in subsection (d)—*

*(A) in the matter preceding paragraph (1), by striking ''parental involvement policy'' and inserting ''parent and family engagement policy'';*

*(B) in paragraph (1)—*

*(i) by striking ''the State's student academic achievement standards'' and inserting ''the challenging State academic standards''; and*

*(ii) by striking '', such as monitoring attendance, homework completion, and television watching''; and*

*(C) in paragraph (2)—*

*(i) in subparagraph (B), by striking ''and'' after the semicolon;*

*(ii) in subparagraph (C), by striking the period and inserting ''; and''; and*

*(iii) by adding at the end the following:*

*''(D) ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.'';*

*(6) in subsection (e)—*

*(A) in paragraph (1), by striking ''the State's academic content standards and State student academic achievement standards'' and inserting ''the challenging State academic standards'';*

*(B) in paragraph (2), by striking ''technology'' and inserting ''technology (including education about the harms of copyright piracy)'';*

*(C) in paragraph (3), by striking ''pupil services personnel, principals'' and inserting ''specialized instructional support personnel, principals, and other school leaders''; and*

*(D) in paragraph (4), by striking ''Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs,'' and inserting ''other Federal, State, and local programs, including public preschool programs,'';*

*(7) by striking subsection (f) and inserting the following:*

*''(f) ACCESSIBILITY.—In carrying out the parent and family engagement requirements of this part, local educational agencies and schools, to the extent practicable, shall provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand.'';*

*(8) by striking subsection (g) and inserting the following:*

*''(g) FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.—In a State operating a program under part E of title IV, each local educational agency or school that receives assistance under this part shall inform parents and organizations of the existence of the program.''; and*

*(9) in subsection (h), by striking ''parental involvement policies'' and inserting ''parent and family engagement policies''.*

***SEC. 1011. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.***

*Section 1117, as redesignated by section 1000(3), is amended—*

*(1) in subsection (a)—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) IN GENERAL.—To the extent consistent with the number of eligible children identified under section 1115(c) in the school district served by a local educational agency who are enrolled in private elementary schools and secondary schools, a local educational agency shall—*

*''(A) after timely and meaningful consultation with appropriate private school officials, provide such children, on an equitable basis and individually or in combination, as requested by*

*the officials to best meet the needs of such children, special educational services, instructional services (including evaluations to determine the progress being made in meeting such students' academic needs), counseling, mentoring, one-on-one tutoring, or other benefits under this part (such as dual or concurrent enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs; and*

*''(B) ensure that teachers and families of the children participate, on an equitable basis, in services and activities developed pursuant to section 1116.'';*

*(B) by striking paragraph (3) and inserting the following:*

*''(3) EQUITY.—*

*''(A) IN GENERAL.—Educational services and other benefits for such private school children shall be equitable in comparison to services and other benefits for public school children participating under this part, and shall be provided in a timely manner.*

*''(B) OMBUDSMAN.—To help ensure such equity for such private school children, teachers, and other educational personnel, the State educational agency involved shall designate an ombudsman to monitor and enforce the requirements of this part.'';*

*(C) by striking paragraph (4) and inserting the following:*

*''(4) EXPENDITURES.—*

*''(A) DETERMINATION.—*

*''(i) IN GENERAL.—Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools.*

*''(ii) PROPORTIONAL SHARE.—The proportional share of funds shall be determined based on the total amount of funds received by the local educational agency under this part prior to any allowable expenditures or transfers by the local educational agency.*

*''(B) OBLIGATION OF FUNDS.—Funds allocated to a local educational agency for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received by the agency.*

*''(C) NOTICE OF ALLOCATION.—Each State educational agency shall provide notice in a timely manner to the appropriate private school officials in the State of the allocation of funds for educational services and other benefits under this part that the local educational agencies have determined are available for eligible private school children.*

*''(D) TERM OF DETERMINATION.—The local educational agency may determine the equitable share under subparagraph (A) each year or every 2 years.''; and*

*(D) in paragraph (5), by striking ''agency'' and inserting ''agency, or, in a case described in subsection (b)(6)(C), the State educational agency involved,'';*

*(2) in subsection (b)—*

*(A) in paragraph (1)—*

*(i) in the matter preceding subparagraph (A), by striking ''part,'' and inserting ''part. Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, the results of which agreement shall be transmitted to the ombudsman designated under subsection (a)(3)(B). Such process shall include consultation'';*

*(ii) in subparagraph (E)—*

*(I) by striking ''and'' before ''the proportion of funds'';*

*(II) by striking ''(a)(4)'' and inserting ''(a)(4)(A)'' ; and*

*(III) by inserting '', and how that proportion of funds is determined'' after ''such services'';*

*(iii) in subparagraph (G), by striking ''and'' after the semicolon;*

*(iv) in subparagraph (H), by striking the period at the end and inserting a semicolon; and*

*(v) by adding at the end the following:*

*''(I) whether the agency shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor;*

*''(J) whether to provide equitable services to eligible private school children—*

*''(i) by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(A) based on all the children from low-income families in a participating school attendance area who attend private schools; or*

*''(ii) in the agency's participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(A) based on the number of children from low-income families who attend private schools;*

*''(K) when, including the approximate time of day, services will be provided; and*

*''(L) whether to consolidate and use funds provided under subsection (a)(4) in coordination with eligible funds available for services to private school children under applicable programs, as defined in section 8501(b)(1)to provide services to eligible private school children participating in programs.'';*

*(B) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;*

*(C) by inserting after paragraph (1) the following:*

*''(2) DISAGREEMENT.—If a local educational agency disagrees with the views of private school officials with respect to an issue described in paragraph (1), the local educational agency shall provide in writing to such private school officials the reasons why the local educational agency disagrees.'';*

*(D) in paragraph (5) (as redesignated by subparagraph (B))—*

*(i) by inserting ''meaningful'' before ''consultation'' in the first sentence;*

*(ii) by inserting ''The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.'' after ''occurred.''; and*

*(iii) by striking ''has taken place'' and inserting ''has, or attempts at such consultation have, taken place''; and*

*(E) in paragraph (6) (as redesignated by subparagraph (B))—*

*(i) in subparagraph (A)—*

*(I) by striking ''right to complain to'' and inserting ''right to file a complaint with'';*

*(II) by inserting ''asserting'' after ''State educational agency'';*

*(III) by striking ''or'' before ''did not give due consideration''; and*

*(IV) by inserting '', or did not make a decision that treats the private school students equitably as required by this section'' before the period at the end;*

*(ii) in subparagraph (B), by striking ''to complain,'' and inserting ''to file a complaint,''; and*

*(iii) by adding at the end the following:*

*''(C) STATE EDUCATIONAL AGENCIES.—A State educational agency shall provide services under this section directly or through contracts with public or private agencies, organizations, or institutions, if the appropriate private school officials have—*

*''(i) requested that the State educational agency provide such services directly; and*

*''(ii) demonstrated that the local educational agency involved has not met the requirements of this section in accordance with the procedures for making such a request, as prescribed by the State educational agency.'';*

*(3) in subsection (c)(2), by striking ''section 9505'' and inserting ''section 8503''; and*

*(4) in subsection (e)(2), by striking ''sections 9503 and 9504'' and inserting ''sections 8503 and 8504''.*

***SEC. 1012. SUPPLEMENT, NOT SUPPLANT.***

*Section 1118, as redesignated by section 1000(4), is amended—*

*(1) in subsection (a), by striking ''section 9521'' and inserting ''section 8521''; and*

*(2) by striking subsection (b) and inserting the following:*

*''(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.—*

*''(1) IN GENERAL.—A State educational agency or local educational agency shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under this part, and not to supplant such funds.*

*''(2) COMPLIANCE.—To demonstrate compliance with paragraph (1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.*

*''(3) SPECIAL RULE.—No local educational agency shall be required to—*

*''(A) identify that an individual cost or service supported under this part is supplemental; or*

*''(B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency's compliance with paragraph (1).*

*''(4) PROHIBITION.—Nothing in this section shall be construed to authorize or permit the Secretary to prescribe the specific methodology a local educational agency uses to allocate State and local funds to each school receiving assistance under this part.*

*''(5) TIMELINE.—A local educational agency—*

*''(A) shall meet the compliance requirement under paragraph (2) not later than 2 years after the date of enactment of the Every Student Succeeds Act; and*

*''(B) may demonstrate compliance with the requirement under paragraph (1) before the end of such 2-year period using the method such local educational agency used on the day before the date of enactment of the Every Student Succeeds Act.''.*

***SEC. 1013. COORDINATION REQUIREMENTS.***

*Section 1119, as redesignated by section 1000(5), is amended—*

*(1) in subsection (a)—*

*(A) by striking ''such as the Early Reading First program''; and*

*(B) by adding at the end the following new sentence: ''Each local educational agency shall develop agreements with such Head Start agencies and other entities to carry out such activities.''; and*

*(2) in subsection (b)—*

*(A) in the matter preceding paragraph (1), by striking ''early childhood development programs, such as the Early Reading First program,'' and inserting ''early childhood education programs'';*

*(B) in paragraph (1), by striking ''early childhood development program such as the Early Reading First program'' and inserting ''early childhood education program'';*

*(C) in paragraph (2), by striking ''early childhood development programs such as the Early Reading First program'' and inserting ''early childhood education programs'';*

*(D) in paragraph (3), by striking ''early childhood development programs such as the Early Reading First program'' and inserting ''early childhood education programs'';*

*(E) in paragraph (4)—*

*(i) by striking ''Early Reading First program staff,''; and*

*(ii) by striking ''early childhood development program'' and inserting ''early childhood education program''; and*

*(F) in paragraph (5), by striking ''and entities carrying out Early Reading First programs''.*

***SEC. 1014. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.***

*Section 1121 (20 U.S.C. 6331) is amended to read as follows:*

***"SEC. 1121. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.***

*''(a) RESERVATION OF FUNDS.—Subject to subsection (e), from the amount appropriated for payments to States for any fiscal year under section 1002(a), the Secretary shall—*

*''(1) reserve 0.4 percent to provide assistance to the outlying areas in accordance with subsection (b); and*

*''(2) reserve 0.7 percent to provide assistance to the Secretary of the Interior in accordance with subsection (d).*

*''(b) ASSISTANCE TO OUTLYING AREAS.—*

*''(1) FUNDS RESERVED.—From the amount made available for any fiscal year under subsection (a)(1), the Secretary shall—*

*''(A) first reserve $1,000,000 for the Republic of Palau, until Palau enters into an agreement for extension of United States educational assistance under the Compact of Free Association, and subject to such terms and conditions as the Secretary may establish, except that Public Law 95–134, permitting the consolidation of grants, shall not apply; and*

*''(B) use the remaining funds to award grants to the outlying areas in accordance with paragraphs (2) through (5).*

*''(2) AMOUNT OF GRANTS.—The Secretary shall allocate the amount available under paragraph (1)(B) to the outlying areas in proportion to their relative numbers of children, aged 5 to 17, inclusive, from families below the poverty level, on the basis of the most recent satisfactory data available from the Department of Commerce.*

*''(3) HOLD-HARMLESS AMOUNTS.—For each fiscal year, the amount made available to each outlying area under this subsection shall be—*

*''(A) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under paragraph (2) is not less than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the outlying area;*

*''(B) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is between 15 percent and 30 percent; and*

*''(C) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is below 15 percent.*

*''(4) RATABLE REDUCTIONS.—If the amount made available under paragraph (1)(B) for any fiscal year is insufficient to pay the full amounts that the outlying areas are eligible to receive under paragraphs (2) and (3) for that fiscal year, the Secretary shall ratably reduce those amounts.*

*''(5) USES.—Grant funds awarded under paragraph (1)(A) may be used only—*

*''(A) for programs described in this Act, including teacher training, curriculum development, instructional materials, or general school improvement and reform; and*

*''(B) to provide direct educational services that assist all students with meeting the challenging State academic standards.*

*''(c) DEFINITIONS.—For the purpose of this section, the term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.*

*''(d) ALLOTMENT TO THE SECRETARY OF THE INTERIOR.—*

*''(1) IN GENERAL.—The amount allotted for payments to the Secretary of the Interior under subsection (a)(2) for any fiscal year shall be used, in accordance with such criteria as the Secretary may establish, to meet the unique educational needs of—*

*''(A) Indian children on reservations served by elementary schools and secondary schools for Indian children operated or supported by the Department of the Interior; and*

*''(B) out-of-State Indian children in elementary schools and secondary schools in local educational agencies under special contracts with the Department of the Interior.*

*''(2) PAYMENTS.—From the amount allotted for payments to the Secretary of the Interior under subsection (a)(2), the Secretary of the Interior shall make payments to local educational agencies, on such terms as the Secretary determines will best carry out the purposes of this part, with respect to out-of-State Indian children described in paragraph (1). The amount of such payment may not exceed, for each such child, the greater of—*

*''(A) 40 percent of the average per-pupil expenditure in the State in which the agency is located; or*

*''(B) 48 percent of such expenditure in the United States.*

*''(e) LIMITATION ON APPLICABILITY.—If, by reason of the application of subsection (a) for any fiscal year, the total amount available for allocation to all States under this part would be less than the amount allocated to all States for fiscal year 2016 under this part, the Secretary shall provide assistance to the outlying areas and the Secretary of the Interior in accordance with this section, as in effect on the day before the date of enactment of the Every Student Succeeds Act.''.*

***SEC. 1015. ALLOCATIONS TO STATES.***

*Section 1122(a) (20 U.S.C. 6332(a)) is amended—*

*(1) in the matter preceding paragraph (1), by striking ''2002–2007'' and inserting ''2017–2020''; and*

*(2) by striking paragraph (3) and inserting the following:*

*''(3) an amount equal to 100 percent of the amount, if any, by which the total amount made available under this subsection for the current fiscal year for which the determination is made exceeds the total amount available to carry out sections 1124 and 1124A for fiscal year 2001 shall be used to carry out sections 1125 and 1125A and such amount shall be divided equally between sections 1125 and 1125A.''.*

***SEC. 1016. ADEQUACY OF FUNDING RULE.***

*Section 1125AA (20 U.S.C. 6336) is amended by striking the section heading and all that follows through ''Pursuant'' and inserting the following: ''ADEQUACY OF FUNDING TO LOCAL EDUCATIONAL AGENCIES IN FISCAL YEARS AFTER FISCAL YEAR 2001.—Pursuant''.*

***SEC. 1017. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.***

*Section 1125A (20 U.S.C. 6337) is amended—*

*(1) in subsection (a), by striking ''funds appropriated under subsection (f)'' and inserting ''funds made available under section 1122(a)'';*

*(2) in subsection (b)(1)—*

*(A) in subparagraph (A), by striking ''appropriated pursuant to subsection (f)'' and inserting ''made available for any fiscal year to carry out this section''; and*

*(B) in subparagraph (B)(i), by striking ''total appropriations'' and inserting ''the total amount reserved under section 1122(a) to carry out this section'';*

*(3) in subsection (c), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;*

*(4) in subsection (d)(1)(A)(ii), by striking ''clause ''(i)'' and inserting ''clause (i)'';*

*(5) by striking subsection (e) and inserting the following:*

*''(e) MAINTENANCE OF EFFORT.—*

*''(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State's fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).*

*''(2) REDUCTION IN CASE OF FAILURE TO MEET.—*

*''(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section for any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.*

*''(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.*

*''(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—*

*''(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or*

*''(B) a precipitous decline in the financial resources of the State.'';*

*(6) by striking subsection (f);*

*(7) by redesignating subsection (g) as subsection (f); and*

*(8) in subsection (f), as redesignated by paragraph (7)—*

*(A) in paragraph (1), by striking ''under this section'' and inserting ''to carry out this section''; and*

*(B) in paragraph (3), in the matter preceding subparagraph (A), by striking ''shall be'' and inserting ''shall be—''.*

***PART B—STATE ASSESSMENT GRANTS***

***SEC. 1201. STATE ASSESSMENT GRANTS.***

*Part B of title I (20 U.S.C. 6361 et seq.) is amended to read as follows:*

***"PART B—STATE ASSESSMENT GRANTS***

***"SEC. 1201. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.***

*''(a) GRANTS AUTHORIZED.—From amounts made available in accordance with section 1203, the Secretary shall make grants to State educational agencies to enable the States to carry out 1 or more of the following:*

*''(1) To pay the costs of the development of the State assessments and standards adopted under section 1111(b), which may include the costs of working in voluntary partnerships with other States, at the sole discretion of each such State.*

*''(2) If a State has developed the assessments adopted under section 1111(b), to administer those assessments or to carry out other assessment activities described in this part, such as the following:*

*''(A) Ensuring the provision of appropriate accommodations available to English learners and children with disabilities to improve the rates of inclusion in regular assessments of such children, including professional development activities to improve the implementation of such accommodations in instructional practice.*

*''(B) Developing challenging State academic standards and aligned assessments in academic subjects for which standards and assessments are not required under section 1111(b).*

*''(C) Developing or improving assessments for English learners, including assessments of English language proficiency as required under section 1111(b)(2)(G) and academic assessments in languages other than English to meet the State's obligations under section 1111(b)(2)(F).*

*''(D) Ensuring the continued validity and reliability of State assessments.*

*''(E) Refining State assessments to ensure their continued alignment with the challenging State academic standards and to improve the alignment of curricula and instructional materials.*

*''(F) Developing or improving balanced assessment systems that include summative, interim, and formative assessments, including supporting local educational agencies in developing or improving such assessments.*

*''(G) At the discretion of the State, refining science assessments required under section*

*1111(b)(2) in order to integrate engineering design skills and practices into such assessments.*

*''(H) Developing or improving models to measure and assess student progress or student growth on State assessments under section 1111(b)(2) and other assessments not required under section 1111(b)(2).*

*''(I) Developing or improving assessments for children with disabilities, including alternate assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D), and using the principles of universal design for learning.*

*''(J) Allowing for collaboration with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(2).*

*''(K) Measuring student academic achievement using multiple measures of student academic achievement from multiple sources.*

*''(L) Evaluating student academic achievement through the development of comprehensive academic assessment instruments (such as performance and technology-based academic assessments, computer adaptive assessments, projects, or extended performance task assessments) that emphasize the mastery of standards and aligned competencies in a competency-based education model.*

*''(M) Designing the report cards and reports under section 1111(h) in an easily accessible, user friendly-manner that cross-tabulates student information by any category the State determines appropriate, as long as such cross-tabulation—*

*''(i) does not reveal personally identifiable information about an individual student; and*

*''(ii) is derived from existing State and local reporting requirements.*

*''(b) RULE OF CONSTRUCTION.—Nothing in subsection (a)(2)(M) shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary unless such reporting, data, or information is explicitly authorized under this Act.*

*''(c) ANNUAL REPORT.—Each State educational agency receiving a grant under this section shall submit an annual report to the Secretary describing the State's activities under the grant and the result of such activities.*

***"SEC. 1202. STATE OPTION TO CONDUCT ASSESSMENT SYSTEM AUDIT.***

*''(a) IN GENERAL.—From the amount reserved under section 1203(a)(3) for a fiscal year, the Secretary shall make grants to States to enable the States to—*

*''(1) in the case of a grant awarded under this section to a State for the first time—*

*''(A) audit State assessment systems and ensure that local educational agencies audit local assessments under subsection (e)(1);*

*''(B) execute the State plan under subsection (e)(3)(D); and*

*''(C) award subgrants under subsection (f); and*

*''(2) in the case of a grant awarded under this section to a State that has previously received a grant under this section—*

*''(A) execute the State plan under subsection (e)(3)(D); and*

*''(B) award subgrants under subsection (f).*

*''(b) MINIMUM AMOUNT.—Each State that receives a grant under this section shall receive an annual grant amount of not less than $1,500,000.*

*''(c) REALLOCATION.—If a State chooses not to apply for a grant under this section, the Secretary shall reallocate such grant amount to other States in accordance with the formula described in section 1203(a)(4)(B).*

*''(d) APPLICATION.—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary shall require. The application shall include a description of—*

*''(1) in the case of a State that is receiving a grant under this section for the first time—*

*''(A) the audit the State will carry out under subsection (e)(1); and*

*''(B) the stakeholder feedback the State will seek in designing such audit;*

*''(2) in the case of a State that is not receiving a grant under this section for the first time, the plan described in subsection (e)(3)(D); and*

*''(3) how the State will award subgrants to local educational agencies under subsection (f).*

*''(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND LOCAL ASSESSMENTS.—*

*''(1) AUDIT REQUIREMENTS.—Not later than 1 year after the date a State receives an initial grant under this section, the State shall—*

*''(A) conduct a State assessment system audit as described in paragraph (3);*

*''(B) ensure that each local educational agency receiving funds under this section—*

*''(i) conducts an audit of local assessments administered by the local educational agency as described in paragraph (4); and*

*''(ii) submits the results of such audit to the State; and*

*''(C) report the results of each State and local educational agency audit conducted under subparagraphs (A) and (B), in a format that is widely accessible and publicly available.*

*''(2) RESOURCES FOR LOCAL EDUCATIONAL AGENCIES.—In carrying out paragraph (1)(B), each State shall provide local educational agencies with resources, such as guidelines and protocols, to assist in conducting and reporting audit results.*

*''(3) STATE ASSESSMENT SYSTEM DESCRIPTION.—Each State assessment system audit conducted under paragraph (1)(A) shall include—*

*''(A) the schedule for the administration of all State assessments;*

*''(B) for each State assessment—*

*''(i) the purpose for which the assessment was designed and the purpose for which the assessment is used; and*

*''(ii) the legal authority for the administration of the assessment;*

*''(C) feedback on such system from stakeholders, which shall include information such as—*

*''(i) how teachers, principals, other school leaders, and administrators use assessment data to improve and differentiate instruction;*

*''(ii) the timing of release of assessment data;*

*''(iii) the extent to which assessment data is presented in an accessible and understandable format for all stakeholders;*

*''(iv) the opportunities, resources, and training teachers, principals, other school leaders, and administrators are given to review assessment results and make effective use of assessment data;*

*''(v) the distribution of technological resources and personnel necessary to administer assessments;*

*''(vi) the amount of time teachers spend on assessment preparation and administration;*

*''(vii) the assessments that administrators, teachers, principals, other school leaders, parents, and students, if appropriate, do and do not find useful; and*

*''(viii) other information as appropriate; and*

*''(D) a plan, based on the information gathered as a result of the activities described in subparagraphs (A), (B), and (C), to improve and streamline the State assessment system, including activities such as—*

*''(i) eliminating any unnecessary assessments, which may include paying the cost associated with terminating procurement contracts;*

*''(ii) supporting the dissemination of best practices from local educational agencies or other States that have successfully improved assessment quality and efficiency to improve teaching and learning; and*

*''(iii) supporting local educational agencies or consortia of local educational agencies to carry out efforts to streamline local assessment systems and implement a regular process of review and evaluation of assessment use in local educational agencies.*

*''(4) LOCAL ASSESSMENT DESCRIPTION.—An audit of local assessments conducted in accordance with paragraph (1)(B)(i) shall include the same information described in paragraph (3) that is required of a State audit, except that such information shall be included as applicable to the local educational agency and the local assessments.*

*''(f) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—*

*''(1) IN GENERAL.—Each State shall reserve not less than 20 percent of the grant funds awarded to the State under this section to make subgrants to local educational agencies in the State or consortia of such local educational agencies, based on demonstrated need in the agency's or consortium's application, to enable such agencies or consortia to improve assessment quality and use, and alignment, including, if applicable, alignment to the challenging State academic standards.*

*''(2) LOCAL EDUCATIONAL AGENCY APPLICATION.—Each local educational agency, or consortium of local educational agencies, seeking a subgrant under this subsection shall submit an application to the State at such time, in such manner, and containing such other information as determined necessary by the State. The application shall include a description of the agency's or consortium's needs relating to the improvement of assessment quality, use, and alignment.*

*''(3) USE OF FUNDS.—A subgrant awarded under this subsection to a local educational agency or consortium of such agencies may be used to—*

*''(A) conduct an audit of local assessments under subsection (e)(1)(B)(i);*

*''(B) carry out the plan described in subsection (e)(3)(D) as it pertains to such agency or consortium;*

*''(C) improve assessment delivery systems and schedules, including by increasing access to technology and assessment proctors, where appropriate;*

*''(D) hire instructional coaches, or promote teachers who may receive increased compensation to serve as instructional coaches, to support teachers in the development of classroom-based assessments, interpreting assessment data, and designing instruction;*

*''(E) provide for appropriate accommodations to maximize inclusion of children with disabilities and English learners participating in assessments; and*

*''(F) improve the capacity of teachers, principals, and other school leaders to disseminate assessment data in an accessible and understandable format for parents and families, including for children with disabilities and English learners.*

*''(g) DEFINITIONS.—In this section:*

*''(1) LOCAL ASSESSMENT.—The term 'local assessment' means an academic assessment selected and carried out by a local educational agency that is separate from an assessment required under section 1111(b)(2).*

*''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.*

***"SEC. 1203. ALLOTMENT OF APPROPRIATED FUNDS.***

*''(a) AMOUNTS EQUAL TO OR LESS THAN TRIGGER AMOUNT.—From amounts made available for each fiscal year under subsection 1002(b) that are equal to or less than the amount described in section 1111(b)(2)(I), the Secretary shall—*

*''(1) reserve one-half of 1 percent for the Bureau of Indian Education;*

*''(2) reserve one-half of 1 percent for the outlying areas;*

*''(3) reserve not more than 20 percent to carry out section 1202; and*

*''(4) from the remainder, carry out section 1201 by allocating to each State an amount equal to—*

*''(A) $3,000,000, except for a fiscal year for which the amounts available are insufficient to*

*allocate such amount to each State, the Secretary shall ratably reduce such amount for each State; and*

*''(B) with respect to any amounts remaining after the allocation under subparagraph (A), an amount that bears the same relationship to such total remaining amounts as the number of students aged 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.*

*''(b) AMOUNTS ABOVE TRIGGER AMOUNT.—For any fiscal year for which the amount made available for a fiscal year under subsection 1002(b) exceeds the amount described in section 1111(b)(2)(I), the Secretary shall make such excess amount available as follows:*

*''(1) COMPETITIVE GRANTS.—*

*''(A) IN GENERAL.—The Secretary shall first use such funds to award grants, on a competitive basis, to State educational agencies or consortia of State educational agencies that have submitted applications described in subparagraph (B) to enable such States to carry out the activities described in subparagraphs (C), (H), (I), (J), (K), and (L) of section 1201(a)(2).*

*''(B) APPLICATIONS.—A State, or a consortium of States, that desires a competitive grant under subparagraph (A) shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. The application shall demonstrate that the requirements of this section will be met for the uses of funds described under subparagraph (A).*

*''(C) AMOUNT OF COMPETITIVE GRANTS.—In determining the amount of a grant under subparagraph (A), the Secretary shall ensure that a State or consortium's grant, as the case may be, shall include an amount that bears the same relationship to the total funds available to carry out this subsection for the fiscal year as the number of students aged 5 through 17 in the State, or, in the case of a consortium, in each State that comprises the consortium, (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.*

*''(2) ALLOTMENTS.—Any amounts remaining after the Secretary awards funds under paragraph (1) shall be allotted to each State, or consortium of States, that did not receive a grant under such paragraph, in an amount that bears the same relationship to the remaining amounts as the number of students aged 5 through 17 in the State, or, in the case of a consortium, in the States of the consortium, (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.*

*''(c) STATE DEFINED.—In this part, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.*

*''(d) PROHIBITION.—In making funds available to States under this part, the Secretary shall comply with the prohibitions described in section 8529.*

***''SEC. 1204. INNOVATIVE ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY.***

*''(a) INNOVATIVE ASSESSMENT SYSTEM DEFINED.—The term 'innovative assessment system' means a system of assessments that may include—*

*''(1) competency-based assessments, instructionally embedded assessments, interim assessments, cumulative year-end assessments, or performance-based assessments that combine into an annual summative determination for a student, which may be administered through computer adaptive assessments; and*

*''(2) assessments that validate when students are ready to demonstrate mastery or proficiency and allow for differentiated student support based on individual learning needs.*

*''(b) DEMONSTRATION AUTHORITY.—*

*''(1) IN GENERAL.—The Secretary may provide a State educational agency, or a consortium of State educational agencies, in accordance with paragraph (3), with the authority to establish an innovative assessment system (referred to in this section as 'demonstration authority').*

*''(2) DEMONSTRATION PERIOD.—In accordance with the requirements described in subsection (e), each State educational agency, or consortium of State educational agencies, that submits an application under this section shall propose in its application the period of time over which the State educational agency or consortium desires to exercise the demonstration authority, except that such period shall not exceed 5 years.*

*''(3) INITIAL DEMONSTRATION AUTHORITY AND EXPANSION.—During the first 3 years that the Secretary provides State educational agencies and consortia with demonstration authority (referred to in this section as the 'initial demonstration period') the Secretary shall provide such demonstration authority to—*

*''(A) a total number of not more than 7 participating State educational agencies, including those participating in consortia, that have applications approved under subsection (e); and*

*''(B) consortia that include not more than 4 State educational agencies.*

*''(c) PROGRESS REPORT.—*

*''(1) IN GENERAL.—Not later than 180 days after the end of the initial demonstration period, and prior to providing additional State educational agencies with demonstration authority, the Director of the Institute of Education Sciences, in consultation with the Secretary, shall publish a report detailing the initial progress of innovative assessment systems carried out through demonstration authority under this section.*

*''(2) CRITERIA.—The progress report under paragraph (1) shall be based on the annual information submitted by participating States described in subsection (e)(2)(B)(ix) and examine the extent to which—*

*''(A) with respect to each innovative assessment system—*

*''(i) the State educational agency has solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system;*

*''(ii) teachers, principals, and other school leaders have demonstrated a commitment and capacity to implement or continue to implement the innovative assessment system; and*

*''(iii) substantial evidence exists demonstrating that the innovative assessment system has been developed in accordance with the requirements of subsection (e); and*

*''(B) each State with demonstration authority has demonstrated that—*

*''(i) the same innovative assessment system was used to measure the achievement of all students that participated in the innovative assessment system; and*

*''(ii) of the total number of all students, and the total number of each of the subgroups of students defined in section 1111(c)(2), eligible to participate in the innovative assessment system in a given year, the State assessed in that year an equal or greater percentage of such eligible students, as measured under section 1111(c)(4)(E), as were assessed in the State in such year using the assessment system under section 1111(b)(2).*

*''(3) USE OF REPORT.—Upon completion of the progress report, the Secretary shall provide a response to the findings of the progress report, including a description of how the findings of the report will be used—*

*''(A) to support State educational agencies with demonstration authority through technical assistance; and*

*''(B) to inform the peer-review process described in subsection (f) for advising the Secretary on the awarding of the demonstration authority to the additional State educational agencies described in subsection (d).*

*''(4) PUBLICLY AVAILABLE.—The Secretary shall make the progress report under this subsection and the response described in paragraph (3) publicly available on the website of the Department.*

*''(5) PROHIBITION.—The Secretary shall not require States that have demonstration authority to submit any information for the purposes of the progress report that is in addition to the information the State is already required to provide under subsection (e)(2)(B)(x).*

*''(d) EXPANSION OF THE DEMONSTRATION AUTHORITY.—Upon completion and publication of the report described in subsection (c), the Secretary may grant demonstration authority to additional State educational agencies or consortia that submit an application under subsection (e). Such State educational agencies or consortia of State educational agencies shall be subject to all of the same terms, conditions, and requirements of this section.*

*''(e) APPLICATION.—*

*''(1) IN GENERAL.—A State educational agency, or consortium of State educational agencies, that desires to participate in the program of demonstration authority under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.*

*''(2) CONTENTS.—Such application shall include a description of the innovative assessment system, the experience the applicant has in implementing any components of the innovative assessment system, and the timeline over which the State or consortium proposes to exercise the demonstration authority. In addition, the application shall include each of the following:*

*''(A) A demonstration that the innovative assessment system will—*

*''(i) meet all the requirements of section 1111(b)(2)(B), except the requirements of clauses (i) and (v) of such section;*

*''(ii) be aligned to the challenging State academic standards and address the depth and breadth of such standards;*

*''(iii) express student results or student competencies in terms consistent with the State's aligned academic achievement standards under section 1111(b)(1);*

*''(iv) generate results that are valid and reliable, and comparable, for all students and for each subgroup of students described in section 1111(b)(2)(B)(xi), as compared to the results for such students on the State assessments under section 1111(b)(2);*

*''(v) be developed in collaboration with—*

*''(I) stakeholders representing the interests of children with disabilities, English learners, and other vulnerable children;*

*''(II) teachers, principals, and other school leaders;*

*''(III) local educational agencies;*

*''(IV) parents; and*

*''(V) civil rights organizations in the State;*

*''(vi) be accessible to all students, such as by incorporating the principles of universal design for learning;*

*''(vii) provide teachers, principals, other school leaders, students, and parents with timely data, disaggregated by each subgroup of students described in section 1111(b)(2)(B)(xi), to inform and improve instructional practice and student supports;*

*''(viii) identify which students are not making progress toward the challenging State academic standards so that teachers can provide instructional support and targeted interventions to all students;*

*''(ix) annually measure the progress of not less than the same percentage of all students and students in each of the subgroups of students, as defined in section 1111(c)(2), who are enrolled in schools that are participating in the innovative assessment system and are required to take such assessments, as measured under section 1111(c)(4)(E), as were assessed by schools administering the assessment under section 1111(b)(2);*

*''(x) generate an annual, summative achievement determination, based on the aligned State academic achievement standards under section 1111(b)(1) and based on annual data, for each individual student; and*

*''(xi) allow the State educational agency to validly and reliably aggregate data from the innovative assessment system for purposes of—*

''(I) accountability, consistent with the requirements of section 1111(c); and

''(II) reporting, consistent with the requirements of section 1111(h).

''(B) A description of how the State educational agency will—

''(i) continue use of the statewide academic assessments required under section 1111(b)(2) if such assessments will be used for accountability purposes for the duration of the demonstration authority period;

''(ii) identify the distinct purposes for each assessment that is part of the innovative assessment system;

''(iii) provide support and training to local educational agency and school staff to implement the innovative assessment system described in this subsection;

''(iv) inform parents of students in participating local educational agencies about the innovative assessment system at the beginning of each school year during which the innovative assessment system will be implemented;

''(v) engage and support teachers in developing and scoring assessments that are part of the innovative assessment system, including through the use of high-quality professional development, standardized and calibrated scoring rubrics, and other strategies, consistent with relevant nationally recognized professional and technical standards, to ensure inter-rater reliability and comparability;

''(vi) acclimate students to the innovative assessment system;

''(vii) ensure that students with the most significant cognitive disabilities may be assessed with alternate assessments consistent with section 1111(b)(2)(D);

''(viii) if the State is proposing to administer the innovative assessment system initially in a subset of local educational agencies, scale up the innovative assessment system to administer such system statewide, or with additional local educational agencies, in the State's proposed demonstration authority period;

''(ix) gather data, solicit regular feedback from teachers, principals, other school leaders, and parents, and assess the results of each year of the program of demonstration authority under this section, and respond by making needed changes to the innovative assessment system; and

''(x) report data from the innovative assessment system annually to the Secretary, including—

''(I) demographics of participating local educational agencies, if such system is not statewide, and additional local educational agencies if added to the system during the course of the State's demonstration authority period or 2-year extension, except that such data shall not reveal any personally identifiable information, including a description of how the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration authority period;

''(II) the performance of all participating students, and for each subgroup of students defined in section 1111(c)(2), on the innovative assessment, consistent with the requirements in section 1111(h), except that such data shall not reveal any personally identifiable information;

''(III) feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

''(IV) if such system is not statewide, a description of the State's progress in scaling up the innovative assessment system to additional local educational agencies during the State's demonstration authority period, as described in clause (viii).

''(C) A description of the State educational agency's plan to—

''(i) ensure that all students and each of the subgroups of students defined in section 1111(c)(2) participating in the innovative assessment system receive the instructional support needed to meet State aligned academic achievement standards;

''(ii) ensure that each local educational agency has the technological infrastructure to implement the innovative assessment system; and

''(iii) hold all schools in the local educational agencies participating in the program of demonstration authority accountable for meeting the State's expectations for student achievement.

''(D) If the innovative assessment system will initially be administered in a subset of local educational agencies—

''(i) a description of the local educational agencies within the State educational agency that will participate, including what criteria the State has for approving any additional local educational agencies to participate during the demonstration authority period;

''(ii) assurances from such local educational agencies that such agencies will comply with the requirements of this subsection;

''(iii) a description of how the State will—

''(I) ensure that the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies during the demonstration authority period; and

''(II) ensure that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of the State's demonstration authority period; and

''(iv) a description of the State educational agency's plan to hold all students and each of the subgroups of students, as defined in section 1111(c)(2), to the same high standard as other students in the State.

''(f) PEER REVIEW.—The Secretary shall—

''(1) implement a peer-review process to inform—

''(A) the awarding of demonstration authority under this section and the approval to operate an innovative assessment system for the purposes of subsections (b)(2) and (c) of section 1111, as described in subsection (h); and

''(B) determinations about whether an innovative assessment system—

''(i) is comparable to the State assessments under section 1111(b)(2)(B)(v), valid, reliable, of high technical quality, and consistent with relevant, nationally recognized professional and technical standards; and

''(ii) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(c)(4)(A)(i) for all students;

''(2) ensure that the peer-review team consists of practitioners and experts who are knowledgeable about the innovative assessment system being proposed for all participating students, including—

''(A) individuals with past experience developing systems of assessment innovation that support all students, including English learners, children with disabilities, and disadvantaged students; and

''(B) individuals with experience implementing innovative assessment and accountability systems;

''(3) make publicly available the applications submitted under subsection (c) and the peer-review comments and recommendations regarding such applications;

''(4) make a determination and inform the State regarding approval or disapproval of the application under subsection (c) not later than 90 days after receipt of the complete application;

''(5) if the Secretary disapproves an application under paragraph (4), offer the State an opportunity to—

''(A) revise and resubmit such application within 60 days of the disapproval determination; and

''(B) submit additional evidence that the State's application meets the requirements of subsection (c); and

''(6) make a determination regarding application approval or disapproval of a resubmitted application under paragraph (5) not later than 45 days after receipt of the resubmitted application.

''(g) EXTENSION.—The Secretary may extend an authorization of demonstration authority under this section for an additional 2 years if the State educational agency demonstrates with evidence that the State educational agency's innovative assessment system is continuing to meet the requirements of subsection (c), including by demonstrating a plan for, and the capacity to, transition to statewide use of the innovative assessment system by the end of the 2-year extension period.

''(h) USE OF INNOVATIVE ASSESSMENT SYSTEM.—A State may, during the State's approved demonstration authority period or 2-year extension, include results from the innovative assessment systems developed under this section in accountability determinations for each student in the participating local educational agencies instead of, or in addition to, results from the assessment system under section 1111(b)(2) if the State demonstrates that the State has met the requirements under subsection (c). The State shall continue to meet all other requirements of section 1111(c).

''(i) WITHDRAWAL OF AUTHORITY.—The Secretary shall withdraw the authorization for demonstration authority provided to a State educational agency under this section and such State shall return to use of the statewide assessment system under section 1111(b)(2) for all local educational agencies in the State if, at any time during a State's approved demonstration authority period or 2-year extension, the State educational agency cannot present to the Secretary evidence that the innovative assessment system developed under this section—

''(1) meets the requirements under subsection (c);

''(2) includes all students attending schools participating in the innovative assessment system in a State that has demonstration authority, including each of the subgroups of students, as defined under section 1111(c)(2);

''(3) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(c)(4)(A)(i) for all students, which are comparable to measures of academic achievement under section 1111(c)(4)(B)(i) across the State in which the local educational agencies are located;

''(4) presents a high-quality plan to transition to full statewide use of the innovative assessment system by the end of the State's approved demonstration authority period or 2-year extension, if the innovative assessment system will initially be administered in a subset of local educational agencies; and

''(5) demonstrates comparability to the statewide assessments under section 1111(b)(2) in content coverage, difficulty, and quality.

''(j) TRANSITION.—

''(1) IN GENERAL.—

''(A) OPERATION OF INNOVATIVE ASSESSMENT SYSTEM.—If, after a State's approved demonstration authority period or 2-year extension, the State educational agency has met all the requirements of this section, including having scaled the innovative assessment system up to statewide use, and demonstrated that such system is of high quality, as described in subparagraph (B), the State shall be permitted to operate the innovative assessment system approved under the program of demonstration authority under this section for the purposes of subsections (b)(2) and (c) of section 1111.

''(B) HIGH QUALITY.—Such system shall be considered of high quality if the Secretary, through the peer-review process described in section 1111(a)(4), determines that—

''(i) the innovative assessment system meets all of the requirements of this section;

''(ii) the State has examined the effects of the system on other measures of student success, including indicators in the accountability system under section 1111(c)(4)(B);

''(iii) the innovative assessment system provides coherent and timely information about student achievement based on the challenging State academic standards, including objective measurement of academic achievement, knowledge, and skills that are valid, reliable, and consistent with relevant, nationally-recognized professional and technical standards;

''(iv) the State has solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

''(v) the State has demonstrated that the same innovative assessment system was used to measure—

''(I) the achievement of all students that participated in such innovative assessment system; and

''(II) not less than the percentage of such students overall and in each of the subgroups of students, as defined in section 1111(c)(2), as measured under section 1111(c)(4)(E), as were assessed under the assessment required by section 1111(b)(2).

''(2) BASELINE.—For the purposes of the evaluation described in paragraph (1), the baseline year shall be considered the first year that each local educational agency in the State used the innovative assessment system.

''(3) WAIVER AUTHORITY.—A State may request, and the Secretary shall review such request and may grant, a delay of the withdrawal of authority under subsection (i) for the purpose of providing the State with the time necessary to implement the innovative assessment system statewide, if, at the conclusion of the State's approved demonstration authority period and 2-year extension—

''(A) the State has met all of the requirements of this section, except transition to full statewide use of the innovative assessment system; and

''(B) the State continues to comply with the other requirements of this section, and demonstrates a high-quality plan for transition to statewide use of the innovative assessment system in a reasonable period of time.

''(k) AVAILABLE FUNDS.—A State may use funds available under section 1201 to carry out this section.

''(l) CONSORTIUM.—A consortium of States may apply to participate in the program of demonstration authority under this section, and the Secretary may provide each State member of such consortium with such authority if each such State member meets all of the requirements of this section. Such consortium shall be subject to the limitation described in subsection (b)(3)(B) during the initial 3 years of the demonstration authority.

''(m) DISSEMINATION OF BEST PRACTICES.—

''(1) IN GENERAL.—Following the publication of the progress report described in subsection (c), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall collect and disseminate the best practices on the development and implementation of innovative assessment systems that meet the requirements of this section, including best practices regarding the development of—

''(A) summative assessments that—

''(i) meet the requirements of section 1111(b)(2)(B);

''(ii) are comparable with statewide assessments under section 1111(b)(2); and

''(iii) include assessment tasks that determine proficiency or mastery of State-approved competencies aligned to challenging State academic standards;

''(B) effective supports for local educational agencies and school staff to implement innovative assessment systems;

''(C) effective engagement and support of teachers in developing and scoring assessments and the use of high-quality professional development;

''(D) effective supports for all students, particularly each of the subgroups of students, as defined in section 1111(c)(2), participating in the innovative assessment system; and

''(E) standardized and calibrated scoring rubrics, and other strategies, to ensure inter-rater reliability and comparability of determinations of mastery or proficiency across local educational agencies and the State.

''(2) PUBLICATION.—The Secretary shall make the information described in paragraph (1) available on the website of the Department and shall publish an update to the information not less often than once every 3 years.''.

***PART C—EDUCATION OF MIGRATORY CHILDREN***

***SEC. 1301. EDUCATION OF MIGRATORY CHILDREN.***

(a) PROGRAM PURPOSES.—Section 1301 (20 U.S.C. 6391) is amended to read as follows:

***''SEC. 1301. PROGRAM PURPOSES.***

''The purposes of this part are as follows:

''(1) To assist States in supporting high-quality and comprehensive educational programs and services during the school year and, as applicable, during summer or intersession periods, that address the unique educational needs of migratory children.

''(2) To ensure that migratory children who move among the States are not penalized in any manner by disparities among the States in curriculum, graduation requirements, and challenging State academic standards.

''(3) To ensure that migratory children receive full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet.

''(4) To help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school.

''(5) To help migratory children benefit from State and local systemic reforms.''.

(b) STATE ALLOCATIONS.—Section 1303 (20 U.S.C. 6393) is amended—

(1) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively;

(2) by striking subsections (a) and (b) and inserting the following:

''(a) STATE ALLOCATIONS.—Except as provided in subsection (c), each State (other than the Commonwealth of Puerto Rico) is entitled to receive under this part an amount equal to the product of—

''(1) the sum of—

''(A) the average number of identified eligible migratory children aged 3 through 21 residing in the State, based on data for the preceding 3 years; and

''(B) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State during the previous year; multiplied by

''(2) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this paragraph shall not be less than 32 percent, nor more than 48 percent, of the average per-pupil expenditure in the United States.

''(b) HOLD HARMLESS.—Notwithstanding subsection (a), for each of fiscal years 2017 through 2019, no State shall receive less than 90 percent of the State's allocation under this section for the preceding fiscal year.

''(c) ALLOCATION TO PUERTO RICO.—

''(1) IN GENERAL.—For each fiscal year, the grant that the Commonwealth of Puerto Rico shall be eligible to receive under this part shall be the amount determined by multiplying the number of children who would be counted under subsection (a)(1) if such subsection applied to the Commonwealth of Puerto Rico by the product of—

''(A) the percentage that the average per-pupil expenditure in the Commonwealth of Puerto Rico is of the lowest average per-pupil expenditure of any of the 50 States, subject to paragraphs (2) and (3); and

''(B) 32 percent of the average per-pupil expenditure in the United States.

''(2) MINIMUM PERCENTAGE.—The percentage described in paragraph (1)(A) shall not be less than 85 percent.

''(3) LIMITATION.—If the application of paragraph (2) for any fiscal year would result in any of the 50 States or the District of Columbia receiving less under this part than it received under this part for the preceding fiscal year, then the percentage described in paragraph (1)(A) that is used for the Commonwealth of Puerto Rico for the fiscal year for which the determination is made shall be the greater of the percentage in paragraph (1)(A) for such fiscal year or the percentage used for the preceding fiscal year.'';

(3) in subsection (d), as redesignated by paragraph (1)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''(A) If, after'' and inserting the following:

''(A) RATABLE REDUCTIONS.—If, after''; and

(ii) in subparagraph (B)—

(I) by striking ''(B) If additional'' and inserting the following:

''(B) REALLOCATION.—If additional''; and

(II) by striking ''purpose'' and inserting ''purposes''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''(A) The Secretary'' and inserting the following:

''(A) FURTHER REDUCTIONS.—The Secretary''; and

(ii) in subparagraph (B), by striking ''(B) The Secretary'' and inserting the following:

''(B) REALLOCATION.—The Secretary'';

(4) in subsection (e)(3)(B), as redesignated by paragraph (1), by striking ''welfare or educational attainment of children'' and inserting ''academic achievement of children'';

(5) in subsection (f), as redesignated by paragraph (1)—

(A) in the matter preceding paragraph (1), by striking ''estimated'' and inserting ''identified'';

(B) by striking paragraph (1) and inserting the following:

''(1) use the most recent information that most accurately reflects the actual number of migratory children;'';

(C) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(D) by inserting after paragraph (1) the following:

''(2) develop and implement a procedure for monitoring the accuracy of such information;'';

(E) in paragraph (4), as redesignated by subparagraph (C)—

(i) in the matter preceding subparagraph (A), by striking ''full-time equivalent''; and

(ii) in subparagraph (A)—

(I) by striking ''special needs'' and inserting ''unique needs''; and

(II) by striking ''special programs provided under this part'' and inserting ''effective special programs provided under this part''; and

(F) in paragraph (5), as redesignated by subparagraph (C), by striking ''the child whose education has been interrupted'' and inserting ''migratory children, including the most at-risk migratory children''; and

(6) by adding at the end the following:

''(g) NONPARTICIPATING STATES.—In the case of a State desiring to receive an allocation under this part for a fiscal year that did not receive an allocation for the previous fiscal year or that has been participating for less than 3 consecutive years, the Secretary shall calculate the State's number of identified migratory children aged 3 through 21 for purposes of subsection (a)(1)(A) by using the most recent data available that identifies the migratory children residing in the State until data is available to calculate the 3-year average number of such children in accordance with such subsection.''.

(c) STATE APPLICATIONS; SERVICES.—Section 1304 (20 U.S.C. 6394) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

*(I) by striking ''special educational needs'' and inserting ''unique educational needs''; and*

*(II) by inserting ''and migratory children who have dropped out of school'' after ''preschool migratory children'';*

*(ii) in subparagraph (B)—*

*(I) by striking ''migrant children'' and inserting ''migratory children''; and*

*(II) by striking ''part A or B of title III'' and inserting ''part A of title III''; and*

*(iii) by striking subparagraph (D) and inserting the following:*

*''(D) measurable program objectives and outcomes;'';*

*(B) in paragraph (2), by striking ''challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''challenging State academic standards'';*

*(C) in paragraph (3), by striking '', consistent with procedures the Secretary may require,'';*

*(D) in paragraph (5), by inserting ''and'' after the semicolon;*

*(E) by striking paragraph (6);*

*(F) by redesignating paragraph (7) as paragraph (6); and*

*(G) in paragraph (6), as redesignated by subparagraph (F), by striking ''who have parents who do not have a high school diploma'' and inserting ''whose parents do not have a high school diploma'';*

*(2) in subsection (c)—*

*(A) in the matter preceding paragraph (1), by striking '', satisfactory to the Secretary,'';*

*(B) in paragraph (2), by striking ''subsections (b) and (c) of section 1120A, and part I'' and inserting ''subsections (b) and (c) of section 1118, and part F'';*

*(C) in paragraph (3)—*

*(i) in the matter preceding subparagraph (A)—*

*(I) by striking ''parent advisory councils'' and inserting ''parents of migratory children, including parent advisory councils,''; and*

*(II) by striking ''of 1 school year in duration'' and inserting ''not less than 1 school year in duration''; and*

*(ii) in subparagraph (A), by striking ''section 1118'' and inserting ''section 1116'';*

*(D) in paragraph (4), by inserting ''and migratory children who have dropped out of school'' after ''preschool migratory children'';*

*(E) by redesignating paragraph (7) as paragraph (8);*

*(F) by striking paragraph (6) and inserting the following:*

*''(6) such programs and projects will provide for outreach activities for migratory children and their families to inform such children and families of other education, health, nutrition, and social services to help connect them to such services;*

*''(7) to the extent feasible, such programs and projects will provide for—*

*''(A) advocacy and other outreach activities for migratory children and their families, including helping such children and families gain access to other education, health, nutrition, and social services;*

*''(B) professional development programs, including mentoring, for teachers and other program personnel;*

*''(C) family literacy programs;*

*''(D) the integration of information technology into educational and related programs; and*

*''(E) programs to facilitate the transition of secondary school students to postsecondary education or employment; and''; and*

*(G) in paragraph (8), as redesignated by subparagraph (E), by striking ''paragraphs (1)(A) and (2)(B)(i) of section 1303(a), through such procedures as the Secretary may require'' and inserting ''section 1303(a)(1)'';*

*(3) by striking subsection (d) and inserting the following:*

*''(d) PRIORITY FOR SERVICES.—In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who—*

*''(1) are failing, or most at risk of failing, to meet the challenging State academic standards; or*

*''(2) have dropped out of school.''; and*

*(4) in subsection (e)(3), by striking ''secondary school students'' and inserting ''students''.*

*(d) SECRETARIAL APPROVAL; PEER REVIEW.—Section 1305 (20 U.S.C. 6395) is amended to read as follows:*

***''SEC. 1305. SECRETARIAL APPROVAL; PEER REVIEW.***

*''The Secretary shall approve each State application that meets the requirements of this part, and may review any such application with the assistance and advice of State officials and other officials with relevant expertise.''.*

*(e) COMPREHENSIVE NEEDS ASSESSMENT AND SERVICE-DELIVERY PLAN; AUTHORIZED ACTIVITIES.—Section 1306 (20 U.S.C. 6396) is amended—*

*(1) in subsection (a)(1)—*

*(A) in the matter preceding subparagraph (A), by striking ''special'' and inserting ''unique'';*

*(B) in subparagraph (B)—*

*(i) in the matter preceding clause (i), by striking ''section 9302'' and inserting ''section 8302''; and*

*(ii) in clause (i), by striking ''special'' and inserting ''unique'';*

*(C) in subparagraph (C), by striking ''challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''challenging State academic standards''; and*

*(D) in subparagraph (F), by striking ''part A or B of title III'' and inserting ''part A of title III''; and*

*(2) in subsection (b)—*

*(A) in paragraph (1), by striking ''shall have the flexibility to'' and inserting ''retains the flexibility to''; and*

*(B) in paragraph (4), by striking ''special educational'' and inserting ''unique educational''.*

*(f) BYPASS.—Section 1307 (20 U.S.C. 6397) is amended—*

*(1) in the matter preceding paragraph (1), by striking ''nonprofit''; and*

*(2) in paragraph (3), by striking ''welfare or educational attainment'' and inserting ''educational achievement''.*

*(g) COORDINATION OF MIGRANT EDUCATION ACTIVITIES.—Section 1308 (20 U.S.C. 6398) is amended—*

*(1) in subsection (a)(1)—*

*(A) by striking ''nonprofit'';*

*(B) by inserting ''through'' after ''including''; and*

*(C) by striking ''students'' and inserting ''children''; and*

*(2) in subsection (b)—*

*(A) in paragraph (1), by striking ''developing effective methods for'';*

*(B) in paragraph (2)—*

*(i) in subparagraph (A)—*

*(I) in the matter preceding clause (i), by striking ''The Secretary, in consultation'' and all that follows through ''include—'' and inserting the following: ''The Secretary, in consultation with the States, shall ensure the linkage of migrant student record systems for the purpose of electronically exchanging, among the States, health and educational information regarding all migratory students eligible under this part. The Secretary shall ensure that such linkage occurs in a cost-effective manner, utilizing systems used by the States prior to, or developed after, the date of the enactment of the Every Student Succeeds Act. Such information may include—'';*

*(II) in clause (ii), by striking ''required under section 1111(b)'' and inserting ''under section 1111(b)(2)''; and*

*(III) in clause (iii), by striking ''high standards'' and inserting ''the challenging State academic standards'';*

*(ii) by redesignating subparagraph (B) as subparagraph (C);*

*(iii) by inserting after subparagraph (A) the following:*

*''(B) CONSULTATION.—The Secretary shall maintain ongoing consultation with the States, local educational agencies, and other migratory student service providers on—*

*''(i) the effectiveness of the system described in subparagraph (A); and*

*''(ii) the ongoing improvement of such system.''; and*

*(iv) in subparagraph (C), as redesignated by clause (ii)—*

*(I) by striking ''the proposed data elements'' and inserting ''any new proposed data elements''; and*

*(II) by striking ''Such publication shall occur not later than 120 days after the date of enactment of the No Child Left Behind Act of 2001.''; and*

*(C) by striking paragraph (4).*

*(h) DEFINITIONS.—Section 1309 (20 U.S.C. 6399) is amended—*

*(1) in paragraph (1)(B), by striking ''nonprofit''; and*

*(2) by striking paragraph (2) and inserting the following:*

*''(2) MIGRATORY AGRICULTURAL WORKER.—The term 'migratory agricultural worker' means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal agricultural employment.*

*''(3) MIGRATORY CHILD.—The term 'migratory child' means a child or youth who made a qualifying move in the preceding 36 months—*

*''(A) as a migratory agricultural worker or a migratory fisher; or*

*''(B) with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.*

*''(4) MIGRATORY FISHER.—The term 'migratory fisher' means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal fishing employment.*

*''(5) QUALIFYING MOVE.—The term 'qualifying move' means a move due to economic necessity—*

*''(A) from one residence to another residence; and*

*''(B) from one school district to another school district, except—*

*''(i) in the case of a State that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district; or*

*''(ii) in the case of a school district of more than 15,000 square miles, wherein a qualifying move is a distance of 20 miles or more to a temporary residence.''.*

***PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK***

***SEC. 1401. PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.***

*Part D of title I (20 U.S.C. 6421 et seq.) is amended—*

*(1) in section 1401(a)—*

*(A) in paragraph (1)—*

*(i) by inserting '', tribal,'' after ''youth in local''; and*

*(ii) by striking ''challenging State academic content standards and challenging State stu-*

*dent academic achievement standards'' and inserting ''challenging State academic standards''; and*

*(B) in paragraph (3), by inserting ''and the involvement of their families and communities'' after ''to ensure their continued education'';*

*(2) in section 1412(b), by striking paragraph (2) and inserting the following:*

*''(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than 85 percent.'';*

*(3) in section 1414—*

*(A) in subsection (a)—*

*(i) in paragraph (1)(B), by striking ''from correctional facilities to locally operated programs'' and inserting ''between correctional facilities and locally operated programs''; and*

*(ii) in paragraph (2)—*

*(I) in subparagraph (A)—*

*(aa) by striking ''the program goals, objectives, and performance measures established by the State'' and inserting ''the program objectives and outcomes established by the State''; and*

*(bb) by striking ''vocational'' and inserting ''career'';*

*(II) in subparagraph (B), by striking ''and'' after the semicolon;*

*(III) by redesignating subparagraph (C) as subparagraph (D);*

*(IV) by inserting after subparagraph (B) the following:*

*''(C) describe how the State will place a priority for such children to attain a regular high school diploma, to the extent feasible;'';*

*(V) in subparagraph (D), as redesignated by subclause (III)—*

*(aa) in clause (i), by inserting ''and'' after the semicolon;*

*(bb) by striking clause (ii) and redesignating clause (iii) as clause (ii); and*

*(cc) by striking clause (iv); and*

*(VI) by adding at the end the following:*

*''(E) provide assurances that the State educational agency has established—*

*''(i) procedures to ensure the timely re-enrollment of each student who has been placed in the juvenile justice system in secondary school or in a re-entry program that best meets the needs of the student, including the transfer of credits that such student earns during placement; and*

*''(ii) opportunities for such students to participate in credit-bearing coursework while in secondary school, postsecondary education, or career and technical education programming.''; and*

*(B) in subsection (c)—*

*(i) in paragraph (1), by inserting ''and, to the extent practicable, provide for such assessment upon entry into a correctional facility'' after ''to be served under this subpart'';*

*(ii) in paragraph (6)—*

*(I) by striking ''carry out the evaluation requirements of section 9601 and how'' and inserting ''use'';*

*(II) by inserting ''under section 8601'' after ''recent evaluation''; and*

*(III) by striking ''will be used'';*

*(iii) in paragraph (7), by striking ''section 9521'' and inserting ''section 8521'';*

*(iv) paragraph (8)—*

*(I) by striking ''Public Law 105–220'' and inserting ''the Workforce Innovation and Opportunity Act''; and*

*(II) by striking ''vocational'' and inserting ''career'';*

*(v) in paragraph (9)—*

*(I) by inserting ''and after'' after ''prior to''; and*

*(II) by inserting ''in order to facilitate the transition of such children and youth between the correctional facility and the local educational agency or alternative education program'' after ''the local educational agency or alternative education program'';*

*(vi) in paragraph (11), by striking ''transition of children and youth from such facility or institution to'' and inserting ''transition of such children and youth between such facility or institution and'';*

*(vii) in paragraph (16)—*

*(I) by inserting ''and attain a regular high school diploma'' after ''to encourage the children and youth to reenter school''; and*

*(II) by striking ''achieve a secondary school diploma'' and inserting ''attain a regular high school diploma'';*

*(viii) in paragraph (17), by inserting ''certified or licensed'' after ''provides an assurance that'';*

*(ix) in paragraph (18), by striking ''and'' after the semicolon;*

*(x) in paragraph (19), by striking the period at the end and inserting ''; and''; and*

*(xi) by adding at the end the following:*

*''(20) describes how the State agency will, to the extent feasible—*

*''(A) note when a youth has come into contact with both the child welfare and juvenile justice systems; and*

*''(B) deliver services and interventions designed to keep such youth in school that are evidence-based (to the extent a State determines that such evidence is reasonably available).'';*

*(4) in section 1415—*

*(A) in subsection (a)—*

*(i) in paragraph (1)(B), by striking ''vocational or technical training'' and inserting ''career and technical education''; and*

*(ii) in paragraph (2)—*

*(I) by striking subparagraph (A) and inserting the following:*

*''(A) may include—*

*''(i) the acquisition of equipment;*

*''(ii) pay-for-success initiatives; or*

*''(iii) providing targeted services for youth who have come in contact with both the child welfare system and juvenile justice system;'';*

*(II) in subparagraph (B)—*

*(aa) in clause (i), by striking ''the State's challenging academic content standards and student academic achievement standards'' and inserting ''the challenging State academic standards'';*

*(bb) in clause (ii), by striking ''supplement and improve'' and inserting ''respond to the educational needs of such children and youth, including by supplementing and improving''; and*

*(cc) in clause (iii)—*

*(AA) by striking ''challenging State academic achievement standards'' and inserting ''challenging State academic standards''; and*

*(BB) by inserting ''and'' after the semicolon;*

*(III) in subparagraph (C)—*

*(aa) by striking ''section 1120A and part I'' and inserting ''section 1118 and part F''; and*

*(bb) by striking ''; and'' and inserting a period; and*

*(IV) by striking subparagraph (D); and*

*(B) in subsection (b), by striking ''section 1120A'' and inserting ''section 1118'';*

*(5) in section 1416—*

*(A) in paragraph (3)—*

*(i) by striking ''challenging State academic content standards and student academic achievement standards'' and inserting ''challenging State academic standards''; and*

*(ii) by striking ''complete secondary school, attain a secondary diploma'' and inserting ''attain a regular high school diploma'';*

*(B) in paragraph (4)—*

*(i) by striking ''pupil'' and inserting ''specialized instructional support''; and*

*(ii) by inserting '', and how relevant and appropriate academic records and plans regarding the continuation of educational services for such children or youth are shared jointly between the State agency operating the institution or program and local educational agency in order to facilitate the transition of such children and youth between the local educational agency and the State agency'' after ''children and youth described in paragraph (1)''; and*

*(C) in paragraph (6), by striking ''student progress'' and inserting ''and improve student achievement'';*

*(6) in section 1418(a)—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) projects that facilitate the transition of children and youth between State-operated institutions, or institutions in the State operated by the Secretary of the Interior, and schools served by local educational agencies or schools operated or funded by the Bureau of Indian Education; or''; and*

*(B) in paragraph (2)—*

*(i) by striking ''vocational'' each place the term appears and inserting ''career''; and*

*(ii) in the matter preceding subparagraph (A), by striking ''secondary'' and inserting ''regular high'';*

*(7) in section 1419—*

*(A) by striking the section heading and inserting ''**TECHNICAL ASSISTANCE**''; and*

*(B) by striking ''for a fiscal year'' and all that follows through ''to provide'' and inserting ''for a fiscal year to provide'';*

*(8) in section 1421(3), by inserting '', including schools operated or funded by the Bureau of Indian Education,'' after ''local schools'';*

*(9) in section 1422(d), by striking ''impact on meeting the transitional'' and inserting ''impact on meeting such transitional'';*

*(10) in section 1423—*

*(A) in paragraph (2)(B), by inserting '', including such facilities operated by the Secretary of the Interior and Indian tribes'' after ''the juvenile justice system'';*

*(B) by striking paragraph (4) and inserting the following:*

*''(4) a description of the program operated by participating schools to facilitate the successful transition of children and youth returning from correctional facilities and, as appropriate, the types of services that such schools will provide such children and youth and other at-risk children and youth;'';*

*(C) in paragraph (7)—*

*(i) by inserting ''institutions of higher education or'' after ''partnerships with''; and*

*(ii) by striking ''develop training, curriculum-based youth entrepreneurship education'' and inserting ''facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as through participation in credit-bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming'';*

*(D) in paragraph (8), by inserting ''and family members'' after ''will involve parents'';*

*(E) in paragraph (9), by striking ''vocational'' and inserting ''career''; and*

*(F) in paragraph (13), by striking ''regular'' and inserting ''traditional'';*

*(11) in section 1424—*

*(A) in the matter before paragraph (1), by striking ''Funds provided'' and inserting the following:*

*''(a) IN GENERAL.—Funds provided'';*

*(B) in paragraph (2), by striking '', including'' and all that follows through ''gang members'';*

*(C) in paragraph (4)—*

*(i) by striking ''vocational'' and inserting ''career''; and*

*(ii) by striking ''and'' after the semicolon; and*

*(D) in paragraph (5), by striking the period at the end and inserting a semicolon;*

*(E) by inserting the following after paragraph (5):*

*''(6) programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes; and*

*''(7) pay for success initiatives.''; and*

*(F) by inserting after paragraph (7) the following:*

*''(b) CONTRACTS AND GRANTS.—A local educational agency may use a subgrant received under this subpart to carry out the activities described under paragraphs (1) through (7) of subsection (a) directly or through subgrants, contracts, or cooperative agreements.'';*

*(12) in section 1425—*

*(A) in paragraph (4)—*

*(i) by inserting ''and attain a regular high school diploma'' after ''reenter school''; and*

*(ii) by striking ''a secondary school diploma'' and inserting ''a regular high school diploma'';*

*(B) in paragraph (6), by striking ''high academic achievement standards'' and inserting ''the challenging State academic standards'';*

*(C) in paragraph (9), by striking ''vocational'' and inserting ''career'';*

*(D) in paragraph (10), by striking ''and'' after the semicolon;*

*(E) in paragraph (11), by striking the period at the end and inserting a semicolon; and*

*(F) by adding at the end the following:*

*''(12) upon the child's or youth's entry into the correctional facility, work with the child's or youth's family members and the local educational agency that most recently provided services to the child or youth (if applicable) to ensure that the relevant and appropriate academic records and plans regarding the continuation of educational services for such child or youth are shared jointly between the correctional facility and local educational agency in order to facilitate the transition of such children and youth between the local educational agency and the correctional facility; and*

*''(13) consult with the local educational agency for a period jointly determined necessary by the correctional facility and local educational agency upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child's or youth's achievement.'';*

*(13) in section 1426—*

*(A) in paragraph (1), by striking ''reducing dropout rates for male students and for female students over a 3-year period'' and inserting ''the number of children and youth attaining a regular high school diploma or its recognized equivalent''; and*

*(B) in paragraph (2)—*

*(i) by striking ''obtaining a secondary school diploma'' and inserting ''attaining a regular high school diploma''; and*

*(ii) by striking ''obtaining employment'' and inserting ''attaining employment'';*

*(14) in section 1431(a)—*

*(A) in the matter preceding paragraph (1), by inserting ''while protecting individual student privacy,'' after ''age'';*

*(B) striking ''secondary'' each place the term appears and inserting ''high'';*

*(C) in paragraph (1), by inserting ''and to graduate from high school in the number of years established by the State under either the four-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate, if applicable'' after ''educational achievement''; and*

*(D) in paragraph (3), by inserting ''or school operated or funded by the Bureau of Indian Education'' after ''local educational agency''; and*

*(15) in section 1432(2)—*

*(A) by inserting ''dependency adjudication, or delinquency adjudication,'' after ''failure,'';*

*(B) by striking ''has limited English proficiency'' and inserting ''is an English learner''; and*

*(C) by inserting ''or child welfare system'' after ''juvenile justice system''.*

### *PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING*

#### *SEC. 1501. FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING.*

*(a) REORGANIZATION.—Title I (20 U.S.C. 6571 et seq.), as amended by this title, is further amended—*

*(1) by striking parts E through H;*

*(2) by redesignating part I as part F;*

*(3) by striking sections 1907 and 1908;*

*(4) by redesignating sections 1901 through 1903 as sections 1601 through 1603, respectively; and*

*(5) by redesignating sections 1905 and 1906 as sections 1604 and 1605, respectively.*

*(b) IN GENERAL.—Title I (20 U.S.C. 6571 et seq.), as amended by this title, is further amended by inserting after section 1432 the following:*

### *''PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING*

#### *''SEC. 1501. FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING.*

*''(a) PURPOSE.—The purpose of the program under this section is to provide local educational agencies with flexibility to consolidate eligible Federal funds and State and local education funding in order to create a single school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.*

*''(b) AUTHORITY.—*

*''(1) IN GENERAL.—The Secretary is authorized to enter into local flexibility demonstration agreements—*

*''(A) for not more than 3 years with local educational agencies that are selected under subsection (c) and submit proposed agreements that meet the requirements of subsection (d); and*

*''(B) under which such agencies may consolidate and use funds in accordance with subsection (d) in order to develop and implement a school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.*

*''(2) FLEXIBILITY.—Except as described in subsection (d)(1)(I), the Secretary is authorized to waive, for local educational agencies entering into agreements under this section, any provision of this Act that would otherwise prevent such agency from using eligible Federal funds as part of such agreement.*

*''(c) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—*

*''(1) IN GENERAL.—The Secretary may enter into local flexibility demonstration agreements with not more than 50 local educational agencies with an approved application under subsection (d).*

*''(2) SELECTION.—Each local educational agency shall be selected based on such agency—*

*''(A) submitting a proposed local flexibility demonstration agreement under subsection (d);*

*''(B) demonstrating that the agreement meets the requirements of such subsection; and*

*''(C) agreeing to meet the continued demonstration requirements under subsection (e).*

*''(3) EXPANSION.—Beginning with the 2019–2020 academic year, the Secretary may extend funding flexibility authorized under this section to any local educational agency that submits and has approved an application under subsection (d), as long as a significant majority of the demonstration agreements with local educational agencies described in paragraph (1) meet the requirements of subsection (d)(2) and subsection (e)(1) as of the end of the 2018–2019 academic year.*

*''(d) REQUIRED TERMS OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—*

*''(1) APPLICATION.—Each local educational agency that desires to participate in the program under this section shall submit, at such time and in such form as the Secretary may prescribe, an application to enter into a local flexibility demonstration agreement with the Secretary in order to develop and implement a school funding system based on weighted per-pupil allocations that meets the requirements of this section. The application shall include—*

*''(A) a description of the school funding system based on weighted per-pupil allocations, including—*

*''(i) the weights used to allocate funds within such system;*

*''(ii) the local educational agency's legal authority to use State and local education funds consistent with this section;*

*''(iii) how such system will meet the requirements of paragraph (2); and*

*''(iv) how such system will support the academic achievement of students, including low-income students, the lowest-achieving students, English learners, and children with disabilities;*

*''(B) a list of funding sources, including eligible Federal funds, the local educational agency will include in such system;*

*''(C) a description of the amount and percentage of total local educational agency funding, including State and local education funds and eligible Federal funds, that will be allocated through such system;*

*''(D) the per-pupil expenditures (which shall include actual personnel expenditures, including staff salary differentials for years of employment, and actual nonpersonnel expenditures) of State and local education funds for each school served by the agency for the preceding fiscal year;*

*''(E) the per-pupil amount of eligible Federal funds each school served by the agency received in the preceding fiscal year, disaggregated by the programs supported by the eligible Federal funds;*

*''(F) a description of how such system will ensure that any eligible Federal funds allocated through the system will meet the purposes of each Federal program supported by such funds, including serving students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk, as applicable;*

*''(G) an assurance that the local educational agency developed and will implement the local flexibility demonstration agreement in consultation with teachers, principals, other school leaders (including charter school leaders in a local educational agency that has charter schools), administrators of Federal programs impacted by the agreement, parents, community leaders, and other relevant stakeholders;*

*''(H) an assurance that the local educational agency will use fiscal control and sound accounting procedures that ensure proper disbursement of, and accounting for, eligible Federal funds consolidated and used under such system;*

*''(I) an assurance that the local educational agency will continue to meet the requirements of sections 1117, 1118, and 8501; and*

*''(J) an assurance that the local educational agency will meet the requirements of all applicable Federal civil rights laws in carrying out the agreement and in consolidating and using funds under the agreement.*

*''(2) REQUIREMENTS OF THE SYSTEM.—*

*''(A) IN GENERAL.—A local educational agency's school funding system based on weighted per-pupil allocations shall—*

*''(i) except as allowed under clause (iv), allocate a significant portion of funds, including State and local education funds and eligible Federal funds, to the school level based on the number of students in a school and a formula developed by the agency under this section that determines per-pupil weighted amounts;*

*''(ii) use weights or allocation amounts that allocate substantially more funding to English learners, students from low-income families, and students with any other characteristics associated with educational disadvantage chosen by the local educational agency, than to other students;*

*''(iii) ensure that each high-poverty school receives, in the first year of the demonstration agreement—*

*''(I) more per-pupil funding, including from Federal, State, and local sources, for low-income students than such funding received for low-income students in the year prior to entering into a demonstration agreement under this section; and*

*''(II) at least as much per-pupil funding, including from Federal, State, and local sources, for English learners as such funding received for English learners in the year prior to entering into a demonstration agreement under this section;*

*''(iv) be used to allocate to schools a significant percentage, which shall be a percentage agreed upon during the application process, of all the local educational agency's State and local education funds and eligible Federal funds; and*

*''(v) include all school-level actual personnel expenditures for instructional staff (including*

*staff salary differentials for years of employment) and actual nonpersonnel expenditures in the calculation of the local educational agency's State and local education funds and eligible Federal funds to be allocated under clause (i).*

*''(B) PERCENTAGE.—In establishing the percentage described in subparagraph (A)(iv) for the system, the local educational agency shall demonstrate that the percentage—*

*''(i) under such subparagraph is sufficient to carry out the purposes of the demonstration agreement under this section and to meet each of the requirements of this subsection; and*

*''(ii) of State and local education funds and eligible Federal funds that are not allocated through the local educational agency's school funding system based on weighted per-pupil allocations, does not undermine or conflict with the requirements of the demonstration agreement under this section.*

*''(C) EXPENDITURES.—After allocating funds through the system, the local educational agency shall charge schools for the per-pupil expenditures of State and local education funds and eligible Federal funds, including actual personnel expenditures (including staff salary differentials for years of employment) for instructional staff and actual nonpersonnel expenditures.*

*''(e) CONTINUED DEMONSTRATION.—Each local educational agency with an approved application under subsection (d) shall annually—*

*''(1) demonstrate to the Secretary that, as compared to the previous year, no high-poverty school served by the agency received—*

*''(A) less per-pupil funding, including from Federal, State, and local sources, for low-income students; or*

*''(B) less per-pupil funding, including from Federal, State, and local sources, for English learners;*

*''(2) make public and report to the Secretary the per-pupil expenditures (including actual personnel expenditures that include staff salary differentials for years of employment, and actual non-personnel expenditures) of State and local education funds and eligible Federal funds for each school served by the agency, disaggregated by each quartile of students attending the school based on student level of poverty and by each major racial or ethnic group in the school, for the preceding fiscal year;*

*''(3) make public the total number of students enrolled in each school served by the agency and the number of students enrolled in each such school disaggregated by each of the subgroups of students, as defined in section 1111(c)(2); and*

*''(4) notwithstanding paragraph (1), (2), or (3), ensure that any information to be reported or made public under this subsection is only reported or made public if such information does not reveal personally identifiable information.*

*''(f) LIMITATIONS ON ADMINISTRATIVE EXPENDITURES.—Each local educational agency that has entered into a local flexibility demonstration agreement with the Secretary under this section may use, for administrative purposes, an amount of eligible Federal funds that is not more than the percentage of funds allowed for such purposes under any of the following:*

*''(1) This title.*

*''(2) Title II.*

*''(3) Title III.*

*''(4) Part A of title IV.*

*''(5) Part B of title V.*

*''(g) PEER REVIEW.—The Secretary may establish a peer-review process to assist in the review of a proposed local flexibility demonstration agreement.*

*''(h) NONCOMPLIANCE.—The Secretary may, after providing notice and an opportunity for a hearing (including the opportunity to provide supporting evidence as provided for in subsection (i)), terminate a local flexibility demonstration agreement under this section if there is evidence that the local educational agency has failed to comply with the terms of the agreement and the requirements under subsections (d) and (e).*

*''(i) EVIDENCE.—If a local educational agency believes that the Secretary's determination under subsection (h) is in error for statistical or other substantive reasons, the local educational agency may provide supporting evidence to the Secretary, and the Secretary shall consider that evidence before making a final determination.*

*''(j) PROGRAM EVALUATION.—From the amount reserved for evaluation activities under section 8601, the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate—*

*''(1) the implementation of the local flexibility demonstration agreements under this section; and*

*''(2) the impact of such agreements on improving the equitable distribution of State and local funding and increasing student achievement.*

*''(k) RENEWAL OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—The Secretary may renew for additional 3-year terms a local flexibility demonstration agreement under this section if—*

*''(1) the local educational agency has met the requirements under subsections (d)(2) and (e) and agrees to, and has a high likelihood of, continuing to meet such requirements; and*

*''(2) the Secretary determines that renewing the local flexibility demonstration agreement is in the interest of students served under this title and title III.*

*''(l) DEFINITIONS.—In this section:*

*''(1) ELIGIBLE FEDERAL FUNDS.—The term 'eligible Federal funds' means funds received by a local educational agency under—*

*''(A) this title;*

*''(B) title II;*

*''(C) title III;*

*''(D) part A of title IV; and*

*''(E) part B of title V.*

*''(2) HIGH-POVERTY SCHOOL.—The term 'high-poverty school' means a school that is in the highest 2 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.''.*

***PART F—GENERAL PROVISIONS***

***SEC. 1601. GENERAL PROVISIONS.***

*(a) FEDERAL REGULATIONS.—Section 1601 (20 U.S.C. 6571), as redesignated by section 1501(a)(4) of this Act, is amended—*

*(1) in subsection (a), by inserting '', in accordance with subsections (b) through (d) and subject to section 1111(e),'' after ''may issue'';*

*(2) in subsection (b)—*

*(A) in paragraph (1), by inserting ''principals, other school leaders (including charter school leaders),'' after ''teachers,'';*

*(B) in paragraph (2), by adding at the end the following: ''Such regional meetings and electronic exchanges of information shall be public and notice of such meetings and exchanges shall be provided to interested stakeholders.'';*

*(C) in paragraph (3)(A), by striking ''standards and assessments'' and inserting ''standards, assessments under section 1111(b)(2), and the requirement under section 1118 that funds under part A be used to supplement, and not supplant, State and local funds'';*

*(D) by striking paragraph (4) and inserting the following:*

*''(4) PROCESS.—Such process—*

*''(A) shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.); and*

*''(B) shall, unless otherwise provided as described in subsection (c), follow the provisions of subchapter III of chapter 5 of title V, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990').''; and*

*(E) by striking paragraph (5);*

*(3) by redesignating subsection (c) as subsection (d);*

*(4) by inserting after subsection (b) the following:*

*''(c) ALTERNATIVE PROCESS FOR CERTAIN EXCEPTIONS.—If consensus, as defined in section 562 of title 5, United States Code, on any proposed regulation is not reached by the individuals selected under subsection (b)(3)(B) for the negotiated rulemaking process, or if the Secretary determines that a negotiated rulemaking process is unnecessary, the Secretary may propose a regulation in the following manner:*

*''(1) NOTICE TO CONGRESS.—Not less than 15 business days prior to issuing a notice of proposed rulemaking in the Federal Register, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and other relevant congressional committees, notice of the Secretary's intent to issue a notice of proposed rulemaking that shall include—*

*''(A) a copy of the proposed regulation;*

*''(B) the need to issue the regulation;*

*''(C) the anticipated burden, including the time, cost, and paperwork burden, the regulation will impose on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;*

*''(D) the anticipated benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation; and*

*''(E) any regulations that will be repealed when the new regulation is issued.*

*''(2) COMMENT PERIOD FOR CONGRESS.—The Secretary shall—*

*''(A) before issuing any notice of proposed rulemaking under this subsection, provide Congress with a comment period of 15 business days to make comments on the proposed regulation, beginning on the date that the Secretary provides the notice of intent to the appropriate committees of Congress under paragraph (1); and*

*''(B) include and seek to address all comments submitted by Congress in the public rulemaking record for the regulation published in the Federal Register.*

*''(3) COMMENT AND REVIEW PERIOD; EMERGENCY SITUATIONS.—The comment and review period for any proposed regulation shall be not less than 60 days unless an emergency requires a shorter period, in which case the Secretary shall—*

*''(A) designate the proposed regulation as an emergency with an explanation of the emergency in the notice to Congress under paragraph (1);*

*''(B) publish the length of the comment and review period in such notice and in the Federal Register; and*

*''(C) conduct immediately thereafter regional meetings to review such proposed regulation before issuing any final regulation.'';*

*(5) in subsection (d), as redesignated by paragraph (3), by striking ''Regulations to carry out this part'' and inserting ''Regulations to carry out this title''; and*

*(6) by inserting after subsection (d), as redesignated by paragraph (3), the following:*

*''(e) RULE OF CONSTRUCTION.—Nothing in this section affects the applicability of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act') or chapter 8 of title 5, United States Code (commonly known as the 'Congressional Review Act').''.*

*(b) AGREEMENTS AND RECORDS.—Subsection (a) of section 1602 (20 U.S.C. 6572(a)), as redesignated by section 1501(a)(4) of this Act, is amended to read as follows:*

*''(a) AGREEMENTS.—In any case in which a negotiated rulemaking process is established under section 1601(b), all published proposed regulations shall conform to agreements that result from the rulemaking described in section 1601 unless the Secretary reopens the negotiated rulemaking process.''.*

*(c) STATE ADMINISTRATION.—Section 1603 (20 U.S.C. 6573), as redesignated by section 1501(a)(4) of this Act, is further amended—*

*(1) in subsection (a)—*

*(A) in paragraph (1)—*

*(i) in subparagraph (C), by striking ''and'' after the semicolon;*

*(ii) in subparagraph (D), by striking the period and inserting ''; and''; and*

*(iii) by adding at the end the following:*

*''(E)(i) identify any duplicative or contrasting requirements between the State and Federal rules or regulations; and*

*''(ii) eliminate the State rules and regulations that are duplicative of Federal requirements.''; and*

*(B) in paragraph (2), by striking ''the challenging State student academic achievement standards'' and inserting ''the challenging State academic standards''; and*

*(2) in subsection (b)(2), by striking subparagraphs (C) through (G) and inserting the following:*

*''(C) teachers from traditional public schools and charter schools (if there are charter schools in the State) and career and technical educators;*

*''(D) principals and other school leaders;*

*''(E) parents;*

*''(F) members of local school boards;*

*''(G) representatives of private school children;*

*''(H) specialized instructional support personnel and paraprofessionals;*

*''(I) representatives of authorized public chartering agencies (if there are charter schools in the State); and*

*''(J) charter school leaders (if there are charter schools in the State).''.*

***TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS***

***SEC. 2001. GENERAL PROVISIONS.***

*(a) TITLE II TRANSFERS AND RELATED AMENDMENTS.—*

*(1) Section 2366(b) (20 U.S.C. 6736(b)) is amended by striking the matter following paragraph (2) and inserting the following:*

*''(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.''.*

*(2) Subpart 4 of part D of title II (20 U.S.C. 6777) is amended, by striking the subpart designation and heading and inserting the following:*

***''Subpart 4—Internet Safety''.***

*(3) Subpart 5 of part C of title II (20 U.S.C. 6731 et seq.) (as amended by paragraph (1) of this subsection) is—*

*(A) transferred to title IX;*

*(B) inserted so as to appear after subpart 2 of part E of such title;*

*(C) redesignated as subpart 3 of such part; and*

*(D) further amended by redesignating sections 2361 through 2368 as sections 9541 through 9548, respectively.*

*(4) Subpart 4 of part D of title II (20 U.S.C. 6777 et seq) (as amended by paragraph (2) of this subsection) is—*

*(A) transferred to title IV;*

*(B) inserted so as to appear after subpart 4 of part A of such title;*

*(C) redesignated as subpart 5 of such part; and*

*(D) further amended by redesignating section 2441 as section 4161.*

***SEC. 2002. PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS.***

*The Act (20 U.S.C. 6301 et seq.) is amended by striking title II and inserting the following:*

***''TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS***

***''SEC. 2001. PURPOSE.***

*''The purpose of this title is to provide grants to State educational agencies and subgrants to local educational agencies to—*

*''(1) increase student achievement consistent with the challenging State academic standards;*

*''(2) improve the quality and effectiveness of teachers, principals, and other school leaders;*

*''(3) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and*

*''(4) provide low-income and minority students greater access to effective teachers, principals, and other school leaders.*

***''SEC. 2002. DEFINITIONS.***

*''In this title:*

*''(1) SCHOOL LEADER RESIDENCY PROGRAM.—The term 'school leader residency program' means a school-based principal or other school leader preparation program in which a prospective principal or other school leader—*

*''(A) for 1 academic year, engages in sustained and rigorous clinical learning with substantial leadership responsibilities and an opportunity to practice and be evaluated in an authentic school setting; and*

*''(B) during that academic year—*

*''(i) participates in evidence-based coursework, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, that is integrated with the clinical residency experience; and*

*''(ii) receives ongoing support from a mentor principal or other school leader, who is effective.*

*''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.*

*''(3) STATE AUTHORIZER.—The term 'State authorizer' means an entity designated by the Governor of a State to recognize teacher, principal, or other school leader preparation academies within the State that—*

*''(A) enters into an agreement with a teacher, principal, or other school leader preparation academy that specifies the goals expected of the academy, as described in paragraph (4)(A)(i);*

*''(B) may be a nonprofit organization, State educational agency, or other public entity, or consortium of such entities (including a consortium of States); and*

*''(C) does not reauthorize a teacher, principal, or other school leader preparation academy if the academy fails to produce the minimum number or percentage of effective teachers or principals or other school leaders, respectively (as determined by the State), identified in the academy's authorizing agreement.*

*''(4) TEACHER, PRINCIPAL, OR OTHER SCHOOL LEADER PREPARATION ACADEMY.—The term 'teacher, principal, or other school leader preparation academy' means a public or other nonprofit entity, which may be an institution of higher education or an organization affiliated with an institution of higher education, that establishes an academy that will prepare teachers, principals, or other school leaders to serve in high-needs schools, and that—*

*''(A) enters into an agreement with a State authorizer that specifies the goals expected of the academy, including—*

*''(i) a requirement that prospective teachers, principals, or other school leaders who are enrolled in the academy receive a significant part of their training through clinical preparation that partners the prospective candidate with an effective teacher, principal, or other school leader, as determined by the State, respectively, with a demonstrated record of increasing student academic achievement, including for the subgroups of students defined in section 1111(c)(2), while also receiving concurrent instruction from the academy in the content area (or areas) in which the prospective teacher, principal, or other school leader will become certified or licensed that links to the clinical preparation experience;*

*''(ii) the number of effective teachers, principals, or other school leaders, respectively, who will demonstrate success in increasing student academic achievement that the academy will prepare; and*

*''(iii) a requirement that the academy will award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) to a teacher only after the teacher demonstrates that the teacher is an effective teacher, as determined by the State, with a demonstrated record of increasing student academic achievement either as a student teacher or teacher-of-record on an alternative certificate, license, or credential;*

*''(iv) a requirement that the academy will award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) to a principal or other school leader only after the principal or other school leader demonstrates a record of success in improving student performance; and*

*''(v) timelines for producing cohorts of graduates and conferring certificates of completion (or degrees, if the academy is, or is affiliated with, an institution of higher education) from the academy;*

*''(B) does not have unnecessary restrictions on the methods the academy will use to train prospective teacher, principal, or other school leader candidates, including—*

*''(i) obligating (or prohibiting) the academy's faculty to hold advanced degrees or conduct academic research;*

*''(ii) restrictions related to the academy's physical infrastructure;*

*''(iii) restrictions related to the number of course credits required as part of the program of study;*

*''(iv) restrictions related to the undergraduate coursework completed by teachers teaching or working on alternative certificates, licenses, or credentials, as long as such teachers have successfully passed all relevant State-approved content area examinations; or*

*''(v) restrictions related to obtaining accreditation from an accrediting body for purposes of becoming an academy;*

*''(C) limits admission to its program to prospective teacher, principal, or other school leader candidates who demonstrate strong potential to improve student academic achievement, based on a rigorous selection process that reviews a candidate's prior academic achievement or record of professional accomplishment; and*

*''(D) results in a certificate of completion or degree that the State may, after reviewing the academy's results in producing effective teachers, or principals, or other school leaders, respectively (as determined by the State) recognize as at least the equivalent of a master's degree in education for the purposes of hiring, retention, compensation, and promotion in the State.*

*''(5) TEACHER RESIDENCY PROGRAM.—The term 'teacher residency program' means a school-based teacher preparation program in which a prospective teacher—*

*''(A) for not less than 1 academic year, teaches alongside an effective teacher, as determined by the State or local educational agency, who is the teacher of record for the classroom;*

*''(B) receives concurrent instruction during the year described in subparagraph (A)—*

*''(i) through courses that may be taught by local educational agency personnel or by faculty of the teacher preparation program; and*

*''(ii) in the teaching of the content area in which the teacher will become certified or licensed; and*

*''(C) acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.*

***''SEC. 2003. AUTHORIZATION OF APPROPRIATIONS.***

*''(a) GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.—For the purpose of carrying out part A, there are authorized to be appropriated $2,295,830,000 for each of fiscal years 2017 through 2020.*

*''(b) NATIONAL ACTIVITIES.—For the purpose of carrying out part B, there are authorized to be appropriated—*

''(1) $468,880,575 for each of fiscal years 2017 and 2018;

''(2) $469,168,000 for fiscal year 2019; and

''(3) $489,168,000 for fiscal year 2020.

**"PART A—SUPPORTING EFFECTIVE INSTRUCTION**

**"SEC. 2101. FORMULA GRANTS TO STATES.**

''(a) RESERVATION OF FUNDS.—From the total amount appropriated under section 2003(a) for a fiscal year, the Secretary shall reserve—

''(1) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this title; and

''(2) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education.

''(b) STATE ALLOTMENTS.—

''(1) HOLD HARMLESS.—

''(A) FISCAL YEARS 2017 THROUGH 2022.—For each of fiscal years 2017 through 2022, subject to paragraph (2) and subparagraph (C), from the funds appropriated under section 2003(a) for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

''(i) section 2202(b) of this Act (as in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

''(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106–554).

''(B) RATABLE REDUCTION.—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

''(C) PERCENTAGE REDUCTION.—For each of fiscal years 2017 through 2022, the amount in subparagraph (A) shall be reduced by a percentage equal to the product of 14.29 percent and the number of years between the fiscal year for which the determination is being made and fiscal year 2016.

''(2) ALLOTMENT OF ADDITIONAL FUNDS.—

''(A) IN GENERAL.—Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 2003(a) and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

''(i) for fiscal year 2017—

''(I) an amount that bears the same relationship to 35 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(II) an amount that bears the same relationship to 65 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined;

''(ii) for fiscal year 2018—

''(I) an amount that bears the same relationship to 30 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(II) an amount that bears the same relationship to 70 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined;

''(iii) for fiscal year 2019—

''(I) an amount that bears the same relationship to 25 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(II) an amount that bears the same relationship to 75 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(iv) for fiscal year 2020—

''(I) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(II) an amount that bears the same relationship to 80 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

''(B) EXCEPTION.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total excess amount allotted under such subparagraph for a fiscal year.

''(3) FISCAL YEAR 2021 AND SUCCEEDING FISCAL YEARS.—For fiscal year 2021 and each of the succeeding fiscal years—

''(A) the Secretary shall allot funds appropriated under section 2003(a) and not reserved under subsection (a) to each State in accordance with paragraph (2)(A)(iv); and

''(B) the amount appropriated but not reserved shall be treated as the excess amount.

''(4) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallot the amount of the allotment to the remaining States in accordance with this subsection.

''(c) STATE USES OF FUNDS.—

''(1) IN GENERAL.—Except as provided under paragraph (3), each State that receives an allotment under subsection (b) for a fiscal year shall reserve not less than 95 percent of such allotment to make subgrants to local educational agencies for such fiscal year, as described in section 2102.

''(2) STATE ADMINISTRATION.—A State educational agency may use not more than 1 percent of the amount allotted to such State under subsection (b) for the administrative costs of carrying out such State educational agency's responsibilities under this part.

''(3) PRINCIPALS OR OTHER SCHOOL LEADERS.—Notwithstanding paragraph (1) and in addition to funds otherwise available for activities under paragraph (4), a State educational agency may reserve not more than 3 percent of the amount reserved for subgrants to local educational agencies under paragraph (1) for one or more of the activities for principals or other school leaders that are described in paragraph (4).

''(4) STATE ACTIVITIES.—

''(A) IN GENERAL.—The State educational agency for a State that receives an allotment under subsection (b) may use funds not reserved under paragraph (1) to carry out 1 or more of the activities described in subparagraph (B), which may be implemented in conjunction with a State agency of higher education (if such agencies are separate) and carried out through a grant or contract with a for-profit or nonprofit entity, including an institution of higher education.

''(B) TYPES OF STATE ACTIVITIES.—The activities described in this subparagraph are the following:

''(i) Reforming teacher, principal, or other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes to ensure that—

''(I) teachers have the necessary subject-matter knowledge and teaching skills, as demonstrated through measures determined by the State, which may include teacher performance assessments, in the academic subjects that the teachers teach to help students meet challenging State academic standards;

''(II) principals or other school leaders have the instructional leadership skills to help teachers teach and to help students meet such challenging State academic standards; and

''(III) teacher certification or licensing requirements are aligned with such challenging State academic standards.

''(ii) Developing, improving, or providing assistance to local educational agencies to support the design and implementation of teacher, principal, or other school leader evaluation and support systems that are based in part on evidence of student academic achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders, such as by—

''(I) developing and disseminating high-quality evaluation tools, such as classroom observation rubrics, and methods, including training and auditing, for ensuring inter-rater reliability of evaluation results;

''(II) developing and providing training to principals, other school leaders, coaches, mentors, and evaluators on how to accurately differentiate performance, provide useful and timely feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

''(III) developing a system for auditing the quality of evaluation and support systems.

''(iii) Improving equitable access to effective teachers.

''(iv) Carrying out programs that establish, expand, or improve alternative routes for State certification of teachers (especially for teachers of children with disabilities, English learners, science, technology, engineering, mathematics, or other areas where the State experiences a shortage of educators), principals, or other school leaders, for—

''(I) individuals with a baccalaureate or master's degree, or other advanced degree;

''(II) mid-career professionals from other occupations;

''(III) paraprofessionals;

''(IV) former military personnel; and

''(V) recent graduates of institutions of higher education with records of academic distinction who demonstrate the potential to become effective teachers, principals, or other school leaders.

''(v) Developing, improving, and implementing mechanisms to assist local educational agencies and schools in effectively recruiting and retaining teachers, principals, or other school leaders who are effective in improving student academic achievement, including effective teachers from underrepresented minority groups and teachers with disabilities, such as through—

''(I) opportunities for effective teachers to lead evidence-based (to the extent the State determines that such evidence is reasonably available) professional development for the peers of such effective teachers; and

''(II) providing training and support for teacher leaders and principals or other school leaders who are recruited as part of instructional leadership teams.

''(vi) Fulfilling the State educational agency's responsibilities concerning proper and efficient administration and monitoring of the programs carried out under this part, including provision of technical assistance to local educational agencies.

''(vii) Developing, or assisting local educational agencies in developing—

''(I) career opportunities and advancement initiatives that promote professional growth and emphasize multiple career paths, such as instructional coaching and mentoring (including hybrid roles that allow instructional coaching and mentoring while remaining in the classroom), school leadership, and involvement with school improvement and support;

''(II) strategies that provide differential pay, or other incentives, to recruit and retain teachers in high-need academic subjects and teachers, principals, or other school leaders, in low-income schools and school districts, which may include performance-based pay systems; and

''(III) new teacher, principal, or other school leader induction and mentoring programs that are, to the extent the State determines that such evidence is reasonably available, evidence-based, and designed to—

''(aa) improve classroom instruction and student learning and achievement, including through improving school leadership programs; and

''(bb) increase the retention of effective teachers, principals, or other school leaders.

''(viii) Providing assistance to local educational agencies for the development and implementation of high-quality professional development programs for principals that enable the principals to be effective and prepare all students to meet the challenging State academic standards.

''(ix) Supporting efforts to train teachers, principals, or other school leaders to effectively integrate technology into curricula and instruction, which may include training to assist teachers in implementing blended learning (as defined in section 4102(1)) projects.

''(x) Providing training, technical assistance, and capacity-building to local educational agencies that receive a subgrant under this part.

''(xi) Reforming or improving teacher, principal, or other school leader preparation programs, such as through establishing teacher residency programs and school leader residency programs.

''(xii) Establishing or expanding teacher, principal, or other school leader preparation academies, with an amount of the funds described in subparagraph (A) that is not more than 2 percent of the State's allotment, if—

''(I) allowable under State law;

''(II) the State enables candidates attending a teacher, principal, or other school leader preparation academy to be eligible for State financial aid to the same extent as participants in other State-approved teacher or principal preparation programs, including alternative certification, licensure, or credential programs; and

''(III) the State enables teachers, principals, or other school leaders who are teaching or working while on alternative certificates, licenses, or credentials to teach or work in the State while enrolled in a teacher, principal, or other school leader preparation academy.

''(xiii) Supporting the instructional services provided by effective school library programs.

''(xiv) Developing, or assisting local educational agencies in developing, strategies that provide teachers, principals, or other school leaders with the skills, credentials, or certifications needed to educate all students in postsecondary education coursework through early college high school or dual or concurrent enrollment programs.

''(xv) Providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse.

''(xvi) Supporting opportunities for principals, other school leaders, teachers, paraprofessionals, early childhood education program directors, and other early childhood education program providers to participate in joint efforts to address the transition to elementary school, including issues related to school readiness.

''(xvii) Developing and providing professional development and other comprehensive systems of support for teachers, principals, or other school leaders to promote high-quality instruction and instructional leadership in science, technology, engineering, and mathematics subjects, including computer science.

''(xviii) Supporting the professional development and improving the instructional strategies of teachers, principals, or other school leaders to integrate career and technical education content into academic instructional practices, which may include training on best practices to understand State and regional workforce needs and transitions to postsecondary education and the workforce.

''(xix) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

''(xx) Supporting and developing efforts to train teachers on the appropriate use of student data to ensure that individual student privacy is protected as required by section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974') (20 U.S.C. 1232g) and in accordance with State student privacy laws and local educational agency student privacy and technology use policies.

''(xxi) Supporting other activities identified by the State that are, to the extent the State determines that such evidence is reasonably available, evidence-based and that meet the purpose of this title.

''(d) STATE APPLICATION.—

''(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.

''(2) CONTENTS.—Each application described under paragraph (1) shall include the following:

''(A) A description of how the State educational agency will use funds received under this title for State-level activities described in subsection (c).

''(B) A description of the State's system of certification and licensing of teachers, principals, or other school leaders.

''(C) A description of how activities under this part are aligned with challenging State academic standards.

''(D) A description of how the activities carried out with funds under this part are expected to improve student achievement.

''(E) If a State educational agency plans to use funds under this part to improve equitable access to effective teachers, consistent with section 1111(g)(1)(B), a description of how such funds will be used for such purpose.

''(F) If applicable, a description of how the State educational agency will work with local educational agencies in the State to develop or implement State or local teacher, principal, or other school leader evaluation and support systems that meet the requirements of subsection (c)(4)(B)(ii).

''(G) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

''(H) An assurance that the State educational agency will work in consultation with the entity responsible for teacher, principal, or other school leader professional standards, certification, and licensing for the State, and encourage collaboration between educator preparation programs, the State, and local educational agencies to promote the readiness of new educators entering the profession.

''(I) An assurance that the State educational agency will comply with section 8501 (regarding participation by private school children and teachers).

''(J) A description of how the State educational agency will improve the skills of teachers, principals, or other school leaders in order to enable them to identify students with specific learning needs, particularly children with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

''(K) A description of how the State will use data and ongoing consultation as described in paragraph (3) to continually update and improve the activities supported under this part.

''(L) A description of how the State educational agency will encourage opportunities for increased autonomy and flexibility for teachers, principals, or other school leaders, such as by establishing innovation schools that have a high degree of autonomy over budget and operations, are transparent and accountable to the public, and lead to improved academic outcomes for students.

''(M) A description of actions the State may take to improve preparation programs and strengthen support for teachers, principals, or other school leaders based on the needs of the State, as identified by the State educational agency.

''(3) CONSULTATION.—In developing the State application under this subsection, a State shall—

''(A) meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, charter school leaders (in a State that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

''(B) seek advice from the individuals, organizations, or partners described in subparagraph (A) regarding how best to improve the State's activities to meet the purpose of this title; and

''(C) coordinate the State's activities under this part with other related strategies, programs, and activities being conducted in the State.

''(4) LIMITATION.—Consultation required under paragraph (3) shall not interfere with the timely submission of the application required under this section.

''(e) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control any of the following:

''(1) The development, improvement, or implementation of elements of any teacher, principal, or other school leader evaluation system.

''(2) Any State or local educational agency's definition of teacher, principal, or other school leader effectiveness.

''(3) Any teacher, principal, or other school leader professional standards, certification, or licensing.

**"SEC. 2102. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**

''(a) ALLOCATION OF FUNDS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—From funds reserved by a State under section 2101(c)(1) for a fiscal year, the State, acting through the State educational agency, shall award subgrants to eligible local educational agencies from allocations described in paragraph (2).

''(2) ALLOCATION FORMULA.—From the funds described in paragraph (1), the State educational agency shall allocate to each of the eligible local educational agencies in the State for a fiscal year the sum of—

''(A) an amount that bears the same relationship to 20 percent of such funds for such fiscal year as the number of individuals aged 5 through 17 in the geographic area served by the agency, as determined by the Secretary on the

*basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all eligible local educational agencies in the State, as so determined; and*

*''(B) an amount that bears the same relationship to 80 percent of the funds for such fiscal year as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the eligible local educational agencies in the State, as so determined.*

*''(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a consortium of local educational agencies that are designated with a locale code of 41, 42, or 43, or such local educational agencies designated with a locale code of 41, 42, or 43 that work in cooperation with an educational service agency, from voluntarily combining allocations received under this part for the collective use of funding by the consortium for activities under this section.*

*''(b) LOCAL APPLICATIONS.—*

*''(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.*

*''(2) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall include the following:*

*''(A) A description of the activities to be carried out by the local educational agency under this section and how these activities will be aligned with challenging State academic standards.*

*''(B) A description of the local educational agency's systems of professional growth and improvement, such as induction for teachers, principals, or other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership.*

*''(C) A description of how the local educational agency will prioritize funds to schools served by the agency that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d) and have the highest percentage of children counted under section 1124(c).*

*''(D) A description of how the local educational agency will use data and ongoing consultation described in paragraph (3) to continually update and improve activities supported under this part.*

*''(E) An assurance that the local educational agency will comply with section 8501 (regarding participation by private school children and teachers).*

*''(F) An assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.*

*''(3) CONSULTATION.—In developing the application described in paragraph (2), a local educational agency shall—*

*''(A) meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;*

*''(B) seek advice from the individuals and organizations described in subparagraph (A) regarding how best to improve the local educational agency's activities to meet the purpose of this title; and*

*''(C) coordinate the local educational agency's activities under this part with other related strategies, programs, and activities being conducted in the community.*

*''(4) LIMITATION.—Consultation required under paragraph (3) shall not interfere with the timely submission of the application required under this section.*

***"SEC. 2103. LOCAL USES OF FUNDS.***

*''(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive programs and activities described in subsection (b), which may be carried out—*

*''(1) through a grant or contract with a for-profit or nonprofit entity; or*

*''(2) in partnership with an institution of higher education or an Indian tribe or tribal organization (as such terms are defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).*

*''(b) TYPES OF ACTIVITIES.—The programs and activities described in this subsection—*

*''(1) shall be in accordance with the purpose of this title;*

*''(2) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and*

*''(3) may include, among other programs and activities—*

*''(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, or other school leaders that—*

*''(i) is based in part on evidence of student achievement, which may include student growth; and*

*''(ii) shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders;*

*''(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards, to improve within-district equity in the distribution of teachers, consistent with section 1111(g)(1)(B), such as initiatives that provide—*

*''(i) expert help in screening candidates and enabling early hiring;*

*''(ii) differential and incentive pay for teachers, principals, or other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;*

*''(iii) teacher, paraprofessional, principal, or other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths, and pay differentiation;*

*''(iv) new teacher, principal, or other school leader induction and mentoring programs that are designed to—*

*''(I) improve classroom instruction and student learning and achievement; and*

*''(II) increase the retention of effective teachers, principals, or other school leaders;*

*''(v) the development and provision of training for school leaders, coaches, mentors, and evaluators on how accurately to differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and*

*''(vi) a system for auditing the quality of evaluation and support systems;*

*''(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders, including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with records of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;*

*''(D) reducing class size to a level that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring of additional effective teachers;*

*''(E) providing high-quality, personalized professional development that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, for teachers, instructional leadership teams, principals, or other school leaders, that is focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, or other school leaders to—*

*''(i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);*

*''(ii) use data to improve student achievement and understand how to ensure individual student privacy is protected, as required under section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974') (20 U.S.C. 1232g) and State and local policies and laws in the use of such data;*

*''(iii) effectively engage parents, families, and community partners, and coordinate services between school and community;*

*''(iv) help all students develop the skills essential for learning readiness and academic success;*

*''(v) develop policy with school, local educational agency, community, or State leaders; and*

*''(vi) participate in opportunities for experiential learning through observation;*

*''(F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, and English learners, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, so that such children with disabilities and English learners can meet the challenging State academic standards;*

*''(G) providing programs and activities to increase—*

*''(i) the knowledge base of teachers, principals, or other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and*

*''(ii) the ability of principals or other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;*

*''(H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers, principals, or other school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;*

*''(I) carrying out in-service training for school personnel in—*

*''(i) the techniques and supports needed to help educators understand when and how to refer students affected by trauma, and children with, or at risk of, mental illness;*

*''(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate;*

''(iii) forming partnerships between school-based mental health programs and public or private mental health organizations; and

''(iv) addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism;

''(J) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as—

''(i) early entrance to kindergarten;

''(ii) enrichment, acceleration, and curriculum compacting activities; and

''(iii) dual or concurrent enrollment programs in secondary school and postsecondary education;

''(K) supporting the instructional services provided by effective school library programs;

''(L) providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse;

''(M) developing and providing professional development and other comprehensive systems of support for teachers, principals, or other school leaders to promote high-quality instruction and instructional leadership in science, technology, engineering, and mathematics subjects, including computer science;

''(N) developing feedback mechanisms to improve school working conditions, including through periodically and publicly reporting results of educator support and working conditions feedback;

''(O) providing high-quality professional development for teachers, principals, or other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning (if appropriate), which may include providing common planning time, to help prepare students for postsecondary education and the workforce; and

''(P) carrying out other activities that are evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, and identified by the local educational agency that meet the purpose of this title.

**''SEC. 2104. REPORTING.**

''(a) STATE REPORT.—Each State educational agency receiving funds under this part shall annually submit to the Secretary a report that provides—

''(1) a description of how the State is using grant funds received under this part to meet the purpose of this title, and how such chosen activities improved teacher, principal, or other school leader effectiveness, as determined by the State or local educational agency;

''(2) if funds are used under this part to improve equitable access to teachers for low-income and minority students, consistent with section 1111(g)(1)(B), a description of how funds have been used to improve such access;

''(3) for a State that implements a teacher, principal, or other school leader evaluation and support system, consistent with section 2101(c)(4)(B)(ii), using funds under this part, the evaluation results of teachers, principals, or other school leaders, except that such information shall not provide personally identifiable information on individual teachers, principals, or other school leaders; and

''(4) where available, the annual retention rates of effective and ineffective teachers, principals, or other school leaders, using any methods or criteria the State has or develops under section 1111(g)(2)(A), except that nothing in this paragraph shall be construed to require any State educational agency or local educational agency to collect and report any data the State educational agency or local educational agency is not collecting or reporting as of the day before the date of enactment of the Every Student Succeeds Act.

''(b) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency receiving funds under this part shall submit to the State educational agency such information as the State requires, which shall include the information described in subsection (a) for the local educational agency.

''(c) AVAILABILITY.—The reports and information provided under subsections (a) and (b) shall be made readily available to the public.

''(d) LIMITATION.—The reports and information provided under subsections (a) and (b) shall not reveal personally identifiable information about any individual.

***''PART B—NATIONAL ACTIVITIES***

**''SEC. 2201. RESERVATIONS.**

''From the amounts appropriated under section 2003(b) for a fiscal year, the Secretary shall reserve—

''(1) to carry out activities authorized under subpart 1—

''(A) 49.1 percent for each of fiscal years 2017 through 2019; and

''(B) 47 percent for fiscal year 2020;

''(2) to carry out activities authorized under subpart 2—

''(A) 34.1 percent for each of fiscal years 2017 through 2019; and

''(B) 36.8 percent for fiscal year 2020;

''(3) to carry out activities authorized under subpart 3, 1.4 percent for each of fiscal years 2017 through 2020; and

''(4) to carry out activities authorized under subpart 4—

''(A) 15.4 percent for each of fiscal years 2017 through 2019; and

''(B) 14.8 percent for fiscal year 2020.

***''Subpart 1—Teacher and School Leader Incentive Program***

**''SEC. 2211. PURPOSES; DEFINITIONS.**

''(a) PURPOSES.—The purposes of this subpart are—

''(1) to assist States, local educational agencies, and nonprofit organizations to develop, implement, improve, or expand comprehensive performance-based compensation systems or human capital management systems for teachers, principals, or other school leaders (especially for teachers, principals, or other school leaders in high-need schools) who raise student academic achievement and close the achievement gap between high- and low-performing students; and

''(2) to study and review performance-based compensation systems or human capital management systems for teachers, principals, or other school leaders to evaluate the effectiveness, fairness, quality, consistency, and reliability of the systems.

''(b) DEFINITIONS.—In this subpart:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency, including a charter school that is a local educational agency, or a consortium of local educational agencies;

''(B) a State educational agency or other State agency designated by the chief executive of a State to participate under this subpart;

''(C) the Bureau of Indian Education; or

''(D) a partnership consisting of—

''(i) 1 or more agencies described in subparagraph (A), (B), or (C); and

''(ii) at least 1 nonprofit or for-profit entity.

''(2) HIGH-NEED SCHOOL.—The term 'high-need school' means a public elementary school or secondary school that is located in an area in which the percentage of students from families with incomes below the poverty line is 30 percent or more.

''(3) HUMAN CAPITAL MANAGEMENT SYSTEM.—The term 'human capital management system' means a system—

''(A) by which a local educational agency makes and implements human capital decisions, such as decisions on preparation, recruitment, hiring, placement, retention, dismissal, compensation, professional development, tenure, and promotion; and

''(B) that includes a performance-based compensation system.

''(4) PERFORMANCE-BASED COMPENSATION SYSTEM.—The term 'performance-based compensation system' means a system of compensation for teachers, principals, or other school leaders—

''(A) that differentiates levels of compensation based in part on measurable increases in student academic achievement; and

''(B) which may include—

''(i) differentiated levels of compensation, which may include bonus pay, on the basis of the employment responsibilities and success of effective teachers, principals, or other school leaders in hard-to-staff schools or high-need subject areas; and

''(ii) recognition of the skills and knowledge of teachers, principals, or other school leaders as demonstrated through—

''(I) successful fulfillment of additional responsibilities or job functions, such as teacher leadership roles; and

''(II) evidence of professional achievement and mastery of content knowledge and superior teaching and leadership skills.

**''SEC. 2212. TEACHER AND SCHOOL LEADER INCENTIVE FUND GRANTS.**

''(a) GRANTS AUTHORIZED.—From the amounts reserved by the Secretary under section 2201(1), the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop, implement, improve, or expand performance-based compensation systems or human capital management systems, in schools served by the eligible entity.

''(b) DURATION OF GRANTS.—

''(1) IN GENERAL.—A grant awarded under this subpart shall be for a period of not more than 3 years.

''(2) RENEWAL.—The Secretary may renew a grant awarded under this subpart for a period of not more than 2 years if the grantee demonstrates to the Secretary that the grantee is effectively using funds. Such renewal may include allowing the grantee to scale up or replicate the successful program.

''(3) LIMITATION.—A local educational agency may receive (whether individually or as part of a consortium or partnership) a grant under this subpart, as amended by the Every Student Succeeds Act, only twice.

''(c) APPLICATIONS.—An eligible entity desiring a grant under this subpart shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. The application shall include—

''(1) a description of the performance-based compensation system or human capital management system that the eligible entity proposes to develop, implement, improve, or expand through the grant;

''(2) a description of the most significant gaps or insufficiencies in student access to effective teachers, principals, or other school leaders in high-need schools, including gaps or inequities in how effective teachers, principals, or other school leaders are distributed across the local educational agency, as identified using factors such as data on school resources, staffing patterns, school environment, educator support systems, and other school-level factors;

''(3) a description and evidence of the support and commitment from teachers, principals, or other school leaders, which may include charter school leaders, in the school (including organizations representing teachers, principals, or other school leaders), the community, and the local educational agency to the activities proposed under the grant;

''(4) a description of how the eligible entity will develop and implement a fair, rigorous, valid, reliable, and objective process to evaluate teacher, principal, or other school leader performance under the system that is based in part

*on measures of student academic achievement, including the baseline performance against which evaluations of improved performance will be made;*

*''(5) a description of the local educational agencies or schools to be served under the grant, including such student academic achievement, demographic, and socioeconomic information as the Secretary may request;*

*''(6) a description of the effectiveness of teachers, principals, or other school leaders in the local educational agency and the schools to be served under the grant and the extent to which the system will increase the effectiveness of teachers, principals, or other school leaders in such schools;*

*''(7) a description of how the eligible entity will use grant funds under this subpart in each year of the grant, including a timeline for implementation of such activities;*

*''(8) a description of how the eligible entity will continue the activities assisted under the grant after the grant period ends;*

*''(9) a description of the State, local, or other public or private funds that will be used to supplement the grant, including funds under part A, and sustain the activities assisted under the grant after the end of the grant period;*

*''(10) a description of—*

*''(A) the rationale for the project;*

*''(B) how the proposed activities are evidence-based; and*

*''(C) if applicable, the prior experience of the eligible entity in developing and implementing such activities; and*

*''(11) a description of how activities funded under this subpart will be evaluated, monitored, and publically reported.*

*''(d) AWARD BASIS.—*

*''(1) PRIORITY.—In awarding a grant under this subpart, the Secretary shall give priority to an eligible entity that concentrates the activities proposed to be assisted under the grant on teachers, principals, or other school leaders serving in high-need schools.*

*''(2) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this subpart, including the distribution of such grants between rural and urban areas.*

*''(e) USE OF FUNDS.—*

*''(1) IN GENERAL.—An eligible entity that receives a grant under this subpart shall use the grant funds to develop, implement, improve, or expand, in collaboration with teachers, principals, other school leaders, and members of the public, a performance-based compensation system or human capital management system consistent with this subpart.*

*''(2) AUTHORIZED ACTIVITIES.—Grant funds under this subpart may be used for one or more of the following:*

*''(A) Developing or improving an evaluation and support system, including as part of a human capital management system as applicable, that—*

*''(i) reflects clear and fair measures of teacher, principal, or other school leader performance, based in part on demonstrated improvement in student academic achievement; and*

*''(ii) provides teachers, principals, or other school leaders with ongoing, differentiated, targeted, and personalized support and feedback for improvement, including professional development opportunities designed to increase effectiveness.*

*''(B) Conducting outreach within a local educational agency or a State to gain input on how to construct an evaluation and support system described in subparagraph (A) and to develop support for the evaluation and support system, including by training appropriate personnel in how to observe and evaluate teachers, principals, or other school leaders.*

*''(C) Providing principals or other school leaders with—*

*''(i) balanced autonomy to make budgeting, scheduling, and other school-level decisions in a manner that meets the needs of the school without compromising the intent or essential components of the policies of the local educational agency or State; and*

*''(ii) authority to make staffing decisions that meet the needs of the school, such as building an instructional leadership team that includes teacher leaders or offering opportunities for teams or pairs of effective teachers or candidates to teach or start teaching in high-need schools together.*

*''(D) Implementing, as part of a comprehensive performance-based compensation system, a differentiated salary structure, which may include bonuses and stipends, to—*

*''(i) teachers who—*

*''(I) teach in—*

*''(aa) high-need schools; or*

*''(bb) high-need subjects;*

*''(II) raise student academic achievement; or*

*''(III) take on additional leadership responsibilities; or*

*''(ii) principals or other school leaders who serve in high-need schools and raise student academic achievement in the schools.*

*''(E) Improving the local educational agency's system and process for the recruitment, selection, placement, and retention of effective teachers, principals, or other school leaders in high-need schools, such as by improving local educational agency policies and procedures to ensure that high-need schools are competitive and timely in—*

*''(i) attracting, hiring, and retaining effective educators;*

*''(ii) offering bonuses or higher salaries to effective educators; or*

*''(iii) establishing or strengthening school leader residency programs and teacher residency programs.*

*''(F) Instituting career advancement opportunities characterized by increased responsibility and pay that reward and recognize effective teachers, principals, or other school leaders in high-need schools and enable them to expand their leadership and results, such as through teacher-led professional development, mentoring, coaching, hybrid roles, administrative duties, and career ladders.*

*''(f) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this subpart shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (which may be provided in cash or in kind) to carry out the activities supported by the grant.*

*''(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this subpart shall be used to supplement, not supplant, other Federal or State funds available to carry out activities described in this subpart.*

***"SEC. 2213. REPORTS.***

*''(a) ACTIVITIES SUMMARY.—Each eligible entity receiving a grant under this subpart shall provide to the Secretary a summary of the activities assisted under the grant.*

*''(b) REPORT.—The Secretary shall provide to Congress an annual report on the implementation of the program carried out under this subpart, including—*

*''(1) information on eligible entities that received grant funds under this subpart, including—*

*''(A) information provided by eligible entities to the Secretary in the applications submitted under section 2212(c);*

*''(B) the summaries received under subsection (a); and*

*''(C) grant award amounts; and*

*''(2) student academic achievement and, as applicable, growth data from the schools participating in the programs supported under the grant.*

*''(c) EVALUATION AND TECHNICAL ASSISTANCE.—*

*''(1) RESERVATION OF FUNDS.—Of the total amount reserved for this subpart for a fiscal year, the Secretary may reserve for such fiscal year not more than 1 percent for the cost of the evaluation under paragraph (2) and for technical assistance in carrying out this subpart.*

*''(2) EVALUATION.—From amounts reserved under paragraph (1), the Secretary, acting through the Director of the Institute of Education Sciences, shall carry out an independent evaluation to measure the effectiveness of the program assisted under this subpart.*

*''(3) CONTENTS.—The evaluation under paragraph (2) shall measure—*

*''(A) the effectiveness of the program in improving student academic achievement;*

*''(B) the satisfaction of the participating teachers, principals, or other school leaders; and*

*''(C) the extent to which the program assisted the eligible entities in recruiting and retaining high-quality teachers, principals, or other school leaders, especially in high-need subject areas.*

***"Subpart 2—Literacy Education for All, Results for the Nation***

***"SEC. 2221. PURPOSES; DEFINITIONS.***

*''(a) PURPOSES.—The purposes of this subpart are—*

*''(1) to improve student academic achievement in reading and writing by providing Federal support to States to develop, revise, or update comprehensive literacy instruction plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12; and*

*''(2) for States to provide targeted subgrants to early childhood education programs and local educational agencies and their public or private partners to implement evidence-based programs that ensure high-quality comprehensive literacy instruction for students most in need.*

*''(b) DEFINITIONS.—In this subpart:*

*''(1) COMPREHENSIVE LITERACY INSTRUCTION.—The term 'comprehensive literacy instruction' means instruction that—*

*''(A) includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;*

*''(B) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;*

*''(C) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff;*

*''(D) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;*

*''(E) uses differentiated instructional approaches, including individual and small group instruction and discussion;*

*''(F) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;*

*''(G) includes frequent practice of reading and writing strategies;*

*''(H) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessment processes, and summative assessments to identify a child's learning needs, to inform instruction, and to monitor the child's progress and the effects of instruction;*

*''(I) uses strategies to enhance children's motivation to read and write and children's engagement in self-directed learning;*

*''(J) incorporates the principles of universal design for learning;*

*''(K) depends on teachers' collaboration in planning, instruction, and assessing a child's progress and on continuous professional learning; and*

*''(L) links literacy instruction to the challenging State academic standards, including the ability to navigate, understand, and write about, complex print and digital subject matter.*

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that consists of—

''(A) one or more local educational agencies that serve a high percentage of high-need schools and—

''(i) have the highest number or proportion of children who are counted under section 1124(c), in comparison to other local educational agencies in the State;

''(ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under section 1111(b)(2); or

''(iii) serve a significant number or percentage of schools that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d);

''(B) one or more early childhood education programs serving low-income or otherwise disadvantaged children, which may include home-based literacy programs for preschool-aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or

''(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or an early childhood education program, which may include home-based literacy programs for preschool-aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include early childhood education programs) that have a demonstrated record of effectiveness in—

''(i) improving literacy achievement of children, consistent with the purposes of participation under this subpart, from birth through grade 12; and

''(ii) providing professional development in comprehensive literacy instruction.

''(3) HIGH-NEED SCHOOL.—

''(A) IN GENERAL.—The term 'high-need school' means—

''(i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from low-income families; or

''(ii) a high school in which not less than 40 percent of the enrolled students are children from low-income families, which may be calculated using comparable data from the schools that feed into the high school.

''(B) LOW-INCOME FAMILY.—For purposes of subparagraph (A), the term 'low-income family' means a family—

''(i) in which the children are eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

''(ii) receiving assistance under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

''(iii) in which the children are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

**"SEC. 2222. COMPREHENSIVE LITERACY STATE DEVELOPMENT GRANTS.**

''(a) GRANTS AUTHORIZED.—From the amounts reserved by the Secretary under section 2201(2) and not reserved under subsection (b), the Secretary shall award grants, on a competitive basis, to State educational agencies to enable the State educational agencies to—

''(1) provide subgrants to eligible entities serving a diversity of geographic areas, giving priority to entities serving greater numbers or percentages of children from low-income families; and

''(2) develop or enhance comprehensive literacy instruction plans that ensure high-quality instruction and effective strategies in reading and writing for children from early childhood education through grade 12, including English learners and children with disabilities.

''(b) RESERVATION.—From the amounts reserved to carry out this subpart for a fiscal year, the Secretary shall reserve—

''(1) not more than a total of 5 percent for national activities, including a national evaluation, technical assistance and training, data collection, and reporting;

''(2) one half of 1 percent for the Secretary of the Interior to carry out a program described in this subpart at schools operated or funded by the Bureau of Indian Education; and

''(3) one half of 1 percent for the outlying areas to carry out a program under this subpart.

''(c) DURATION OF GRANTS.—A grant awarded under this subpart shall be for a period of not more than 5 years total. Such grant may be renewed for an additional 2-year period upon the termination of the initial period of the grant if the grant recipient demonstrates to the satisfaction of the Secretary that—

''(1) the State has made adequate progress; and

''(2) renewing the grant for an additional 2-year period is necessary to carry out the objectives of the grant described in subsection (d).

''(d) STATE APPLICATIONS.—

''(1) IN GENERAL.—A State educational agency desiring a grant under this subpart shall submit an application to the Secretary, at such time and in such manner as the Secretary may require. The State educational agency shall collaborate with the State agency responsible for administering early childhood education programs and the State agency responsible for administering child care programs in the State in writing and implementing the early childhood education portion of the grant application under this subsection.

''(2) CONTENTS.—An application described in paragraph (1) shall include, at a minimum, the following:

''(A) A needs assessment that analyzes literacy needs across the State and in high-need schools and local educational agencies that serve high-need schools, including identifying the most significant gaps in literacy proficiency and inequities in student access to effective teachers of literacy, considering each of the subgroups of students, as defined in section 1111(c)(2).

''(B) A description of how the State educational agency, in collaboration with the State literacy team, if applicable, will develop a State comprehensive literacy instruction plan or will revise and update an already existing State comprehensive literacy instruction plan.

''(C) An implementation plan that includes a description of how the State educational agency will carry out the State activities described in subsection (f).

''(D) An assurance that the State educational agency will use implementation grant funds described in subsection (f)(1) for comprehensive literacy instruction programs as follows:

''(i) Not less than 15 percent of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.

''(ii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.

''(iii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

''(E) An assurance that the State educational agency will give priority in awarding a subgrant under section 2223 to an eligible entity that—

''(i) serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line; or

''(ii) is a local educational agency serving a high number or percentage of high-need schools.

''(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to State educational agencies that will use the grant funds for evidence-based activities, defined for the purpose of this subsection as activities meeting the requirements of section 8101(21)(A)(i).

''(f) STATE ACTIVITIES.—

''(1) IN GENERAL.—A State educational agency receiving a grant under this section shall use not less than 95 percent of such grant funds to award subgrants to eligible entities, based on their needs assessment and a competitive application process.

''(2) RESERVATION.—A State educational agency receiving a grant under this section may reserve not more than 5 percent for activities identified through the needs assessment and comprehensive literacy plan described in subparagraphs (A) and (B) of subsection (d)(2), including the following activities:

''(A) Providing technical assistance, or engaging qualified providers to provide technical assistance, to eligible entities to enable the eligible entities to design and implement literacy programs.

''(B) Coordinating with institutions of higher education in the State to provide recommendations to strengthen and enhance pre-service courses for students preparing to teach children from birth through grade 12 in explicit, systematic, and intensive instruction in evidence-based literacy methods.

''(C) Reviewing and updating, in collaboration with teachers and institutions of higher education, State licensure or certification standards in the area of literacy instruction in early education through grade 12.

''(D) Making publicly available, including on the State educational agency's website, information on promising instructional practices to improve child literacy achievement.

''(E) Administering and monitoring the implementation of subgrants by eligible entities.

''(3) ADDITIONAL USES.—After carrying out the activities described in paragraphs (1) and (2), a State educational agency may use any remaining amount to carry out 1 or more of the following activities:

''(A) Developing literacy coach training programs and training literacy coaches.

''(B) Administration and evaluation of activities carried out under this subpart.

**"SEC. 2223. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF BIRTH THROUGH KINDERGARTEN ENTRY LITERACY.**

''(a) SUBGRANTS.—

''(1) IN GENERAL.—A State educational agency receiving a grant under this subpart shall, in consultation with the State agencies responsible for administering early childhood education programs and services, including the State agency responsible for administering child care programs, and, if applicable, the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)), use a portion of the grant funds, in accordance with section 2222(d)(2)(D)(i), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to support high-quality early literacy initiatives for children from birth through kindergarten entry.

''(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

''(3) SUFFICIENT SIZE AND SCOPE.—Each subgrant awarded under this section shall be of sufficient size and scope to allow the eligible entity to carry out high-quality early literacy initiatives for children from birth through kindergarten entry.

''(b) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency, at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include a description of—

''(1) how the subgrant funds will be used to enhance the language and literacy development

*and school readiness of children, from birth through kindergarten entry, in early childhood education programs, which shall include an analysis of data that support the proposed use of subgrant funds;*

*''(2) how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, including through high-quality professional development;*

*''(3) how the activities assisted under the subgrant will be coordinated with comprehensive literacy instruction at the kindergarten through grade 12 levels; and*

*''(4) how the subgrant funds will be used to evaluate the success of the activities assisted under the subgrant in enhancing the early language and literacy development of children from birth through kindergarten entry.*

*''(c) PRIORITY.—In awarding grants under this section, the State educational agency shall give priority to an eligible entity that will use the grant funds to implement evidence-based activities, defined for the purpose of this subsection as activities meeting the requirements of section 8101(21)(A)(i).*

*''(d) LOCAL USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds, consistent with the entity's approved application under subsection (b), to—*

*''(1) carry out high-quality professional development opportunities for early childhood educators, teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders;*

*''(2) train providers and personnel to develop and administer evidence-based early childhood education literacy initiatives; and*

*''(3) coordinate the involvement of families, early childhood education program staff, principals, other school leaders, specialized instructional support personnel (as appropriate), and teachers in literacy development of children served under the subgrant.*

***''SEC. 2224. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGARTEN THROUGH GRADE 12 LITERACY.***

*''(a) SUBGRANTS TO ELIGIBLE ENTITIES.—*

*''(1) SUBGRANTS.—A State educational agency receiving a grant under this subpart shall use a portion of the grant funds, in accordance with clauses (ii) and (iii) of section 2222(d)(2)(D), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the authorized activities described in subsections (c) and (d).*

*''(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.*

*''(3) SUFFICIENT SIZE AND SCOPE.—A State educational agency shall award subgrants under this section of sufficient size and scope to allow the eligible entities to carry out high-quality comprehensive literacy instruction in each grade level for which the subgrant funds are provided.*

*''(4) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include, for each school that the eligible entity identifies as participating in a subgrant program under this section, the following information:*

*''(A) A description of the eligible entity's needs assessment conducted to identify how subgrant funds will be used to inform and improve comprehensive literacy instruction at the school.*

*''(B) How the school, the local educational agency, or a provider of high-quality professional development will provide ongoing high-quality professional development to all teachers, principals, other school leaders, specialized instructional support personnel (as appropriate), and other instructional leaders served by the school.*

*''(C) How the school will identify children in need of literacy interventions or other support services.*

*''(D) An explanation of how the school will integrate comprehensive literacy instruction into a well-rounded education.*

*''(E) A description of how the school will coordinate comprehensive literacy instruction with early childhood education programs and activities and after-school programs and activities in the area served by the local educational agency.*

*''(b) PRIORITY.—In awarding grants under this section, the State educational agency shall give priority to an eligible entity that will use funds under subsection (c) or (d) to implement evidence-based activities, defined for the purpose of this subsection as activities meeting the requirements of section 8101(21)(A)(i).*

*''(c) LOCAL USES OF FUNDS FOR KINDERGARTEN THROUGH GRADE 5.—An eligible entity that receives a subgrant under this section shall use the subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 5:*

*''(1) Developing and implementing a comprehensive literacy instruction plan across content areas for such children that—*

*''(A) serves the needs of all children, including children with disabilities and English learners, especially children who are reading or writing below grade level;*

*''(B) provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level; and*

*''(C) supports activities that are provided primarily during the regular school day but that may be augmented by after-school and out-of-school time instruction.*

*''(2) Providing high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, specialized instructional support personnel, school librarians, paraprofessionals, and other program staff.*

*''(3) Training principals, specialized instructional support personnel, and other local educational agency personnel to support, develop, administer, and evaluate high-quality kindergarten through grade 5 literacy initiatives.*

*''(4) Coordinating the involvement of early childhood education program staff, principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, school personnel, and specialized instructional support personnel (as appropriate) in the literacy development of children served under this subsection.*

*''(5) Engaging families and encouraging family literacy experiences and practices to support literacy development.*

*''(d) LOCAL USES OF FUNDS FOR GRADES 6 THROUGH 12.—An eligible entity that receives a subgrant under this section shall use subgrant funds to carry out the following activities pertaining to children in grades 6 through 12:*

*''(1) Developing and implementing a comprehensive literacy instruction plan described in subsection (c)(1) for children in grades 6 through 12.*

*''(2) Training principals, specialized instructional support personnel, school librarians, and other local educational agency personnel to support, develop, administer, and evaluate high-quality comprehensive literacy instruction initiatives for grades 6 through 12.*

*''(3) Assessing the quality of adolescent comprehensive literacy instruction as part of a well-rounded education.*

*''(4) Providing time for teachers to meet to plan evidence-based adolescent comprehensive literacy instruction to be delivered as part of a well-rounded education.*

*''(5) Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, specialized instructional support personnel (as appropriate), and school personnel in the literacy development of children served under this subsection.*

*''(e) ALLOWABLE USES.—An eligible entity that receives a subgrant under this section may, in addition to carrying out the activities described in subsections (c) and (d), use subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 12:*

*''(1) Recruiting, placing, training, and compensating literacy coaches.*

*''(2) Connecting out-of-school learning opportunities to in-school learning in order to improve children's literacy achievement.*

*''(3) Training families and caregivers to support the improvement of adolescent literacy.*

*''(4) Providing for a multi-tier system of supports for literacy services.*

*''(5) Forming a school literacy leadership team to help implement, assess, and identify necessary changes to the literacy initiatives in 1 or more schools to ensure success.*

*''(6) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians or specialized instructional support personnel) to meet to plan comprehensive literacy instruction.*

***''SEC. 2225. NATIONAL EVALUATION AND INFORMATION DISSEMINATION.***

*''(a) NATIONAL EVALUATION.—From funds reserved under section 2222(b)(1), the Director of the Institute of Education Sciences shall conduct a national evaluation of the grant and subgrant programs assisted under this subpart. Such evaluation shall include high-quality research that applies rigorous and systematic procedures to obtain valid knowledge relevant to the implementation and effect of the programs and shall directly coordinate with individual State evaluations of the programs' implementation and impact.*

*''(b) PROGRAM IMPROVEMENT.—The Secretary shall—*

*''(1) provide the findings of the evaluation conducted under this section to State educational agencies and subgrant recipients for use in program improvement;*

*''(2) make such findings publicly available, including on the websites of the Department and the Institute of Education Sciences;*

*''(3) submit such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives; and*

*''(4) make publicly available, in a manner consistent with paragraph (2), best practices for implementing evidence-based activities under this subpart, including evidence-based activities, defined for the purpose of this paragraph as activities meeting the requirements of section 8101(21)(A)(i).*

***''SEC. 2226. INNOVATIVE APPROACHES TO LITERACY.***

*''(a) IN GENERAL.—From amounts reserved under section 2201(2), the Secretary may award grants, contracts, or cooperative agreements, on a competitive basis, to eligible entities for the purposes of promoting literacy programs that support the development of literacy skills in low-income communities, including—*

*''(1) developing and enhancing effective school library programs, which may include providing professional development for school librarians, books, and up-to-date materials to high-need schools;*

*''(2) early literacy services, including pediatric literacy programs through which, during well-child visits, medical providers trained in research-based methods of early language and literacy promotion provide developmentally appropriate books and recommendations to parents to encourage them to read aloud to their children starting in infancy; and*

*''(3) programs that provide high-quality books on a regular basis to children and adolescents from low-income communities to increase reading motivation, performance, and frequency.*

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

''(B) a consortium of such local educational agencies;

''(C) the Bureau of Indian Education; or

''(D) an eligible national nonprofit organization.

''(2) ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.—The term 'eligible national nonprofit organization' means an organization of national scope that—

''(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and

''(B) demonstrates effectiveness or high-quality plans for addressing childhood literacy activities for the population targeted by the grant.

***"Subpart 3—American History and Civics Education***

***"SEC. 2231. PROGRAM AUTHORIZED.***

''(a) IN GENERAL.—From the amount reserved by the Secretary under section 2201(3), the Secretary is authorized to carry out an American history and civics education program to improve—

''(1) the quality of American history, civics, and government education by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights; and

''(2) the quality of the teaching of American history, civics, and government in elementary schools and secondary schools, including the teaching of traditional American history.

''(b) FUNDING ALLOTMENT.—Of the amount available under subsection (a) for a fiscal year, the Secretary—

''(1) shall reserve not less than 26 percent for activities under section 2232; and

''(2) may reserve not more than 74 percent for activities under section 2233.

***"SEC. 2232. PRESIDENTIAL AND CONGRESSIONAL ACADEMIES FOR AMERICAN HISTORY AND CIVICS.***

''(a) IN GENERAL.—From the amounts reserved under section 2231(b)(1) for a fiscal year, the Secretary shall award not more than 12 grants, on a competitive basis, to—

''(1) eligible entities to establish Presidential Academies for the Teaching of American History and Civics (in this section referred to as the 'Presidential Academies') in accordance with subsection (e); and

''(2) eligible entities to establish Congressional Academies for Students of American History and Civics (in this section referred to as the 'Congressional Academies') in accordance with subsection (f).

''(b) APPLICATION.—An eligible entity that desires to receive a grant under subsection (a) shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.

''(c) ELIGIBLE ENTITY.—The term 'eligible entity' under this section means—

''(1) an institution of higher education or nonprofit educational organization, museum, library, or research center with demonstrated expertise in historical methodology or the teaching of American history and civics; or

''(2) a consortium of entities described in paragraph (1).

''(d) GRANT TERMS.—Grants awarded to eligible entities under subsection (a) shall be for a term of not more than 5 years.

''(e) PRESIDENTIAL ACADEMIES.—

''(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(1) shall use the grant funds to establish a Presidential Academy that offers a seminar or institute for teachers of American history and civics, which—

''(A) provides intensive professional development opportunities for teachers of American history and civics to strengthen such teachers' knowledge of the subjects of American history and civics;

''(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

''(C) is conducted during the summer or other appropriate time; and

''(D) is of not less than 2 weeks and not more than 6 weeks in duration.

''(2) SELECTION OF TEACHERS.—Each year, each Presidential Academy shall select between 50 and 300 teachers of American history and civics from public or private elementary schools and secondary schools to attend the seminar or institute under paragraph (1).

''(3) TEACHER STIPENDS.—Each teacher selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such teacher does not incur personal costs associated with the teacher's participation in the seminar or institute.

''(4) PRIORITY.—In awarding grants under subsection (a)(1), the Secretary shall give priority to eligible entities that coordinate or align their activities with the National Park Service National Centennial Parks initiative to develop innovative and comprehensive programs using the resources of the National Parks.

''(f) CONGRESSIONAL ACADEMIES.—

''(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(2) shall use the grant funds to establish a Congressional Academy that offers a seminar or institute for outstanding students of American history and civics, which—

''(A) broadens and deepens such students' understanding of American history and civics;

''(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

''(C) is conducted during the summer or other appropriate time; and

''(D) is of not less than 2 weeks and not more than 6 weeks in duration.

''(2) SELECTION OF STUDENTS.—

''(A) IN GENERAL.—Each year, each Congressional Academy shall select between 100 and 300 eligible students to attend the seminar or institute under paragraph (1).

''(B) ELIGIBLE STUDENTS.—A student shall be eligible to attend a seminar or institute offered by a Congressional Academy under this subsection if the student—

''(i) is recommended by the student's secondary school principal or other school leader to attend the seminar or institute; and

''(ii) will be a secondary school junior or senior in the academic year following attendance at the seminar or institute.

''(3) STUDENT STIPENDS.—Each student selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such student does not incur personal costs associated with the student's participation in the seminar or institute.

''(g) MATCHING FUNDS.—

''(1) IN GENERAL.—An eligible entity that receives funds under subsection (a) shall provide, toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant.

''(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement would result in serious hardship or an inability to carry out the activities described in subsection (e) or (f).

***"SEC. 2233. NATIONAL ACTIVITIES.***

''(a) PURPOSE.—The purpose of this section is to promote new and existing evidence-based strategies to encourage innovative American history, civics and government, and geography instruction, learning strategies, and professional development activities and programs for teachers, principals, or other school leaders, particularly such instruction, strategies, activities, and programs that benefit low-income students and underserved populations.

''(b) IN GENERAL.—From the amounts reserved by the Secretary under section 2231(b)(2), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of expanding, developing, implementing, evaluating, and disseminating for voluntary use, innovative, evidence-based approaches or professional development programs in American history, civics and government, and geography, which—

''(1) shall—

''(A) show potential to improve the quality of student achievement in, and teaching of, American history, civics and government, or geography, in elementary schools and secondary schools; and

''(B) demonstrate innovation, scalability, accountability, and a focus on underserved populations; and

''(2) may include—

''(A) hands-on civic engagement activities for teachers and students; and

''(B) programs that educate students about the history and principles of the Constitution of the United States, including the Bill of Rights.

''(c) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

''(1) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

''(2) RENEWAL.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

''(3) DIVERSITY OF PROJECTS.—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

''(d) APPLICATIONS.—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.

''(e) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means an institution of higher education or other nonprofit or for-profit organization with demonstrated expertise in the development of evidence-based approaches with the potential to improve the quality of American history, civics and government, or geography learning and teaching.

***"Subpart 4—Programs of National Significance***

***"SEC. 2241. FUNDING ALLOTMENT.***

''From the funds reserved under section 2201(4), the Secretary—

''(1) shall use not less than 74 percent to carry out activities under section 2242;

''(2) shall use not less than 22 percent to carry out activities under section 2243;

''(3) shall use not less than 2 percent to carry out activities under section 2244; and

''(4) may reserve not more than 2 percent to carry out activities under section 2245.

***"SEC. 2242. SUPPORTING EFFECTIVE EDUCATOR DEVELOPMENT.***

''(a) IN GENERAL.—From the funds reserved by the Secretary under section 2241(1) for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

''(1) providing teachers, principals, or other school leaders from nontraditional preparation and certification routes or pathways to serve in traditionally underserved local educational agencies;

''(2) providing evidence-based professional development activities that address literacy, numeracy, remedial, or other needs of local educational agencies and the students the agencies serve;

''(3) providing teachers, principals, or other school leaders with professional development activities that enhance or enable the provision of

*postsecondary coursework through dual or concurrent enrollment programs and early college high school settings across a local educational agency;*

*''(4) making freely available services and learning opportunities to local educational agencies, through partnerships and cooperative agreements or by making the services or opportunities publicly accessible through electronic means; or*

*''(5) providing teachers, principals, or other school leaders with evidence-based professional enhancement activities, which may include activities that lead to an advanced credential.*

*''(b) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—*

*''(1) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.*

*''(2) RENEWAL.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.*

*''(3) DIVERSITY OF PROJECTS.—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.*

*''(4) LIMITATION.—The Secretary shall not award more than 1 grant under this section to an eligible entity during a grant competition.*

*''(c) COST-SHARING.—*

*''(1) IN GENERAL.—An eligible entity that receives a grant under this section shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this section.*

*''(2) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this section may meet the requirement of paragraph (1) by providing contributions in cash or in kind, fairly evaluated, including plant, equipment, and services.*

*''(3) WAIVERS.—The Secretary may waive or modify the requirement of paragraph (1) in cases of demonstrated financial hardship.*

*''(d) APPLICATIONS.—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Such application shall include, at a minimum, a certification that the services provided by an eligible entity under the grant to a local educational agency or to a school served by the local educational agency will not result in direct fees for participating students or parents.*

*''(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to an eligible entity that will implement evidence-based activities, defined for the purpose of this subsection as activities meeting the requirements of section 8101(21)(A)(i).*

*''(f) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—*

*''(1) an institution of higher education that provides course materials or resources that are evidence-based in increasing academic achievement, graduation rates, or rates of postsecondary education matriculation;*

*''(2) a national nonprofit entity with a demonstrated record of raising student academic achievement, graduation rates, and rates of higher education attendance, matriculation, or completion, or of effectiveness in providing preparation and professional development activities and programs for teachers, principals, or other school leaders;*

*''(3) the Bureau of Indian Education; or*

*''(4) a partnership consisting of—*

*''(A) 1 or more entities described in paragraph (1) or (2); and*

*''(B) a for-profit entity.*

***"SEC. 2243. SCHOOL LEADER RECRUITMENT AND SUPPORT.***

*''(a) IN GENERAL.—From the funds reserved under section 2241(2) for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to improve the recruitment, preparation, placement, support, and retention of effective principals or other school leaders in high-need schools, which may include—*

*''(1) developing or implementing leadership training programs designed to prepare and support principals or other school leaders in high-need schools, including through new or alternative pathways or school leader residency programs;*

*''(2) developing or implementing programs or activities for recruiting, selecting, and developing aspiring or current principals or other school leaders to serve in high-need schools;*

*''(3) developing or implementing programs for recruiting, developing, and placing school leaders to improve schools implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d), including through cohort-based activities that build effective instructional and school leadership teams and develop a school culture, design, instructional program, and professional development program focused on improving student learning;*

*''(4) providing continuous professional development for principals or other school leaders in high-need schools;*

*''(5) developing and disseminating information on best practices and strategies for effective school leadership in high-need schools, such as training and supporting principals to identify, develop, and maintain school leadership teams using various leadership models; and*

*''(6) other evidence-based programs or activities described in section 2101(c)(4) or section 2103(b)(3) focused on principals or other school leaders in high-need schools.*

*''(b) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—*

*''(1) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 5 years.*

*''(2) RENEWAL.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.*

*''(3) DIVERSITY OF PROJECTS.—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.*

*''(4) LIMITATION.—The Secretary shall not award more than 1 grant under this section to an eligible entity during a grant competition.*

*''(c) COST-SHARING.—*

*''(1) IN GENERAL.—An eligible entity that receives a grant under this section shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this section.*

*''(2) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this section may meet the requirement of paragraph (1) by providing contributions in cash or in kind, fairly evaluated, including plant, equipment, and services.*

*''(3) WAIVERS.—The Secretary may waive or modify the requirement of paragraph (1) in cases of demonstrated financial hardship.*

*''(d) APPLICATIONS.—An eligible entity that desires a grant under this section shall submit to the Secretary an application at such time, and in such manner, as the Secretary may require.*

*''(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to an eligible entity—*

*''(1) with a record of preparing or developing principals who—*

*''(A) have improved school-level student outcomes;*

*''(B) have become principals in high-need schools; and*

*''(C) remain principals in high-need schools for multiple years; and*

*''(2) who will implement evidence-based activities, defined for the purpose of this paragraph as activities meeting the requirements of section 8101(21)(A)(i).*

*''(f) DEFINITIONS.—In this section:*

*''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—*

*''(A) a local educational agency, including an educational service agency, that serves a high-need school or a consortium of such agencies;*

*''(B) a State educational agency or a consortium of such agencies;*

*''(C) a State educational agency in partnership with 1 or more local educational agencies, or educational service agencies, that serve a high-need school;*

*''(D) the Bureau of Indian Education; or*

*''(E) an entity described in subparagraph (A), (B), (C), or (D) in partnership with 1 or more nonprofit organizations or institutions of higher education.*

*''(2) HIGH-NEED SCHOOL.—The term 'high-need school' means—*

*''(A) an elementary school in which not less than 50 percent of the enrolled students are from families with incomes below the poverty line; or*

*''(B) a secondary school in which not less than 40 percent of the enrolled students are from families with incomes below the poverty line.*

***"SEC. 2244. TECHNICAL ASSISTANCE AND NATIONAL EVALUATION.***

*''(a) IN GENERAL.—From the funds reserved under section 2241(3) for a fiscal year, the Secretary—*

*''(1) shall establish, in a manner consistent with section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), a comprehensive center on students at risk of not attaining full literacy skills due to a disability that meets the purposes of subsection (b); and*

*''(2) may—*

*''(A) provide technical assistance, which may be carried out directly or through grants or contracts, to States and local educational agencies carrying out activities under this part; and*

*''(B) carry out evaluations of activities by States and local educational agencies under this part, which shall be conducted by a third party or by the Institute of Education Sciences.*

*''(b) PURPOSES.—The comprehensive center established by the Secretary under subsection (a)(1) shall—*

*''(1) identify or develop free or low-cost evidence-based assessment tools for identifying students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading or writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;*

*''(2) identify evidence-based literacy instruction, strategies, and accommodations, including assistive technology, designed to meet the specific needs of such students;*

*''(3) provide families of such students with information to assist such students;*

*''(4) identify or develop evidence-based professional development for teachers, paraprofessionals, principals, other school leaders, and specialized instructional support personnel to—*

*''(A) understand early indicators of students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading or writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;*

*''(B) use evidence-based screening assessments for early identification of such students beginning not later than kindergarten; and*

*''(C) implement evidence-based instruction designed to meet the specific needs of such students; and*

*''(5) disseminate the products of the comprehensive center to regionally diverse State educational agencies, local educational agencies, regional educational agencies, and schools, including, as appropriate, through partnerships with other comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), and regional educational laboratories established*

*under section 174 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9564).*

***"SEC. 2245. STEM MASTER TEACHER CORPS.***

*''(a) IN GENERAL.—From the funds reserved under section 2241(4) for a fiscal year, the Secretary may award grants to—*

*''(1) State educational agencies to enable such agencies to support the development of a Statewide STEM master teacher corps; or*

*''(2) State educational agencies, or nonprofit organizations in partnership with State educational agencies, to support the implementation, replication, or expansion of effective science, technology, engineering, and mathematics professional development programs in schools across the State through collaboration with school administrators, principals, and STEM educators.*

*''(b) STEM MASTER TEACHER CORPS.—In this section, the term 'STEM master teacher corps' means a State-led effort to elevate the status of the science, technology, engineering, and mathematics teaching profession by recognizing, rewarding, attracting, and retaining outstanding science, technology, engineering, and mathematics teachers, particularly in high-need and rural schools, by—*

*''(1) selecting candidates to be master teachers in the corps on the basis of—*

*''(A) content knowledge based on a screening examination; and*

*''(B) pedagogical knowledge of and success in teaching;*

*''(2) offering such teachers opportunities to—*

*''(A) work with one another in scholarly communities; and*

*''(B) participate in and lead high-quality professional development; and*

*''(3) providing such teachers with additional appropriate and substantial compensation for the work described in paragraph (2) and in the master teacher community.*

***"PART C—GENERAL PROVISIONS***

***"SEC. 2301. SUPPLEMENT, NOT SUPPLANT.***

*''Funds made available under this title shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this title.*

***"SEC. 2302. RULES OF CONSTRUCTION.***

*''(a) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.—Nothing in this title shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's—*

*''(1) instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments;*

*''(2) teacher, principal, or other school leader evaluation system;*

*''(3) specific definition of teacher, principal, or other school leader effectiveness; or*

*''(4) teacher, principal, or other school leader professional standards, certification, or licensing.*

*''(b) SCHOOL OR DISTRICT EMPLOYEES.—Nothing in this title shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.''.*

***TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS***

***SEC. 3001. REDESIGNATION OF CERTAIN PROVISIONS.***

*Title III (20 U.S.C. 6801 et seq.) is amended—*

*(1) by striking the title heading and inserting ''**LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS**'';*

*(2) in part A—*

*(A) by striking section 3122;*

*(B) by redesignating sections 3123 through 3129 as sections 3122 through 3128, respectively; and*

*(C) by striking subpart 4;*

*(3) by striking part B;*

*(4) by redesignating part C as part B; and*

*(5) in part B, as redesignated by paragraph (4)—*

*(A) by redesignating section 3301 as section 3201;*

*(B) by striking section 3302; and*

*(C) by redesignating sections 3303 and 3304 as sections 3202 and 3203, respectively.*

***SEC. 3002. AUTHORIZATION OF APPROPRIATIONS.***

*Section 3001 (20 U.S.C. 6801) is amended to read as follows:*

***"SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.***

*''There are authorized to be appropriated to carry out this title—*

*''(1) $756,332,450 for fiscal year 2017;*

*''(2) $769,568,267 for fiscal year 2018;*

*''(3) $784,959,633 for fiscal year 2019; and*

*''(4) $884,959,633 for fiscal year 2020.''.*

***SEC. 3003. ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT.***

*(a) PURPOSES.—Section 3102 (20 U.S.C. 6812) is amended to read as follows:*

***"SEC. 3102. PURPOSES.***

*''The purposes of this part are—*

*''(1) to help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English;*

*''(2) to assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that all English learners can meet the same challenging State academic standards that all children are expected to meet;*

*''(3) to assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, local educational agencies, and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;*

*''(4) to assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instructional programs designed to prepare English learners, including immigrant children and youth, to enter all-English instructional settings; and*

*''(5) to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners.''.*

*(b) FORMULA GRANTS TO STATES.—Section 3111 (20 U.S.C. 6821) is amended—*

*(1) in subsection (b)—*

*(A) in paragraph (2), by striking subparagraphs (A) through (D) and inserting the following:*

*''(A) Establishing and implementing, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized statewide entrance and exit procedures, including a requirement that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.*

*''(B) Providing effective teacher and principal preparation, effective professional development activities, and other effective activities related to the education of English learners, which may include assisting teachers, principals, and other educators in—*

*''(i) meeting State and local certification and licensing requirements for teaching English learners; and*

*''(ii) improving teaching skills in meeting the diverse needs of English learners, including how to implement effective programs and curricula on teaching English learners.*

*''(C) Planning, evaluation, administration, and interagency coordination related to the subgrants referred to in paragraph (1).*

*''(D) Providing technical assistance and other forms of assistance to eligible entities that are receiving subgrants from a State educational agency under this subpart, including assistance in—*

*''(i) identifying and implementing effective language instruction educational programs and curricula for teaching English learners;*

*''(ii) helping English learners meet the same challenging State academic standards that all children are expected to meet;*

*''(iii) identifying or developing, and implementing, measures of English proficiency; and*

*''(iv) strengthening and increasing parent, family, and community engagement in programs that serve English learners.*

*''(E) Providing recognition, which may include providing financial awards, to recipients of subgrants under section 3115 that have significantly improved the achievement and progress of English learners in meeting—*

*''(i) the State-designed long-term goals established under section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State's English language proficiency assessment under section 1111(b)(2)(G); and*

*''(ii) the challenging State academic standards.'';*

*(B) in paragraph (3)—*

*(i) in the paragraph heading, by striking ''ADMINISTRATIVE'' and inserting ''DIRECT ADMINISTRATIVE'';*

*(ii) by striking ''60 percent'' and inserting ''50 percent''; and*

*(iii) by inserting ''direct'' before ''administrative costs''; and*

*(2) in subsection (c)—*

*(A) in paragraph (1)—*

*(i) in the matter preceding subparagraph (A), by striking ''section 3001(a)'' and inserting ''section 3001'';*

*(ii) in subparagraph (B), by inserting ''and'' after the semicolon;*

*(iii) by striking subparagraph (C) and inserting the following:*

*''(C) 6.5 percent of such amount for national activities under sections 3131 and 3202, except that not more than $2,000,000 of such amount may be reserved for the National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs described in section 3202.''; and*

*(iv) by striking subparagraph (D);*

*(B) by striking paragraphs (2) and (4);*

*(C) by redesignating paragraph (3) as paragraph (2);*

*(D) in paragraph (2)(A), as redesignated by subparagraph (C)—*

*(i) in the matter preceding clause (i), by striking ''section 3001(a)'' and inserting ''section 3001'';*

*(ii) in clause (i), by striking ''limited English proficient'' and all that follows through ''States; and'' and inserting ''English learners in the State bears to the number of English learners in all States, as determined in accordance with paragraph (3)(A); and''; and*

*(iii) in clause (ii), by inserting '', as determined in accordance with paragraph (3)(B)'' before the period at the end; and*

*(E) by adding at the end the following:*

*''(3) USE OF DATA FOR DETERMINATIONS.—In making State allotments under paragraph (2) for each fiscal year, the Secretary shall—*

*''(A) determine the number of English learners in a State and in all States, using the most accurate, up-to-date data, which shall be—*

*''(i) data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates;*

*''(ii) the number of students being assessed for English language proficiency, based on the State's English language proficiency assessment under section 1111(b)(2)(G), which may be multiyear estimates; or*

''(iii) a combination of data available under clauses (i) and (ii); and

''(B) determine the number of immigrant children and youth in the State and in all States based only on data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates.''.

(c) NATIVE AMERICAN AND ALASKA NATIVE CHILDREN IN SCHOOL.—Section 3112(a) (20 U.S.C. 6822(a)) is amended by striking ''Bureau of Indian Affairs'' each place the term appears and inserting ''Bureau of Indian Education''.

(d) STATE AND SPECIALLY QUALIFIED AGENCY PLANS.—Section 3113 (20 U.S.C. 6823) is amended—

(1) in subsection (a), by striking '', in such manner, and containing such information'' and inserting ''and in such manner'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''making'' and inserting ''awarding''; and

(B) by striking paragraphs (2) through (6) and inserting the following:

''(2) describe how the agency will establish and implement, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State;

''(3) provide an assurance that—

''(A) the agency will ensure that eligible entities receiving a subgrant under this subpart comply with the requirement in section 1111(b)(2)(B)(ix) regarding assessment of English learners in English;

''(B) the agency will ensure that eligible entities receiving a subgrant under this subpart annually assess the English proficiency of all English learners participating in a program funded under this subpart, consistent with section 1111(b)(2)(G);

''(C) in awarding subgrants under section 3114, the agency will address the needs of school systems of all sizes and in all geographic areas, including school systems with rural and urban schools;

''(D) subgrants to eligible entities under section 3114(d)(1) will be of sufficient size and scope to allow such entities to carry out effective language instruction educational programs for English learners;

''(E) the agency will require an eligible entity receiving a subgrant under this subpart to use the subgrant in ways that will build such recipient's capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards;

''(F) the agency will monitor each eligible entity receiving a subgrant under this subpart for compliance with applicable Federal fiscal requirements; and

''(G) the plan has been developed in consultation with local educational agencies, teachers, administrators of programs implemented under this subpart, parents of English learners, and other relevant stakeholders;

''(4) describe how the agency will coordinate its programs and activities under this subpart with other programs and activities under this Act and other Acts, as appropriate;

''(5) describe how each eligible entity will be given the flexibility to teach English learners—

''(A) using a high-quality, effective language instruction curriculum for teaching English learners; and

''(B) in the manner the eligible entity determines to be the most effective;

''(6) describe how the agency will assist eligible entities in meeting—

''(A) the State-designed long-term goals established under section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

''(B) the challenging State academic standards;

''(7) describe how the agency will meet the unique needs of children and youth in the State being served through the reservation of funds under section 3114(d); and

''(8) describe—

''(A) how the agency will monitor the progress of each eligible entity receiving a subgrant under this subpart in helping English learners achieve English proficiency; and

''(B) the steps the agency will take to further assist eligible entities if the strategies funded under this subpart are not effective, such as providing technical assistance and modifying such strategies.'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''this part'' each place the term appears and inserting ''this subpart''; and

(B) in paragraph (2)(B), by striking ''this part'' and inserting ''this subpart'';

(4) in subsection (e), by striking ''section 9302'' and inserting ''section 8302''; and

(5) in subsection (f)—

(A) by inserting ''by the State'' after ''if requested''; and

(B) by striking '', objectives,''.

(e) WITHIN-STATE ALLOCATIONS.—Section 3114 (20 U.S.C. 6824) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—After making the reservation required under subsection (d)(1), each State educational agency receiving a grant under section 3111(c)(2) shall award subgrants for a fiscal year by allocating in a timely manner to each eligible entity in the State having a plan approved under section 3116 an amount that bears the same relationship to the amount received under the grant and remaining after making such reservation as the population of English learners in schools served by the eligible entity bears to the population of English learners in schools served by all eligible entities in the State.''; and

(2) in subsection (d)(1)—

(A) by striking ''section 3111(c)(3)'' and inserting ''section 3111(c)(2)''; and

(B) by striking ''preceding the fiscal year''.

(f) SUBGRANTS TO ELIGIBLE ENTITIES.—Section 3115 (20 U.S.C. 6825) is amended to read as follows:

**''SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES.**

''(a) PURPOSES OF SUBGRANTS.—A State educational agency may make a subgrant to an eligible entity from funds received by the agency under this subpart only if the entity agrees to expend the funds to improve the education of English learners by assisting the children to learn English and meet the challenging State academic standards. In carrying out activities with such funds, the eligible entity shall use effective approaches and methodologies for teaching English learners and immigrant children and youth for the following purposes:

''(1) Developing and implementing new language instruction educational programs and academic content instructional programs for English learners and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs.

''(2) Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instructional programs for English learners and immigrant children and youth.

''(3) Implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

''(4) Implementing, within the entire jurisdiction of a local educational agency, agencywide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

''(b) DIRECT ADMINISTRATIVE EXPENSES.—Each eligible entity receiving funds under section 3114(a) for a fiscal year may use not more than 2 percent of such funds for the cost of administering this subpart.

''(c) REQUIRED SUBGRANTEE ACTIVITIES.—An eligible entity receiving funds under section 3114(a) shall use the funds—

''(1) to increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and demonstrate success in increasing—

''(A) English language proficiency; and

''(B) student academic achievement;

''(2) to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel, that is—

''(A) designed to improve the instruction and assessment of English learners;

''(B) designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners;

''(C) effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and

''(D) of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and

''(3) to provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners, which—

''(A) shall include parent, family, and community engagement activities; and

''(B) may include strategies that serve to coordinate and align related programs.

''(d) AUTHORIZED SUBGRANTEE ACTIVITIES.—Subject to subsection (c), an eligible entity receiving funds under section 3114(a) may use the funds to achieve any of the purposes described in subsection (a) by undertaking 1 or more of the following activities:

''(1) Upgrading program objectives and effective instructional strategies.

''(2) Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures.

''(3) Providing to English learners—

''(A) tutorials and academic or career and technical education; and

''(B) intensified instruction, which may include materials in a language that the student can understand, interpreters, and translators.

''(4) Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services.

''(5) Improving the English language proficiency and academic achievement of English learners.

''(6) Providing community participation programs, family literacy services, and parent and

*family outreach and training activities to English learners and their families—*

*''(A) to improve the English language skills of English learners; and*

*''(B) to assist parents and families in helping their children to improve their academic achievement and becoming active participants in the education of their children.*

*''(7) Improving the instruction of English learners, which may include English learners with a disability, by providing for—*

*''(A) the acquisition or development of educational technology or instructional materials;*

*''(B) access to, and participation in, electronic networks for materials, training, and communication; and*

*''(C) incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.*

*''(8) Offering early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education.*

*''(9) Carrying out other activities that are consistent with the purposes of this section.*

*''(e) ACTIVITIES BY AGENCIES EXPERIENCING SUBSTANTIAL INCREASES IN IMMIGRANT CHILDREN AND YOUTH.—*

*''(1) IN GENERAL.—An eligible entity receiving funds under section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include—*

*''(A) family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;*

*''(B) recruitment of, and support for, personnel, including teachers and paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;*

*''(C) provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;*

*''(D) identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with awarded funds;*

*''(E) basic instructional services that are directly attributable to the presence of immigrant children and youth in the local educational agency involved, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services;*

*''(F) other instructional services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and*

*''(G) activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services.*

*''(2) DURATION OF SUBGRANTS.—The duration of a subgrant made by a State educational agency under section 3114(d)(1) shall be determined by the agency in its discretion.*

*''(f) SELECTION OF METHOD OF INSTRUCTION.—*

*''(1) IN GENERAL.—To receive a subgrant from a State educational agency under this subpart, an eligible entity shall select one or more methods or forms of effective instruction to be used in the programs and activities undertaken by the entity to assist English learners to attain English language proficiency and meet challenging State academic standards.*

*''(2) CONSISTENCY.—The selection described in paragraph (1) shall be consistent with sections 3124 through 3126.*

*''(g) SUPPLEMENT, NOT SUPPLANT.—Federal funds made available under this subpart shall be used so as to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.''.*

*(g) LOCAL PLANS.—Section 3116 (20 U.S.C. 6826) is amended—*

*(1) in subsection (b), by striking paragraphs (1) through (6) and inserting the following:*

*''(1) describe the effective programs and activities, including language instruction educational programs, proposed to be developed, implemented, and administered under the subgrant that will help English learners increase their English language proficiency and meet the challenging State academic standards;*

*''(2) describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under this subpart assist English learners in—*

*''(A) achieving English proficiency based on the State's English language proficiency assessment under section 1111(b)(2)(G), consistent with the State's long-term goals, as described in section 1111(c)(4)(A)(ii); and*

*''(B) meeting the challenging State academic standards;*

*''(3) describe how the eligible entity will promote parent, family, and community engagement in the education of English learners;*

*''(4) contain assurances that—*

*''(A) each local educational agency that is included in the eligible entity is complying with section 1112(e) prior to, and throughout, each school year as of the date of application;*

*''(B) the eligible entity is not in violation of any State law, including State constitutional law, regarding the education of English learners, consistent with sections 3125 and 3126;*

*''(C) the eligible entity consulted with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing such plan; and*

*''(D) the eligible entity will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.'';*

*(2) in subsection (c), by striking ''limited English proficient children'' and inserting ''English learners''; and*

*(3) by striking subsection (d).*

*(h) REPORTING.—Section 3121 (20 U.S.C. 6841) is amended to read as follows:*

***''SEC. 3121. REPORTING.***

*''(a) IN GENERAL.—Each eligible entity that receives a subgrant from a State educational agency under subpart 1 shall provide such agency, at the conclusion of every second fiscal year during which the subgrant is received, with a report, in a form prescribed by the agency, on the activities conducted and children served under such subpart that includes—*

*''(1) a description of the programs and activities conducted by the entity with funds received under subpart 1 during the 2 immediately preceding fiscal years, which shall include a description of how such programs and activities supplemented programs funded primarily with State or local funds;*

*''(2) the number and percentage of English learners in the programs and activities who are making progress toward achieving English language proficiency, as described in section 1111(c)(4)(A)(ii), in the aggregate and disaggregated, at a minimum, by English learners with a disability;*

*''(3) the number and percentage of English learners in the programs and activities attaining English language proficiency based on State English language proficiency standards established under section 1111(b)(1)(G) by the end of each school year, as determined by the State's English language proficiency assessment under section 1111(b)(2)(G);*

*''(4) the number and percentage of English learners who exit the language instruction educational programs based on their attainment of English language proficiency;*

*''(5) the number and percentage of English learners meeting challenging State academic standards for each of the 4 years after such children are no longer receiving services under this part, in the aggregate and disaggregated, at a minimum, by English learners with a disability;*

*''(6) the number and percentage of English learners who have not attained English language proficiency within 5 years of initial classification as an English learner and first enrollment in the local educational agency; and*

*''(7) any other information that the State educational agency may require.*

*''(b) USE OF REPORT.—A report provided by an eligible entity under subsection (a) shall be used by the entity and the State educational agency for improvement of programs and activities under this part.*

*''(c) SPECIAL RULE FOR SPECIALLY QUALIFIED AGENCIES.—Each specially qualified agency receiving a grant under subpart 1 shall provide the reports described in subsection (a) to the Secretary subject to the same requirements as apply to eligible entities providing such evaluations to State educational agencies under such subsection.''.*

*(i) BIENNIAL REPORTS.—Section 3122 (20 U.S.C. 6843), as redesignated by section 3001(2)(B), is amended—*

*(1) in the section heading, by striking ''**REPORTING REQUIREMENTS**'' and inserting ''**BIENNIAL REPORTS**'';*

*(2) in subsection (a)—*

*(A) by striking ''evaluations'' and inserting ''reports''; and*

*(B) by striking ''children who are limited English proficient'' and inserting ''English learners''; and*

*(3) in subsection (b)—*

*(A) in paragraph (1)—*

*(i) by striking ''limited English proficient children'' and inserting ''English learners''; and*

*(ii) by striking ''children who are limited English proficient'' and inserting ''English learners'';*

*(B) in paragraph (2), by striking ''limited English proficient children'' and inserting ''English learners'';*

*(C) in paragraph (4), by striking ''section 3111(b)(2)(C)'' and inserting ''section 3111(b)(2)(D)'';*

*(D) in paragraph (5), by striking ''limited English proficient children'' and inserting ''English learners'';*

*(E) in paragraph (6), by striking ''major findings of scientifically based research carried out under this part'' and inserting ''findings of the most recent evaluation related to English learners carried out under section 8601'';*

*(F) in paragraph (8)—*

*(i) by striking ''of limited English proficient children'' and inserting ''of English learners''; and*

*(ii) by striking ''into classrooms where instruction is not tailored for limited English proficient children''; and*

*(G) in paragraph (9), by striking ''title'' and inserting ''part''.*

*(j) COORDINATION WITH RELATED PROGRAMS.—Section 3123 (20 U.S.C. 6844), as redesignated by section 3001(2)(B), is amended—*

*(1) by striking ''children of limited English proficiency'' and inserting ''English learners'';*

*(2) by striking ''limited English proficient children'' and inserting ''English learners''; and*

*(3) by inserting after the period at the end the following: ''The Secretary shall report to the Congress on parallel Federal programs in other agencies and departments.''.*

*(k) RULES OF CONSTRUCTION.—Section 3124 (20 U.S.C. 6845), as redesignated by section 3001(2)(B), is amended—*

*(1) in paragraph (1), by striking ''limited English proficient children'' and inserting ''English learners''; and*

*(2) in paragraph (2), by striking ''limited English proficient children'' and inserting ''English learners''.*

*(l) PROHIBITION.—Section 3128 (20 U.S.C. 6849), as redesignated by section 3001(2)(B), is amended by striking ''limited English proficient children'' and inserting ''English learners''.*

*(m) NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.—Section 3131 (20 U.S.C. 6861) is amended to read as follows:*

***''SEC. 3131. NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.***

*''The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or local educational agencies) to provide for professional development activities that will improve classroom instruction for English learners and assist educational personnel working with English learners to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—*

*''(1) for effective preservice or inservice professional development programs that will improve the qualifications and skills of educational personnel involved in the education of English learners, including personnel who are not certified or licensed and educational paraprofessionals, and for other activities to increase teacher and school leader effectiveness in meeting the needs of English learners;*

*''(2) for the development of curricula or other instructional strategies appropriate to the needs of the consortia participants involved;*

*''(3) to support strategies that strengthen and increase parent, family, and community member engagement in the education of English learners;*

*''(4) to develop, share, and disseminate effective practices in the instruction of English learners and in increasing the student academic achievement of English learners, such as through the use of technology-based programs;*

*''(5) in conjunction with other Federal need-based student financial assistance programs, for financial assistance, and costs related to tuition, fees, and books for enrolling in courses required to complete the degree involved, to meet certification or licensing requirements for teachers who work in language instruction educational programs or serve English learners; and*

*''(6) as appropriate, to support strategies that promote school readiness of English learners and their transition from early childhood education programs, such as Head Start or State-run preschool programs, to elementary school programs.''.*

***SEC. 3004. GENERAL PROVISIONS.***

*(a) DEFINITIONS.—Section 3201 (20 U.S.C. 7011), as redesignated by section 3001(5)(A), is amended—*

*(1) by striking paragraphs (3), (4), and (5);*

*(2) by inserting after paragraph (2) the following:*

*''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means—*

*''(A) one or more local educational agencies; or*

*''(B) one or more local educational agencies, in consortia or collaboration with an institution of higher education, educational service agency, community-based organization, or State educational agency.*

*''(4) ENGLISH LEARNER WITH A DISABILITY.—The term 'English learner with a disability' means an English learner who is also a child with a disability, as that term is defined in section 602 of the Individuals with Disabilities Education Act.'';*

*(3) by redesignating paragraphs (6) through (15) as paragraphs (5) through (14), respectively;*

*(4) in paragraph (7)(A), as redesignated by paragraph (3)—*

*(A) by striking ''a limited English proficient child'' and inserting ''an English learner''; and*

*(B) by striking ''challenging State academic content and student academic achievement standards, as required by section 1111(b)(1)'' and inserting ''challenging State academic standards''; and*

*(5) in paragraph (12), as redesignated by paragraph (3), by striking '', as defined in section 3141,''.*

*(b) NATIONAL CLEARINGHOUSE.—Section 3202 (20 U.S.C. 7013), as redesignated by section 3001(5)(C), is amended—*

*(1) in the matter preceding paragraph (1)—*

*(A) by striking ''The Secretary shall'' and inserting the following:*

*''(a) IN GENERAL.—The Secretary shall''; and*

*(B) by striking ''limited English proficient children'' and inserting ''English learners'';*

*(2) in paragraph (4)—*

*(A) in subparagraph (A), by striking ''limited English proficient children'' and inserting ''English learners, including English learners with a disability, that includes information on best practices on instructing and serving English learners''; and*

*(B) in subparagraph (B), by striking ''limited English proficient children'' and inserting ''English learners''; and*

*(3) by adding at the end the following:*

*''(b) CONSTRUCTION.—Nothing in this section shall authorize the Secretary to hire additional personnel to execute subsection (a).''.*

*(c) REGULATIONS.—Section 3203 (20 U.S.C. 7014), as redesignated by section 3001(5)(C), is amended—*

*(1) by striking ''limited English proficient individuals'' and inserting ''English learners''; and*

*(2) by striking ''limited English proficient children'' and inserting ''English learners''.*

***TITLE IV—21ST CENTURY SCHOOLS***

***SEC. 4001. REDESIGNATIONS AND TRANSFERS.***

*(a) TITLE IV TRANSFERS AND RELATED AMENDMENTS.—*

*(1) Section 4303 (20 U.S.C. 7183) is amended—*

*(A) in subsection (b)(1), by striking ''early childhood development (Head Start) services'' and inserting ''early childhood education programs'';*

*(B) in subsection (c)(2)—*

*(i) in the paragraph heading, by striking ''DEVELOPMENT SERVICES'' and inserting ''EDUCATION PROGRAMS''; and*

*(ii) by striking ''development (Head Start) services'' and inserting ''education programs''; and*

*(C) in subsection (e)(3), by striking subparagraph (C) and inserting the following:*

*''(C) such other matters as justice may require.''.*

*(2) Subpart 3 of part A of title IV (20 U.S.C. 7151) is—*

*(A) transferred to title IX (as amended by section 2001 of this Act);*

*(B) inserted so as to appear after subpart 3 of part E of such title (as so transferred and redesignated);*

*(C) redesignated as subpart 4 of such part; and*

*(D) amended by redesignating section 4141 as section 9551.*

*(3) Section 4155 (20 U.S.C. 7165) is—*

*(A) transferred to title IX (as amended by section 2001 of this Act and paragraph (2) of this subsection);*

*(B) inserted so as to appear after section 9536; and*

*(C) redesignated as section 9537.*

*(4) Part C of title IV (20 U.S.C. 7181 et seq.) (as amended by paragraph (1) of this subsection) is—*

*(A) transferred to title IX (as amended by section 2001 of this Act and paragraphs (2) and (3) of this subsection);*

*(B) inserted so as to appear after subpart 4 of part E of such title IX (as so transferred and redesignated); and*

*(C) amended—*

*(i) by striking the part designation and heading and inserting ''**SUBPART 5—ENVIRONMENTAL TOBACCO SMOKE**''; and*

*(ii) by redesignating sections 4301 through 4304 as sections 9561 through 9564, respectively.*

*(5) Title IV (as amended by section 2001 of this Act and paragraphs (1) through (4) of this subsection) is further amended—*

*(A) in the part heading of part A, by striking ''**SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES**'' and inserting ''**STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS**'';*

*(B) by striking subparts 2 and 4 of part A;*

*(C) by redesignating subpart 5 of part A (as so transferred and redesignated by section 2001(4) of this Act) as subpart 2 of part A; and*

*(D) by redesignating section 4161 (as so redesignated) as section 4121.*

*(b) TITLE V TRANSFERS AND RELATED AMENDMENTS.—*

*(1) IN GENERAL.—Title V (20 U.S.C. 7201 et seq.) is amended—*

*(A) by striking part A;*

*(B) by striking subparts 2 and 3 of part B; and*

*(C) by striking part D.*

*(2) CHARTER SCHOOLS.—Part B of title V (20 U.S.C. 7221 et seq.) (as amended by paragraph (1) of this subsection) is—*

*(A) transferred to title IV (as amended by section 2001 of this Act and subsection (a) of this section);*

*(B) inserted so as to appear after part B of such title;*

*(C) redesignated as part C of such title; and*

*(D) further amended—*

*(i) in the part heading, by striking ''**PUBLIC CHARTER SCHOOLS**'' and inserting ''**EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS**'';*

*(ii) by striking the subpart heading for subpart 1; and*

*(iii) by redesignating sections 5201 through 5211 as sections 4301 through 4311, respectively.*

*(3) MAGNET SCHOOLS.—Part C of title V (20 U.S.C. 7231 et seq.) is—*

*(A) transferred to title IV (as amended by section 2001 of this Act, subsection (a) of this section, and paragraph (2) of this subsection)*

*(B) inserted so as to appear after part C of such title (as so transferred and redesignated);*

*(C) redesignated as part D of such title; and*

*(D) amended—*

*(i) by redesignating sections 5301 through 5307 as sections 4401 through 4407, respectively;*

*(ii) by striking sections 5308 and 5310; and*

*(iii) by redesignating sections 5309 and 5311 as sections 4408 and 4409, respectively.*

*(4) TITLE V.—Title V, as amended by this section, is repealed.*

***SEC. 4002. GENERAL PROVISIONS.***

*Title IV (20 U.S.C. 7101 et seq.), as redesignated and amended by section 4001, is further amended by striking sections 4001 through 4003 and inserting the following:*

***''SEC. 4001. GENERAL PROVISIONS.***

*''(a) PARENTAL CONSENT.—*

*''(1) IN GENERAL.—*

*''(A) INFORMED WRITTEN CONSENT.—A State, local educational agency, or other entity receiving funds under this title shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment or service that is funded under this title and conducted in connection with an elementary school or secondary school under this title.*

*''(B) CONTENTS.—Before obtaining the consent described in subparagraph (A), the entity shall provide the parent written notice describing in detail such mental health assessment or service, including the purpose for such assessment or service, the provider of such assessment or service, when such assessment or service will begin,*

*and how long such assessment or service may last.*

*''(C) LIMITATION.—The informed written consent required under this paragraph shall not be a waiver of any rights or protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).*

*''(2) EXCEPTION.—Notwithstanding paragraph (1)(A), the written, informed consent described in such paragraph shall not be required in—*

*''(A) an emergency, where it is necessary to protect the immediate health and safety of the child, other children, or entity personnel; or*

*''(B) other instances in which an entity actively seeks parental consent but such consent cannot be reasonably obtained, as determined by the State or local educational agency, including in the case of—*

*''(i) a child whose parent has not responded to the notice described in paragraph (1)(B); or*

*''(ii) a child who has attained 14 years of age and is an unaccompanied youth, as defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a).*

*''(b) PROHIBITED USE OF FUNDS.—No funds under this title may be used for medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs.*

*''(c) PROHIBITION ON MANDATORY MEDICATION.—No child shall be required to obtain a prescription for a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) as a condition of—*

*''(1) receiving an evaluation or other service described under this title; or*

*''(2) attending a school receiving assistance under this title.''.*

***PART A—STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS***

***SEC. 4101. STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS.***

*Subpart 1 of part A of title IV (20 U.S.C. 7101 et seq.) is amended to read as follows:*

***''Subpart 1—Student Support and Academic Enrichment Grants***

***''SEC. 4101. PURPOSE.***

*''The purpose of this subpart is to improve students' academic achievement by increasing the capacity of States, local educational agencies, schools, and local communities to—*

*''(1) provide all students with access to a well-rounded education;*

*''(2) improve school conditions for student learning; and*

*''(3) improve the use of technology in order to improve the academic achievement and digital literacy of all students.*

***''SEC. 4102. DEFINITIONS.***

*''In this subpart:*

*''(1) BLENDED LEARNING.—The term 'blended learning' means a formal education program that leverages both technology-based and face-to-face instructional approaches—*

*''(A) that include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and*

*''(B) in which students are provided some control over time, path, or pace.*

*''(2) CONTROLLED SUBSTANCE.—The term 'controlled substance' means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).*

*''(3) DIGITAL LEARNING.—The term 'digital learning' means any instructional practice that effectively uses technology to strengthen a student's learning experience and encompasses a wide spectrum of tools and practices, including—*

*''(A) interactive learning resources, digital learning content (which may include openly licensed content), software, or simulations, that engage students in academic content;*

*''(B) access to online databases and other primary source documents;*

*''(C) the use of data and information to personalize learning and provide targeted supplementary instruction;*

*''(D) online and computer-based assessments;*

*''(E) learning environments that allow for rich collaboration and communication, which may include student collaboration with content experts and peers;*

*''(F) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace; and*

*''(G) access to online course opportunities for students in rural or remote areas.*

*''(4) DRUG.—The term 'drug' includes—*

*''(A) controlled substances;*

*''(B) the illegal use of alcohol or tobacco, including smokeless tobacco products and electronic cigarettes; and*

*''(C) the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.*

*''(5) DRUG AND VIOLENCE PREVENTION.—The term 'drug and violence prevention' means—*

*''(A) with respect to drugs, prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence-based (to the extent a State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available); and*

*''(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.*

*''(6) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term 'school-based mental health services provider' includes a State-licensed or State-certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide mental health services to children and adolescents.*

*''(7) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.*

*''(8) STEM-FOCUSED SPECIALTY SCHOOL.—The term 'STEM-focused specialty school' means a school, or dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, including computer science, which include authentic schoolwide research.*

***''SEC. 4103. FORMULA GRANTS TO STATES.***

*''(a) RESERVATIONS.—From the total amount appropriated under section 4112 for a fiscal year, the Secretary shall reserve—*

*''(1) one-half of 1 percent for allotments for payments to the outlying areas, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this subpart;*

*''(2) one-half of 1 percent for the Secretary of the Interior for programs under this subpart in schools operated or funded by the Bureau of Indian Education; and*

*''(3) 2 percent for technical assistance and capacity building.*

*''(b) STATE ALLOTMENTS.—*

*''(1) ALLOTMENT.—*

*''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), from the amount appropriated to carry out this subpart that remains after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State having a plan approved under subsection (c), an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year.*

*''(B) SMALL STATE MINIMUM.—No State receiving an allotment under this paragraph shall receive less than one-half of 1 percent of the total amount allotted under this paragraph.*

*''(C) PUERTO RICO.—The amount allotted under this paragraph to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under this paragraph.*

*''(2) REALLOTMENT.—If a State does not receive an allotment under this subpart for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this subsection.*

*''(c) STATE PLAN.—*

*''(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.*

*''(2) CONTENTS.—Each plan submitted by a State under this section shall include the following:*

*''(A) A description of how the State educational agency will use funds received under this subpart for State-level activities.*

*''(B) A description of how the State educational agency will ensure that awards made to local educational agencies under this subpart are in amounts that are consistent with section 4105(a)(2).*

*''(C) Assurances that the State educational agency will—*

*''(i) review existing resources and programs across the State and will coordinate any new plans and resources under this subpart with such existing resources and programs;*

*''(ii) monitor the implementation of activities under this subpart and provide technical assistance to local educational agencies in carrying out such activities; and*

*''(iii) provide for equitable access for all students to the activities supported under this subpart, including aligning those activities with the requirements of other Federal laws.*

***''SEC. 4104. STATE USE OF FUNDS.***

*''(a) IN GENERAL.—Each State that receives an allotment under section 4103 for a fiscal year shall—*

*''(1) reserve not less than 95 percent of the allotment to make allocations to local educational agencies under section 4105;*

*''(2) reserve not more than 1 percent of the allotment for the administrative costs of carrying out its responsibilities under this subpart, including public reporting on how funds made available under this subpart are being expended by local educational agencies, including the degree to which the local educational agencies have made progress toward meeting the objectives and outcomes described in section 4106(e)(1)(E); and*

*''(3) use the amount made available to the State and not reserved under paragraphs (1) and (2) for activities described in subsection (b).*

*''(b) STATE ACTIVITIES.—Each State that receives an allotment under section 4103 shall use the funds available under subsection (a)(3) for activities and programs designed to meet the purposes of this subpart, which may include—*

*''(1) providing monitoring of, and training, technical assistance, and capacity building to, local educational agencies that receive an allotment under section 4105;*

*''(2) identifying and eliminating State barriers to the coordination and integration of programs, initiatives, and funding streams that meet the purposes of this subpart, so that local edu-*

*cational agencies can better coordinate with other agencies, schools, and community-based services and programs; or*

*''(3) supporting local educational agencies in providing programs and activities that—*

*''(A) offer well-rounded educational experiences to all students, as described in section 4107, including female students, minority students, English learners, children with disabilities, and low-income students who are often underrepresented in critical and enriching subjects, which may include—*

*''(i) increasing student access to and improving student engagement and achievement in—*

*''(I) high-quality courses in science, technology, engineering, and mathematics, including computer science;*

*''(II) activities and programs in music and the arts;*

*''(III) foreign languages;*

*''(IV) accelerated learning programs that provide—*

*''(aa) postsecondary level courses accepted for credit at institutions of higher education, including dual or concurrent enrollment programs, and early college high schools; or*

*''(bb) postsecondary level instruction and examinations that are accepted for credit at institutions of higher education, including Advanced Placement and International Baccalaureate programs;*

*''(V) American history, civics, economics, geography, social studies, or government education;*

*''(VI) environmental education; or*

*''(VII) other courses, activities, and programs or other experiences that contribute to a well-rounded education; or*

*''(ii) reimbursing low-income students to cover part or all of the costs of accelerated learning examination fees, as described in clause (i)(IV);*

*''(B) foster safe, healthy, supportive, and drug-free environments that support student academic achievement, as described in section 4108, which may include—*

*''(i) coordinating with any local educational agencies or consortia of such agencies implementing a youth PROMISE plan to reduce exclusionary discipline, as described in section 4108(5)(F);*

*''(ii) supporting local educational agencies to—*

*''(I) implement mental health awareness training programs that are evidence-based (to the extent the State determines that such evidence is reasonably available) to provide education to school personnel regarding resources available in the community for students with mental illnesses and other relevant resources relating to mental health or the safe de-escalation of crisis situations involving a student with a mental illness; or*

*''(II) expand access to or coordinate resources for school-based counseling and mental health programs, such as through school-based mental health services partnership programs;*

*''(iii) providing local educational agencies with resources that are evidence-based (to the extent the State determines that such evidence is reasonably available) addressing ways to integrate health and safety practices into school or athletic programs; and*

*''(iv) disseminating best practices and evaluating program outcomes relating to any local educational agency activities to promote student safety and violence prevention through effective communication as described in section 4108(5)(C)(iv); and*

*''(C) increase access to personalized, rigorous learning experiences supported by technology by—*

*''(i) providing technical assistance to local educational agencies to improve the ability of local educational agencies to—*

*''(I) identify and address technology readiness needs, including the types of technology infrastructure and access available to the students served by the local educational agency, including computer devices, access to school libraries, Internet connectivity, operating systems, software, related network infrastructure, and data security;*

*''(II) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including children with disabilities and English learners; and*

*''(III) build capacity for principals, other school leaders, and local educational agency administrators to support teachers in using data and technology to improve instruction and personalize learning;*

*''(ii) supporting schools in rural and remote areas to expand access to high-quality digital learning opportunities;*

*''(iii) developing or using strategies that are innovative or evidence-based (to the extent the State determines that such evidence is reasonably available) for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology, which may include increased access to online dual or concurrent enrollment opportunities, career and technical courses, and programs leading to a recognized postsecondary credential (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102));*

*''(iv) disseminating promising practices related to technology instruction, data security, and the acquisition and implementation of technology tools and applications, including through making such promising practices publicly available on the website of the State educational agency;*

*''(v) providing teachers, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, and administrators with the knowledge and skills to use technology effectively, including effective integration of technology, to improve instruction and student achievement, which may include coordination with teacher, principal, and other school leader preparation programs; and*

*''(vi) making instructional content widely available through open educational resources, which may include providing tools and processes to support local educational agencies in making such resources widely available.*

*''(c) SPECIAL RULE.—A State that receives a grant under this subpart for fiscal year 2017 may use the amount made available to the State and not reserved under paragraphs (1) and (2) of subsection (a) for such fiscal year to cover part or all of the fees for accelerated learning examinations taken by low-income students during the 2016-2017 school year, in accordance with subsection (b)(3)(A)(ii).*

***''SEC. 4105. ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.***

*''(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—*

*''(1) IN GENERAL.—From the funds reserved by a State under section 4104(a)(1), the State shall allocate to each local educational agency in the State that has an application approved by the State educational agency under section 4106 an amount that bears the same relationship to the total amount of such reservation as the amount the local educational agency received under subpart 2 of part A of title I for the preceding fiscal year bears to the total amount received by all local educational agencies in the State under such subpart for the preceding fiscal year.*

*''(2) MINIMUM LOCAL EDUCATIONAL AGENCY ALLOCATION.—No allocation to a local educational agency under this subsection may be made in an amount that is less than $10,000, subject to subsection (b).*

*''(3) CONSORTIA.—Local educational agencies in a State may form a consortium with other surrounding local educational agencies and combine the funds each such agency in the consortium receives under this section to jointly carry out the local activities described in this subpart.*

*''(b) RATABLE REDUCTION.—If the amount reserved by the State under section 4104(a)(1) is insufficient to make allocations to local educational agencies in an amount equal to the minimum allocation described in subsection (a)(2), such allocations shall be ratably reduced.*

*''(c) ADMINISTRATIVE COSTS.—Of the amount received under subsection (a)(2), a local educational agency may reserve not more than 2 percent for the direct administrative costs of carrying out the local educational agency's responsibilities under this subpart.*

***''SEC. 4106. LOCAL EDUCATIONAL AGENCY APPLICATIONS.***

*''(a) ELIGIBILITY.—To be eligible to receive an allocation under section 4105(a), a local educational agency shall—*

*''(1) submit an application, which shall contain, at a minimum, the information described in subsection (e), to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require; and*

*''(2) complete a needs assessment in accordance with subsection (d).*

*''(b) CONSORTIUM.—If a local educational agency desires to carry out the activities described in this subpart in consortium with one or more surrounding local educational agencies as described in section 4105(a)(3), such local educational agencies shall submit a single application as required under subsection (a).*

*''(c) CONSULTATION.—*

*''(1) IN GENERAL.—A local educational agency, or consortium of such agencies, shall develop its application through consultation with parents, teachers, principals, other school leaders, specialized instructional support personnel, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations that may be located in the region served by the local educational agency (where applicable), charter school teachers, principals, and other school leaders (if such agency or consortium of such agencies supports charter schools), and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this subpart.*

*''(2) CONTINUED CONSULTATION.—The local educational agency, or consortium of such agencies, shall engage in continued consultation with the entities described in paragraph (1) in order to improve the local activities in order to meet the purpose of this subpart and to coordinate such implementation with other related strategies, programs, and activities being conducted in the community.*

*''(d) NEEDS ASSESSMENT.—*

*''(1) IN GENERAL.—Except as provided in paragraph (2) and prior to receiving an allocation under this subpart, a local educational agency or consortium of such agencies shall conduct a comprehensive needs assessment of the local educational agency or agencies proposed to be served under this subpart in order to examine needs for improvement of—*

*''(A) access to, and opportunities for, a well-rounded education for all students;*

*''(B) school conditions for student learning in order to create a healthy and safe school environment; and*

*''(C) access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.*

*''(2) EXCEPTION.—A local educational agency receiving an allocation under section 4105(a) in an amount that is less than $30,000 shall not be required to conduct a comprehensive needs assessment under paragraph (1).*

*''(3) FREQUENCY OF NEEDS ASSESSMENT.—Each local educational agency, or consortium of local educational agencies, shall conduct the needs assessment described in paragraph (1) once every 3 years.*

*''(e) CONTENTS OF LOCAL APPLICATION.—Each application submitted under this section by a*

*local educational agency, or a consortium of such agencies, shall include the following:*

*''(1) DESCRIPTIONS.—A description of the activities and programming that the local educational agency, or consortium of such agencies, will carry out under this subpart, including a description of—*

*''(A) any partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this subpart;*

*''(B) if applicable, how funds will be used for activities related to supporting well-rounded education under section 4107;*

*''(C) if applicable, how funds will be used for activities related to supporting safe and healthy students under section 4108;*

*''(D) if applicable, how funds will be used for activities related to supporting the effective use of technology in schools under section 4109; and*

*''(E) the program objectives and intended outcomes for activities under this subpart, and how the local educational agency, or consortium of such agencies, will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes.*

*''(2) ASSURANCES.—Each application shall include assurances that the local educational agency, or consortium of such agencies, will—*

*''(A) prioritize the distribution of funds to schools served by the local educational agency, or consortium of such agencies, that—*

*''(i) are among the schools with the greatest needs, as determined by such local educational agency, or consortium;*

*''(ii) have the highest percentages or numbers of children counted under section 1124(c);*

*''(iii) are identified for comprehensive support and improvement under section 1111(c)(4)(D)(i);*

*''(iv) are implementing targeted support and improvement plans as described in section 1111(d)(2); or*

*''(v) are identified as a persistently dangerous public elementary school or secondary school under section 8532;*

*''(B) comply with section 8501 (regarding equitable participation by private school children and teachers);*

*''(C) use not less than 20 percent of funds received under this subpart to support one or more of the activities authorized under section 4107;*

*''(D) use not less than 20 percent of funds received under this subpart to support one or more activities authorized under section 4108;*

*''(E) use a portion of funds received under this subpart to support one or more activities authorized under section 4109(a), including an assurance that the local educational agency, or consortium of local educational agencies, will comply with section 4109(b); and*

*''(F) annually report to the State for inclusion in the report described in section 4104(a)(2) how funds are being used under this subpart to meet the requirements of subparagraphs (C) through (E).*

*''(f) SPECIAL RULE.—Any local educational agency receiving an allocation under section 4105(a)(1) in an amount less than $30,000 shall be required to provide only one of the assurances described in subparagraphs (C), (D), and (E) of subsection (e)(2).*

***''SEC. 4107. ACTIVITIES TO SUPPORT WELL-ROUNDED EDUCATIONAL OPPORTUNITIES.***

*''(a) IN GENERAL.—Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4105(a) shall use a portion of such funds to develop and implement programs and activities that support access to a well-rounded education and that—*

*''(1) are coordinated with other schools and community-based services and programs;*

*''(2) may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this section; and*

*''(3) may include programs and activities, such as—*

*''(A) college and career guidance and counseling programs, such as—*

*''(i) postsecondary education and career awareness and exploration activities;*

*''(ii) training counselors to effectively use labor market information in assisting students with postsecondary education and career planning; and*

*''(iii) financial literacy and Federal financial aid awareness activities;*

*''(B) programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution;*

*''(C) programming and activities to improve instruction and student engagement in science, technology, engineering, and mathematics, including computer science, (referred to in this section as 'STEM subjects') such as—*

*''(i) increasing access for students through grade 12 who are members of groups underrepresented in such subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses;*

*''(ii) supporting the participation of low-income students in nonprofit competitions related to STEM subjects (such as robotics, science research, invention, mathematics, computer science, and technology competitions);*

*''(iii) providing hands-on learning and exposure to science, technology, engineering, and mathematics and supporting the use of field-based or service learning to enhance the students' understanding of the STEM subjects;*

*''(iv) supporting the creation and enhancement of STEM-focused specialty schools;*

*''(v) facilitating collaboration among school, after-school program, and informal program personnel to improve the integration of programming and instruction in the identified subjects; and*

*''(vi) integrating other academic subjects, including the arts, into STEM subject programs to increase participation in STEM subjects, improve attainment of skills related to STEM subjects, and promote well-rounded education;*

*''(D) efforts to raise student academic achievement through accelerated learning programs described in section 4104(b)(3)(A)(i)(IV), such as—*

*''(i) reimbursing low-income students to cover part or all of the costs of accelerated learning examination fees, if the low-income students are enrolled in accelerated learning courses and plan to take accelerated learning examinations; or*

*''(ii) increasing the availability of, and enrollment in, accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses;*

*''(E) activities to promote the development, implementation, and strengthening of programs to teach traditional American history, civics, economics, geography, or government education;*

*''(F) foreign language instruction;*

*''(G) environmental education;*

*''(H) programs and activities that promote volunteerism and community involvement;*

*''(I) programs and activities that support educational programs that integrate multiple disciplines, such as programs that combine arts and mathematics; or*

*''(J) other activities and programs to support student access to, and success in, a variety of well-rounded education experiences.*

*''(b) SPECIAL RULE.—A local educational agency, or consortium of such agencies, that receives a subgrant under this subpart for fiscal year 2017 may use such funds to cover part or all of the fees for accelerated learning examinations taken by low-income students during the 2016-2017 school year, in accordance with subsection (a)(3)(D).*

***''SEC. 4108. ACTIVITIES TO SUPPORT SAFE AND HEALTHY STUDENTS.***

*''Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4105(a) shall use a portion of such funds to develop, implement, and evaluate comprehensive programs and activities that—*

*''(1) are coordinated with other schools and community-based services and programs;*

*''(2) foster safe, healthy, supportive, and drug-free environments that support student academic achievement;*

*''(3) promote the involvement of parents in the activity or program;*

*''(4) may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities described in this section; and*

*''(5) may include, among other programs and activities—*

*''(A) drug and violence prevention activities and programs that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available) including—*

*''(i) programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes; and*

*''(ii) professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, intervention mentoring, recovery support services and, where appropriate, rehabilitation referral, as related to drug and violence prevention;*

*''(B) in accordance with sections 4001 and 4111—*

*''(i) school-based mental health services, including early identification of mental health symptoms, drug use, and violence, and appropriate referrals to direct individual or group counseling services, which may be provided by school-based mental health services providers; and*

*''(ii) school-based mental health services partnership programs that—*

*''(I) are conducted in partnership with a public or private mental health entity or health care entity; and*

*''(II) provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are—*

*''(aa) based on trauma-informed practices that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available);*

*''(bb) coordinated (where appropriate) with early intervening services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.); and*

*''(cc) provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise;*

*''(C) programs or activities that—*

*''(i) integrate health and safety practices into school or athletic programs;*

*''(ii) support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, that may address chronic disease management with instruction led by school nurses, nurse practitioners, or other appropriate specialists or professionals to help maintain the well-being of students;*

*''(iii) help prevent bullying and harassment;*

*''(iv) improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment;*

''(v) provide mentoring and school counseling to all students, including children who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse;

''(vi) establish or improve school dropout and re-entry programs; or

''(vii) establish learning environments and enhance students' effective learning skills that are essential for school readiness and academic success, such as by providing integrated systems of student and family supports;

''(D) high-quality training for school personnel, including specialized instructional support personnel, related to—

''(i) suicide prevention;

''(ii) effective and trauma-informed practices in classroom management;

''(iii) crisis management and conflict resolution techniques;

''(iv) human trafficking (defined, for purposes of this subparagraph, as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102));

''(v) school-based violence prevention strategies;

''(vi) drug abuse prevention, including educating children facing substance abuse at home; and

''(vii) bullying and harassment prevention;

''(E) in accordance with sections 4001 and 4111, child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide—

''(i) age-appropriate and developmentally-appropriate instruction for students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and

''(ii) information to parents and guardians of students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child;

''(F) designing and implementing a locally-tailored plan to reduce exclusionary discipline practices in elementary and secondary schools that—

''(i) is consistent with best practices;

''(ii) includes strategies that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available); and

''(iii) is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support, and other education services, referred to as a 'youth PROMISE plan'; or

''(G) implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), in order to improve academic outcomes and school conditions for student learning;

''(H) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

''(i) establishing partnerships within the community to provide resources and support for schools;

''(ii) ensuring that all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

''(iii) strengthening relationships between schools and communities; or

''(I) pay for success initiatives aligned with the purposes of this section.

**''SEC. 4109. ACTIVITIES TO SUPPORT THE EFFECTIVE USE OF TECHNOLOGY.**

''(a) USES OF FUNDS.—Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4015(a) shall use a portion of such funds to improve the use of technology to improve the academic achievement, academic growth, and digital literacy of all students, including by meeting the needs of such agency or consortium that are identified in the needs assessment conducted under section 4106(d) (if applicable), which may include—

''(1) providing educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—

''(A) personalize learning to improve student academic achievement;

''(B) discover, adapt, and share relevant high-quality educational resources;

''(C) use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies; and

''(D) implement and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;

''(2) building technological capacity and infrastructure, which may include—

''(A) procuring content and ensuring content quality; and

''(B) purchasing devices, equipment, and software applications in order to address readiness shortfalls;

''(3) developing or using effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology;

''(4) carrying out blended learning projects, which shall include—

''(A) planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities; or

''(B) ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project;

''(5) providing professional development in the use of technology (which may be provided through partnerships with outside organizations) to enable teachers and instructional leaders to increase student achievement in the areas of science, technology, engineering, and mathematics, including computer science; and

''(6) providing students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators.

''(b) SPECIAL RULE.—A local educational agency, or consortium of such agencies, shall not use more than 15 percent of funds for purchasing technology infrastructure as described in subsection (a)(2)(B), which shall include technology infrastructure purchased for the activities under subsection (a)(4)(A).

**''SEC. 4110. SUPPLEMENT, NOT SUPPLANT.**

''Funds made available under this subpart shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this subpart.

**''SEC. 4111. RULE OF CONSTRUCTION.**

''Nothing in this subpart may be construed to—

''(1) authorize activities or programming that encourages teenage sexual activity; or

''(2) prohibit effective activities or programming that meet the requirements of section 8526.

**''SEC. 4112. AUTHORIZATION OF APPROPRIATIONS.**

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this subpart $1,650,000,000 for fiscal year 2017 and $1,600,000,000 for each of fiscal years 2018 through 2020.

''(b) FORWARD FUNDING.—Section 420 of the General Education Provisions Act (20 U.S.C. 1223) shall apply to this subpart.''.

***PART B—21ST CENTURY COMMUNITY LEARNING CENTERS***

***SEC. 4201. 21ST CENTURY COMMUNITY LEARNING CENTERS.***

*(a) PROGRAM AUTHORIZED.—Part B of title IV (20 U.S.C. 7171 et seq.) is amended to read as follows:*

***''PART B—21ST CENTURY COMMUNITY LEARNING CENTERS***

***''SEC. 4201. PURPOSE; DEFINITIONS.***

*''(a) PURPOSE.—The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that—*

*''(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards;*

*''(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and*

*''(3) offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.*

*''(b) DEFINITIONS.—In this part:*

*''(1) COMMUNITY LEARNING CENTER.—The term 'community learning center' means an entity that—*

*''(A) assists students to meet the challenging State academic standards by providing the students with academic enrichment activities and a broad array of other activities (such as programs and activities described in subsection (a)(2)) during nonschool hours or periods when school is not in session (such as before and after school or during summer recess) that—*

*''(i) reinforce and complement the regular academic programs of the schools attended by the students served; and*

*''(ii) are targeted to the students' academic needs and aligned with the instruction students receive during the school day; and*

*''(B) offers families of students served by such center opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.*

*''(2) COVERED PROGRAM.—The term 'covered program' means a program for which—*

*''(A) the Secretary made a grant under this part (as this part was in effect on the day before the effective date of this part under the Every Student Succeeds Act); and*

*''(B) the grant period had not ended on that effective date.*

*''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b)), another public or private entity, or a consortium of 2 or more such agencies, organizations, or entities.*

*''(4) EXTERNAL ORGANIZATION.—The term 'external organization' means—*

*''(A) a nonprofit organization with a record of success in running or working with before and after school (or summer recess) programs and activities; or*

*''(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a written agreement or partnership with an organization*

*described in subparagraph (A) to receive mentoring and guidance in running or working with before and after school (or summer recess) programs and activities.*

*''(5) RIGOROUS PEER-REVIEW PROCESS.—The term 'rigorous peer-review process' means a process by which—*

*''(A) employees of a State educational agency who are familiar with the programs and activities assisted under this part review all applications that the State receives for awards under this part for completeness and applicant eligibility;*

*''(B) the State educational agency selects peer reviewers for such applications, who shall—*

*''(i) be selected for their expertise in providing effective academic, enrichment, youth development, and related services to children; and*

*''(ii) not include any applicant, or representative of an applicant, that has submitted an application under this part for the current application period; and*

*''(C) the peer reviewers described in subparagraph (B) review and rate the applications to determine the extent to which the applications meet the requirements under sections 4204(b) and 4205.*

*''(6) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.*

***''SEC. 4202. ALLOTMENTS TO STATES.***

*''(a) RESERVATION.—From the funds appropriated under section 4206 for any fiscal year, the Secretary shall reserve—*

*''(1) such amounts as may be necessary to make continuation awards to subgrant recipients under covered programs (under the terms of those grants);*

*''(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and*

*''(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Education, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.*

*''(b) STATE ALLOTMENTS.—*

*''(1) DETERMINATION.—From the funds appropriated under section 4206 for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal year an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.*

*''(2) REALLOTMENT OF UNUSED FUNDS.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this part.*

*''(c) STATE USE OF FUNDS.—*

*''(1) IN GENERAL.—Each State that receives an allotment under this part shall reserve not less than 93 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 4204.*

*''(2) STATE ADMINISTRATION.—A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for—*

*''(A) the administrative costs of carrying out its responsibilities under this part;*

*''(B) establishing and implementing a rigorous peer-review process for subgrant applications described in section 4204(b) (including consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities); and*

*''(C) awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities).*

*''(3) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the amount made available to the State under subsection (b) for the following activities:*

*''(A) Monitoring and evaluating programs and activities assisted under this part.*

*''(B) Providing capacity building, training, and technical assistance under this part.*

*''(C) Conducting a comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.*

*''(D) Providing training and technical assistance to eligible entities that are applicants for or recipients of awards under this part.*

*''(E) Ensuring that any eligible entity that receives an award under this part from the State aligns the activities provided by the program with the challenging State academic standards.*

*''(F) Ensuring that any such eligible entity identifies and partners with external organizations, if available, in the community.*

*''(G) Working with teachers, principals, parents, the local workforce, the local community, and other stakeholders to review and improve State policies and practices to support the implementation of effective programs under this part.*

*''(H) Coordinating funds received under this part with other Federal and State funds to implement high-quality programs.*

*''(I) Providing a list of prescreened external organizations, as described under section 4203(a)(11).*

***''SEC. 4203. STATE APPLICATION.***

*''(a) IN GENERAL.—In order to receive an allotment under section 4202 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—*

*''(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this part;*

*''(2) describes how the State educational agency will use funds received under this part, including funds reserved for State-level activities;*

*''(3) contains an assurance that the State educational agency—*

*''(A) will make awards under this part to eligible entities that serve—*

*''(i) students who primarily attend—*

*''(I) schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); and*

*''(II) other schools determined by the local educational agency to be in need of intervention and support; and*

*''(ii) the families of such students; and*

*''(B) will further give priority to eligible entities that propose in the application to serve students described in subclauses (I) and (II) of section 4204(i)(1)(A)(i);*

*''(4) describes the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet the challenging State academic standards and any local academic standards;*

*''(5) describes how the State educational agency will ensure that awards made under this part are—*

*''(A) of sufficient size and scope to support high-quality, effective programs that are consistent with the purpose of this part; and*

*''(B) in amounts that are consistent with section 4204(h);*

*''(6) describes the steps the State educational agency will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, dissemination of promising practices, and coordination of professional development for staff in specific content areas and youth development;*

*''(7) describes how programs under this part will be coordinated with programs under this Act, and other programs as appropriate;*

*''(8) contains an assurance that the State educational agency—*

*''(A) will make awards for programs for a period of not less than 3 years and not more than 5 years; and*

*''(B) will require each eligible entity seeking such an award to submit a plan describing how the activities to be funded through the award will continue after funding under this part ends;*

*''(9) contains an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs;*

*''(10) contains an assurance that the State educational agency will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed;*

*''(11) describes how the State will—*

*''(A) prescreen external organizations that could provide assistance in carrying out the activities under this part; and*

*''(B) develop and make available to eligible entities a list of external organizations that successfully completed the prescreening process;*

*''(12) provides—*

*''(A) an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before and after school (or summer recess) programs and activities, the heads of the State health and mental health agencies or their designees, statewide after-school networks (where applicable) and representatives of teachers, local educational agencies, and community-based organizations; and*

*''(B) a description of any other representatives of teachers, parents, students, or the business community that the State has selected to assist in the development of the application, if applicable;*

*''(13) describes the results of the State's needs and resources assessment for before and after school (or summer recess) programs and activities, which shall be based on the results of ongoing State evaluation activities;*

*''(14) describes how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, which shall include, at a minimum—*

*''(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities with emphasis on alignment with the regular academic program of the school and the academic needs of participating students, including performance indicators and measures that—*

*''(i) are able to track student success and improvement over time;*

*''(ii) include State assessment results and other indicators of student success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, and on-time advancement to the next grade level; and*

*''(iii) for high school students, may include indicators such as career competencies, successful completion of internships or apprenticeships, or work-based learning opportunities;*

*''(B) a description of how data collected for the purposes of subparagraph (A) will be collected; and*

*''(C) public dissemination of the evaluations of programs and activities carried out under this part; and*

*''(15) provides for timely public notice of intent to file an application and an assurance*

*that the application will be available for public review after submission.*

*''(b) DEEMED APPROVAL.—An application submitted by a State educational agency pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the application, that the application is not in compliance with this part.*

*''(c) DISAPPROVAL.—The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and an opportunity for a hearing.*

*''(d) NOTIFICATION.—If the Secretary finds that the application is not in compliance, in whole or in part, with this part, the Secretary shall—*

*''(1) give the State educational agency notice and an opportunity for a hearing; and*

*''(2) notify the State educational agency of the finding of noncompliance and, in such notification—*

*''(A) cite the specific provisions in the application that are not in compliance; and*

*''(B) request additional information, only as to the noncompliant provisions, needed to make the application compliant.*

*''(e) RESPONSE.—If the State educational agency responds to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, and resubmits the application with the requested information described in subsection (d)(2)(B), the Secretary shall approve or disapprove such application prior to the later of—*

*''(1) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or*

*''(2) the expiration of the 120-day period described in subsection (b).*

*''(f) FAILURE TO RESPOND.—If the State educational agency does not respond to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, such application shall be deemed to be disapproved.*

*''(g) LIMITATION.—The Secretary may not give a priority or a preference for States or eligible entities that seek to use funds made available under this part to extend the regular school day.*

***''SEC. 4204. LOCAL COMPETITIVE SUBGRANT PROGRAM.***

*''(a) IN GENERAL.—*

*''(1) COMMUNITY LEARNING CENTERS.—A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to award subgrants to eligible entities for community learning centers in accordance with this part.*

*''(2) EXPANDED LEARNING PROGRAM ACTIVITIES.—A State that receives funds under this part for a fiscal year may use funds under section 4202(c)(1) to support those enrichment and engaging academic activities described in section 4205(a) that—*

*''(A) are included as part of an expanded learning program that provides students at least 300 additional program hours before, during, or after the traditional school day;*

*''(B) supplement but do not supplant regular school day requirements; and*

*''(C) are carried out by entities that meet the requirements of subsection (i).*

*''(b) APPLICATION.—*

*''(1) IN GENERAL.—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and including such information as the State educational agency may reasonably require.*

*''(2) CONTENTS.—Each application submitted under paragraph (1) shall include—*

*''(A) a description of the activities to be funded, including—*

*''(i) an assurance that the program will take place in a safe and easily accessible facility;*

*''(ii) a description of how students participating in the program carried out by the community learning center will travel safely to and from the center and home, if applicable; and*

*''(iii) a description of how the eligible entity will disseminate information about the community learning center (including its location) to the community in a manner that is understandable and accessible;*

*''(B) a description of how such activities are expected to improve student academic achievement as well as overall student success;*

*''(C) a demonstration of how the proposed program will coordinate Federal, State, and local programs and make the most effective use of public resources;*

*''(D) an assurance that the proposed program was developed and will be carried out—*

*''(i) in active collaboration with the schools that participating students attend (including through the sharing of relevant data among the schools), all participants of the eligible entity, and any partnership entities described in subparagraph (H), in compliance with applicable laws relating to privacy and confidentiality; and*

*''(ii) in alignment with the challenging State academic standards and any local academic standards;*

*''(E) a description of how the activities will meet the measures of effectiveness described in section 4205(b);*

*''(F) an assurance that the program will target students who primarily attend schools eligible for schoolwide programs under section 1114 and the families of such students;*

*''(G) an assurance that subgrant funds under this part will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this part, be made available for programs and activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds;*

*''(H) a description of the partnership between a local educational agency, a community-based organization, and another public entity or private entity, if appropriate;*

*''(I) an evaluation of the community needs and available resources for the community learning center, and a description of how the program proposed to be carried out in the center will address those needs (including the needs of working families);*

*''(J) a demonstration that the eligible entity will use best practices, including research or evidence-based practices, to provide educational and related activities that will complement and enhance academic performance, achievement, postsecondary and workforce preparation, and positive youth development of the students;*

*''(K) a description of a preliminary plan for how the community learning center will continue after funding under this part ends;*

*''(L) an assurance that the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application;*

*''(M) if the eligible entity plans to use volunteers in activities carried out through the community learning center, a description of how the eligible entity will encourage and use appropriately qualified persons to serve as the volunteers; and*

*''(N) such other information and assurances as the State educational agency may reasonably require.*

*''(c) APPROVAL OF CERTAIN APPLICATIONS.—The State educational agency may approve an application under this part for a program to be located in a facility other than an elementary school or secondary school only if the program will be at least as available and accessible to the students to be served as if the program were located in an elementary school or secondary school.*

*''(d) PERMISSIVE LOCAL MATCH.—*

*''(1) IN GENERAL.—A State educational agency may require an eligible entity to match subgrant funds awarded under this part, except that such match may not exceed the amount of the subgrant and may not be derived from other Federal or State funds.*

*''(2) SLIDING SCALE.—The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—*

*''(A) the relative poverty of the population to be targeted by the eligible entity; and*

*''(B) the ability of the eligible entity to obtain such matching funds.*

*''(3) IN-KIND CONTRIBUTIONS.—Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.*

*''(4) CONSIDERATION.—Notwithstanding this subsection, a State educational agency shall not consider an eligible entity's ability to match funds when determining which eligible entities will receive subgrants under this part.*

*''(e) PEER REVIEW.—In reviewing local applications under this part, a State educational agency shall use a rigorous peer-review process or other methods to ensure the quality of funded projects.*

*''(f) GEOGRAPHIC DIVERSITY.—To the extent practicable, a State educational agency shall distribute subgrant funds under this part equitably among geographic areas within the State, including urban and rural communities.*

*''(g) DURATION OF AWARDS.—A subgrant awarded under this part shall be awarded for a period of not less than 3 years and not more than 5 years.*

*''(h) AMOUNT OF AWARDS.—A subgrant awarded under this part may not be made in an amount that is less than $50,000.*

*''(i) PRIORITY.—*

*''(1) IN GENERAL.—In awarding subgrants under this part, a State educational agency shall give priority to applications—*

*''(A) proposing to target services to—*

*''(i) students who primarily attend schools that—*

*''(I) are implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) or other schools determined by the local educational agency to be in need of intervention and support to improve student academic achievement and other outcomes; and*

*''(II) enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and*

*''(ii) the families of students described in clause (i);*

*''(B) submitted jointly by eligible entities consisting of not less than 1—*

*''(i) local educational agency receiving funds under part A of title I; and*

*''(ii) another eligible entity; and*

*''(C) demonstrating that the activities proposed in the application—*

*''(i) are, as of the date of the submission of the application, not accessible to students who would be served; or*

*''(ii) would expand accessibility to high-quality services that may be available in the community.*

*''(2) SPECIAL RULE.—The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.*

*''(3) LIMITATION.—A State educational agency may not give a priority or a preference to eligible entities that seek to use funds made available under this part to extend the regular school day.*

''(j) RENEWABILITY OF AWARDS.—A State educational agency may renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the preceding subgrant period.

**"SEC. 4205. LOCAL ACTIVITIES.**

''(a) AUTHORIZED ACTIVITIES.—Each eligible entity that receives an award under section 4204 may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—

''(1) academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with—

''(A) the challenging State academic standards and any local academic standards; and

''(B) local curricula that are designed to improve student academic achievement;

''(2) well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment;

''(3) literacy education programs, including financial literacy programs and environmental literacy programs;

''(4) programs that support a healthy and active lifestyle, including nutritional education and regular, structured physical activity programs;

''(5) services for individuals with disabilities;

''(6) programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

''(7) cultural programs;

''(8) telecommunications and technology education programs;

''(9) expanded library service hours;

''(10) parenting skills programs that promote parental involvement and family literacy;

''(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

''(12) drug and violence prevention programs and counseling programs;

''(13) programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as 'STEM'), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and

''(14) programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) and the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

''(b) MEASURES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity developed pursuant to this part to meet the measures of effectiveness, monitored by the State educational agency as described in section 4203(a)(14), such program or activity shall—

''(A) be based upon an assessment of objective data regarding the need for before and after school (or summer recess) programs and activities in the schools and communities;

''(B) be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;

''(C) if appropriate, be based upon evidence-based research that the program or activity will help students meet the challenging State academic standards and any local academic standards;

''(D) ensure that measures of student success align with the regular academic program of the school and the academic needs of participating students and include performance indicators and measures described in section 4203(a)(14)(A); and

''(E) collect the data necessary for the measures of student success described in subparagraph (D).

''(2) PERIODIC EVALUATION.—

''(A) IN GENERAL.—The program or activity shall undergo a periodic evaluation in conjunction with the State educational agency's overall evaluation plan as described in section 4203(a)(14), to assess the program's progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

''(B) USE OF RESULTS.—The results of evaluations under subparagraph (A) shall be—

''(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures;

''(ii) made available to the public upon request, with public notice of such availability provided; and

''(iii) used by the State to determine whether a subgrant is eligible to be renewed under section 4204(j).

**"SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.**

''There are authorized to be appropriated to carry out this part $1,000,000,000 for fiscal year 2017 and $1,100,000,000 for each of fiscal years 2018 through 2020.''.

## PART C—EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS

**SEC. 4301. CHARTER SCHOOLS.**

Part C of title IV (20 U.S.C. 7221 et seq.), as redesignated by section 4001, is amended—

(1) by striking sections 4301 through 4305, as redesignated by section 4001, and inserting the following:

**"SEC. 4301. PURPOSE.**

''It is the purpose of this part to—

''(1) improve the United States education system and education opportunities for all people in the United States by supporting innovation in public education in public school settings that prepare students to compete and contribute to the global economy and a stronger Nation;

''(2) provide financial assistance for the planning, program design, and initial implementation of charter schools;

''(3) increase the number of high-quality charter schools available to students across the United States;

''(4) evaluate the impact of charter schools on student achievement, families, and communities, and share best practices between charter schools and other public schools;

''(5) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount States typically provide for traditional public schools;

''(6) expand opportunities for children with disabilities, English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards;

''(7) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, oversight and monitoring (including financial audits), and evaluation of such schools; and

''(8) support quality, accountability, and transparency in the operational performance of all authorized public chartering agencies, including State educational agencies, local educational agencies, and other authorizing entities.

**"SEC. 4302. PROGRAM AUTHORIZED.**

''(a) IN GENERAL.—The Secretary may carry out a charter school program that supports charter schools that serve early childhood, elementary school, or secondary school students by—

''(1) supporting the startup of new charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

''(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

''(3) carrying out national activities to support—

''(A) the activities described in paragraph (1);

''(B) the dissemination of best practices of charter schools for all schools;

''(C) the evaluation of the impact of the charter school program under this part on schools participating in such program; and

''(D) stronger charter school authorizing practices.

''(b) FUNDING ALLOTMENT.—From the amount made available under section 4311 for a fiscal year, the Secretary shall—

''(1) reserve 12.5 percent to support charter school facilities assistance under section 4304;

''(2) reserve 22.5 percent to carry out national activities under section 4305; and

''(3) use the remaining amount after the reservations under paragraphs (1) and (2) to carry out section 4303.

''(c) PRIOR GRANTS AND SUBGRANTS.—The recipient of a grant or subgrant under part B of title V (as such part was in effect on the day before the date of enactment of the Every Student Succeeds Act) shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.

**"SEC. 4303. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.**

''(a) STATE ENTITY DEFINED.—For purposes of this section, the term 'State entity' means—

''(1) a State educational agency;

''(2) a State charter school board;

''(3) a Governor of a State; or

''(4) a charter school support organization.

''(b) PROGRAM AUTHORIZED.—From the amount available under section 4302(b)(3), the Secretary shall award, on a competitive basis, grants to State entities having applications approved under subsection (f) to enable such entities to—

''(1) award subgrants to eligible applicants to enable eligible applicants to—

''(A) open and prepare for the operation of new charter schools;

''(B) open and prepare for the operation of replicated high-quality charter schools; or

''(C) expand high-quality charter schools; and

''(2) provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out the activities described in paragraph (1), and work with authorized public chartering agencies in the State to improve authorizing quality, including developing capacity for, and conducting, fiscal oversight and auditing of charter schools.

''(c) STATE ENTITY USES OF FUNDS.—

''(1) IN GENERAL.—A State entity receiving a grant under this section shall—

''(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the State entity's application pursuant to subsection (f), for the purposes described in subsection (b)(1);

''(B) reserve not less than 7 percent of such funds to carry out the activities described in subsection (b)(2); and

''(C) reserve not more than 3 percent of such funds for administrative costs, which may include technical assistance.

''(2) CONTRACTS AND GRANTS.—A State entity may use a grant received under this section to carry out the activities described in subsection (b)(2) directly or through grants, contracts, or cooperative agreements.

''(3) RULE OF CONSTRUCTION.—

''(A) USE OF LOTTERY.—Nothing in this Act shall prohibit the Secretary from awarding grants to State entities, or prohibit State entities from awarding subgrants to eligible applicants, that use a weighted lottery to give slightly better chances for admission to all, or a subset of, educationally disadvantaged students if—

''(i) the use of weighted lotteries in favor of such students is not prohibited by State law, and such State law is consistent with laws described in section 4310(2)(G); and

''(ii) such weighted lotteries are not used for the purpose of creating schools exclusively to serve a particular subset of students.

''(B) STUDENTS WITH SPECIAL NEEDS.—Nothing in this paragraph shall be construed to prohibit schools from specializing in providing specific services for students with a demonstrated need for such services, such as students who need specialized instruction in reading, spelling, or writing.

''(d) PROGRAM PERIODS; PEER REVIEW; DISTRIBUTION OF SUBGRANTS; WAIVERS.—

''(1) PROGRAM PERIODS.—

''(A) GRANTS.—A grant awarded by the Secretary to a State entity under this section shall be for a period of not more than 5 years.

''(B) SUBGRANTS.—A subgrant awarded by a State entity under this section shall be for a period of not more than 5 years, of which an eligible applicant may use not more than 18 months for planning and program design.

''(2) PEER REVIEW.—The Secretary, and each State entity awarding subgrants under this section, shall use a peer-review process to review applications for assistance under this section.

''(3) GRANT AWARDS.—

''(A) IN GENERAL.—The Secretary—

''(i) shall for each fiscal year for which funds are appropriated under section 4311—

''(I) award not less than 3 grants under this section; and

''(II) fully obligate the first 2 years of funds appropriated for the purpose of awarding grants under this section in the first fiscal year for which such grants are awarded; and

''(ii) prior to the start of the third year of the grant period and each succeeding year of each grant awarded under this section to a State entity—

''(I) shall review—

''(aa) whether the State entity is using the grant funds for the agreed upon uses of funds; and

''(bb) whether the full amount of the grant will be needed for the remainder of the grant period; and

''(II) may, as determined necessary based on that review, terminate or reduce the amount of the grant and reallocate the remaining grant funds to other State entities—

''(aa) by using such funds to award grants under this section to other State entities; or

''(bb) in a fiscal year in which the amount of such remaining funds is insufficient to award grants under item (aa), in accordance with subparagraph (B).

''(B) REMAINING FUNDING.—For a fiscal year for which there are remaining grant funds under this paragraph, but the amount of such funds is insufficient to award a grant to a State entity under this section, the Secretary shall use such remaining grants funds—

''(i) to supplement funding for grants under section 4305(a)(2), but not to supplant—

''(I) the funds reserved under section 4305(a)(2); and

''(II) funds otherwise reserved under section 4302(b)(2) to carry out national activities under section 4305;

''(ii) to award grants to State entities to carry out the activities described in subsection (b)(1) for the next fiscal year; or

''(iii) to award one year of a grant under subsection (b)(1) to a high-scoring State entity, in an amount at or above the minimum amount the State entity needs to be successful for such year.

''(4) DIVERSITY OF PROJECTS.—Each State entity awarding subgrants under this section shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

''(A) are distributed throughout different areas, including urban, suburban, and rural areas; and

''(B) will assist charter schools representing a variety of educational approaches.

''(5) WAIVERS.—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority, except any such requirement relating to the elements of a charter school described in section 4310(2), if—

''(A) the waiver is requested in an approved application under this section; and

''(B) the Secretary determines that granting such waiver will promote the purpose of this part.

''(e) LIMITATIONS.—

''(1) GRANTS.—No State entity may receive a grant under this section for use in a State in which a State entity is currently using a grant received under this section.

''(2) SUBGRANTS.—An eligible applicant may not receive more than 1 subgrant under this section for each individual charter school for a 5-year period, unless the eligible applicant demonstrates to the State entity that such individual charter school has at least 3 years of improved educational results for students enrolled in such charter school with respect to the elements described in subparagraphs (A) and (D) of section 4310(8).

''(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(1) DESCRIPTION OF PROGRAM.—A description of the State entity's objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including—

''(A) a description of how the State entity will—

''(i) support the opening of charter schools through the startup of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools (including the proposed number of new charter schools to be opened, high-quality charter schools to be opened as a result of the replication of a high-quality charter school, or high-quality charter schools to be expanded under the State entity's program);

''(ii) inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

''(iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

''(I) participate in the Federal programs in which the schools and students are eligible to participate;

''(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs; and

''(III) meet the needs of students served under such programs, including students with disabilities and English learners;

''(iv) ensure that authorized public chartering agencies, in collaboration with surrounding local educational agencies where applicable, establish clear plans and procedures to assist students enrolled in a charter school that closes or loses its charter to attend other high-quality schools;

''(v) in the case of a State entity that is not a State educational agency—

''(I) work with the State educational agency and charter schools in the State to maximize charter school participation in Federal and State programs for which charter schools are eligible; and

''(II) work with the State educational agency to operate the State entity's program under this section, if applicable;

''(vi) ensure that each eligible applicant that receives a subgrant under the State entity's program—

''(I) is using funds provided under this section for one of the activities described in subsection (b)(1); and

''(II) is prepared to continue to operate charter schools funded under this section in a manner consistent with the eligible applicant's application for such subgrant once the subgrant funds under this section are no longer available;

''(vii) support—

''(I) charter schools in local educational agencies with a significant number of schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i); and

''(II) the use of charter schools to improve struggling schools, or to turn around struggling schools;

''(viii) work with charter schools on—

''(I) recruitment and enrollment practices to promote inclusion of all students, including by eliminating any barriers to enrollment for educationally disadvantaged students (who include foster youth and unaccompanied homeless youth); and

''(II) supporting all students once they are enrolled to promote retention, including by reducing the overuse of discipline practices that remove students from the classroom;

''(ix) share best and promising practices between charter schools and other public schools;

''(x) ensure that charter schools receiving funds under the State entity's program meet the educational needs of their students, including children with disabilities and English learners;

''(xi) support efforts to increase charter school quality initiatives, including meeting the quality authorizing elements described in paragraph (2)(D);

''(xii)(I) in the case of a State entity not described in subclause (II), a description of how the State entity will provide oversight of authorizing activity, including how the State will help ensure better authorizing, such as by establishing authorizing standards that may include approving, monitoring, and re-approving or revoking the authority of an authorized public chartering agency based on the performance of the charter schools authorized by such agency in the areas of student achievement, student safety, financial and operational management, and compliance with all applicable statutes and regulations; and

''(II) in the case of a State entity described in subsection (a)(4), a description of how the State entity will work with the State to support the State's system of technical assistance and oversight, as described in subclause (I), of the authorizing activity of authorized public chartering agencies; and

''(xiii) work with eligible applicants receiving a subgrant under the State entity's program to support the opening of new charter schools or charter school models described in clause (i) that are high schools;

''(B) a description of the extent to which the State entity—

''(i) is able to meet and carry out the priorities described in subsection (g)(2);

''(ii) is working to develop or strengthen a cohesive statewide system to support the opening of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools; and

''(iii) is working to develop or strengthen a cohesive strategy to encourage collaboration between charter schools and local educational agencies on the sharing of best practices;

''(C) a description of how the State entity will award subgrants, on a competitive basis, including—

''(i) a description of the application each eligible applicant desiring to receive a subgrant will be required to submit, which application shall include—

''(I) a description of the roles and responsibilities of eligible applicants, partner organizations, and charter management organizations, including the administrative and contractual roles and responsibilities of such partners;

''(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, how a school's performance in the State's accountability system and impact on student achievement (which may include student academic growth) will be one of the most important

*factors for renewal or revocation of the school's charter, and how the State entity and the authorized public chartering agency involved will reserve the right to revoke or not renew a school's charter based on financial, structural, or operational factors involving the management of the school;*

*''(III) a description of how the autonomy and flexibility granted to a charter school is consistent with the definition of a charter school in section 4310;*

*''(IV) a description of how the eligible applicant will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school that will receive funds under the State entity's program;*

*''(V) a description of the eligible applicant's planned activities and expenditures of subgrant funds to support the activities described in subsection (b)(1), and how the eligible applicant will maintain financial sustainability after the end of the subgrant period; and*

*''(VI) a description of how the eligible applicant will support the use of effective parent, family, and community engagement strategies to operate each charter school that will receive funds under the State entity's program; and*

*''(ii) a description of how the State entity will review applications from eligible applicants;*

*''(D) in the case of a State entity that partners with an outside organization to carry out the State entity's quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner;*

*''(E) a description of how the State entity will ensure that each charter school receiving funds under the State entity's program has considered and planned for the transportation needs of the school's students;*

*''(F) a description of how the State in which the State entity is located addresses charter schools in the State's open meetings and open records laws; and*

*''(G) a description of how the State entity will support diverse charter school models, including models that serve rural communities.*

*''(2) ASSURANCES.—Assurances that—*

*''(A) each charter school receiving funds through the State entity's program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions;*

*''(B) the State entity will support charter schools in meeting the educational needs of their students, as described in paragraph (1)(A)(x);*

*''(C) the State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the State entity's program adequately monitors each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and English learners;*

*''(D) the State entity will provide adequate technical assistance to eligible applicants to meet the objectives described in clause (viii) of paragraph (1)(A) and subparagraph (B) of this paragraph;*

*''(E) the State entity will promote quality authorizing, consistent with State law, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency's ability to monitor the charter schools authorized by the agency, including by—*

*''(i) assessing annual performance data of the schools, including, as appropriate, graduation rates, student academic growth, and rates of student attrition;*

*''(ii) reviewing the schools' independent, annual audits of financial statements prepared in accordance with generally accepted accounting principles, and ensuring that any such audits are publically reported; and*

*''(iii) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as through renewal, non-renewal, or revocation of the school's charter;*

*''(F) the State entity will work to ensure that charter schools are included with the traditional public schools in decisionmaking about the public school system in the State; and*

*''(G) the State entity will ensure that each charter school receiving funds under the State entity's program makes publicly available, consistent with the dissemination requirements of the annual State report card under section 1111(h), including on the website of the school, information to help parents make informed decisions about the education options available to their children, including—*

*''(i) information on the educational program;*

*''(ii) student support services;*

*''(iii) parent contract requirements (as applicable), including any financial obligations or fees;*

*''(iv) enrollment criteria (as applicable); and*

*''(v) annual performance and enrollment data for each of the subgroups of students, as defined in section 1111(c)(2), except that such disaggregation of performance and enrollment data shall not be required in a case in which the number of students in a group is insufficient to yield statically reliable information or the results would reveal personally identifiable information about an individual student.*

*''(3) REQUESTS FOR WAIVERS.—Information about waivers, including—*

*''(A) a request and justification for waivers of any Federal statutory or regulatory provisions that the State entity believes are necessary for the successful operation of the charter schools that will receive funds under the State entity's program under this section or, in the case of a State entity defined in subsection (a)(4), a description of how the State entity will work with the State to request such necessary waivers, where applicable; and*

*''(B) a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply to such schools.*

*''(g) SELECTION CRITERIA; PRIORITY.—*

*''(1) SELECTION CRITERIA.—The Secretary shall award grants to State entities under this section on the basis of the quality of the applications submitted under subsection (f), after taking into consideration—*

*''(A) the degree of flexibility afforded by the State's charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law;*

*''(B) the ambitiousness of the State entity's objectives for the quality charter school program carried out under this section;*

*''(C) the likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students;*

*''(D) the State entity's plan to—*

*''(i) adequately monitor the eligible applicants receiving subgrants under the State entity's program;*

*''(ii) work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and*

*''(iii) provide technical assistance and support for—*

*''(I) the eligible applicants receiving subgrants under the State entity's program; and*

*''(II) quality authorizing efforts in the State; and*

*''(E) the State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.*

*''(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a State entity to the extent that the entity meets the following criteria:*

*''(A) The State entity is located in a State that—*

*''(i) allows at least one entity that is not a local educational agency to be an authorized public chartering agency for developers seeking to open a charter school in the State; or*

*''(ii) in the case of a State in which local educational agencies are the only authorized public chartering agencies, the State has an appeals process for the denial of an application for a charter school.*

*''(B) The State entity is located in a State that ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.*

*''(C) The State entity is located in a State that provides charter schools one or more of the following:*

*''(i) Funding for facilities.*

*''(ii) Assistance with facilities acquisition.*

*''(iii) Access to public facilities.*

*''(iv) The ability to share in bonds or mill levies.*

*''(v) The right of first refusal to purchase public school buildings.*

*''(vi) Low- or no-cost leasing privileges.*

*''(D) The State entity is located in a State that uses best practices from charter schools to help improve struggling schools and local educational agencies.*

*''(E) The State entity supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.*

*''(F) The State entity has taken steps to ensure that all authorizing public chartering agencies implement best practices for charter school authorizing.*

*''(h) LOCAL USES OF FUNDS.—An eligible applicant receiving a subgrant under this section shall use such funds to support the activities described in subsection (b)(1), which shall include one or more of the following activities:*

*''(1) Preparing teachers, school leaders, and specialized instructional support personnel, including through paying the costs associated with—*

*''(A) providing professional development; and*

*''(B) hiring and compensating, during the eligible applicant's planning period specified in the application for subgrant funds that is required under this section, one or more of the following:*

*''(i) Teachers.*

*''(ii) School leaders.*

*''(iii) Specialized instructional support personnel.*

*''(2) Acquiring supplies, training, equipment (including technology), and educational materials (including developing and acquiring instructional materials).*

*''(3) Carrying out necessary renovations to ensure that a new school building complies with applicable statutes and regulations, and minor facilities repairs (excluding construction).*

*''(4) Providing one-time, startup costs associated with providing transportation to students to and from the charter school.*

*''(5) Carrying out community engagement activities, which may include paying the cost of student and staff recruitment.*

*''(6) Providing for other appropriate, non-sustained costs related to the activities described in subsection (b)(1) when such costs cannot be met from other sources.*

*''(i) REPORTING REQUIREMENTS.—Each State entity receiving a grant under this section shall submit to the Secretary, at the end of the third year of the 5-year grant period (or at the end of the second year of the grant period if the grant is less than 5 years), and at the end of such grant period, a report that includes the following:*

*''(1) The number of students served by each subgrant awarded under this section and, if applicable, the number of new students served during each year of the period of the subgrant.*

*''(2) A description of how the State entity met the objectives of the quality charter school program described in the State entity's application under subsection (f), including—*

*''(A) how the State entity met the objective of sharing best and promising practices described*

*in subsection (f)(1)(A)(ix) in areas such as instruction, professional development, curricula development, and operations between charter schools and other public schools; and*

*''(B) if known, the extent to which such practices were adopted and implemented by such other public schools.*

*''(3) The number and amount of subgrants awarded under this section to carry out activities described in each of subparagraphs (A) through (C) of subsection (b)(1).*

*''(4) A description of—*

*''(A) how the State entity complied with, and ensured that eligible applicants complied with, the assurances included in the State entity's application; and*

*''(B) how the State entity worked with authorized public chartering agencies, and how the agencies worked with the management company or leadership of the schools that received subgrant funds under this section, if applicable.*

***''SEC. 4304. FACILITIES FINANCING ASSISTANCE.***

*''(a) GRANTS TO ELIGIBLE ENTITIES.—*

*''(1) IN GENERAL.—From the amount reserved under section 4302(b)(1), the Secretary shall use not less than 50 percent to award, on a competitive basis, not less than 3 grants to eligible entities that have the highest-quality applications approved under subsection (d), after considering the diversity of such applications, to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.*

*''(2) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term 'eligible entity' means—*

*''(A) a public entity, such as a State or local governmental entity;*

*''(B) a private nonprofit entity; or*

*''(C) a consortium of entities described in subparagraphs (A) and (B).*

*''(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.*

*''(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.*

*''(d) APPLICATIONS.—*

*''(1) IN GENERAL.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.*

*''(2) CONTENTS.—An application submitted under paragraph (1) shall contain—*

*''(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;*

*''(B) a description of the involvement of charter schools in the application's development and the design of the proposed activities;*

*''(C) a description of the eligible entity's expertise in capital market financing;*

*''(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the eligible entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the eligible entity under this section;*

*''(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and*

*''(F) in the case of an application submitted by a State governmental entity, a description of the actions that the eligible entity has taken, or will take, to ensure that charter schools within the State receive the funding that charter schools need to have adequate facilities.*

*''(e) CHARTER SCHOOL OBJECTIVES.—An eligible entity receiving a grant under subsection (a) shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private-sector capital to accomplish one or more of the following objectives:*

*''(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.*

*''(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.*

*''(3) The predevelopment costs required to assess sites for purposes of paragraph (1) or (2) and that are necessary to commence or continue the operation of a charter school.*

*''(f) RESERVE ACCOUNT.—*

*''(1) USE OF FUNDS.—To assist charter schools in accomplishing the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:*

*''(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).*

*''(B) Guaranteeing and insuring leases of personal and real property for an objective described in subsection (e).*

*''(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.*

*''(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).*

*''(2) INVESTMENT.—Funds received under subsection (a) and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.*

*''(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.*

*''(g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).*

*''(h) AUDITS AND REPORTS.—*

*''(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.*

*''(2) REPORTS.—*

*''(A) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under subsection (a) shall submit to the Secretary an annual report of the entity's operations and activities under this section (excluding subsection (k)).*

*''(B) CONTENTS.—Each annual report submitted under subparagraph (A) shall include—*

*''(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;*

*''(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;*

*''(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;*

*''(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;*

*''(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and*

*''(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by the eligible entity under this section (excluding subsection (k)) during the reporting period.*

*''(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).*

*''(i) NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds that may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.*

*''(j) RECOVERY OF FUNDS.—*

*''(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—*

*''(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under subsection (a), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or*

*''(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in subsection (f)(1).*

*''(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).*

*''(3) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under paragraph (1).*

*''(4) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act (20 U.S.C. 1234 et seq.).*

*''(k) PER-PUPIL FACILITIES AID PROGRAM.—*

*''(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term 'per-pupil facilities aid program' means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—*

*''(A) that is dedicated solely to funding charter school facilities; or*

''(B) a portion of which is dedicated for funding charter school facilities.

''(2) GRANTS.—

''(A) IN GENERAL.—From the amount reserved under section 4302(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

''(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

''(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

''(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

''(ii) 80 percent for the second such year;

''(iii) 60 percent for the third such year;

''(iv) 40 percent for the fourth such year; and

''(v) 20 percent for the fifth such year.

''(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 percent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

''(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of total funds provided to charter schools increases with each successive grant.

''(3) USE OF FUNDS.—

''(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

''(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

''(C) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

''(4) REQUIREMENTS.—

''(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

''(B) STATE LAW.—

''(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

''(I) is specified in State law; and

''(II) provides annual financing, on a per-pupil basis, for charter school facilities.

''(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space, but that does not have a per-pupil facilities aid program for charter schools specified in State law, is eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

**''SEC. 4305. NATIONAL ACTIVITIES.**

''(a) IN GENERAL.—From the amount reserved under section 4302(b)(2), the Secretary shall—

''(1) use not more than 80 percent of such funds to award grants in accordance with subsection (b);

''(2) use not more than 9 percent of such funds to award grants, on a competitive basis, to eligible applicants for the purpose of carrying out the activities described in section 4303(h) in a State that did not receive a grant under section 4303; and

''(3) after the uses described in paragraphs (1) and (2), use the remainder of such funds to—

''(A) disseminate technical assistance to—

''(i) State entities in awarding subgrants under section 4303(b)(1); and

''(ii) eligible entities and States receiving grants under section 4304;

''(B) disseminate best practices regarding charter schools; and

''(C) evaluate the impact of the charter school program carried out under this part, including the impact on student achievement.

''(b) GRANTS FOR THE REPLICATION AND EXPANSION OF HIGH-QUALITY CHARTER SCHOOLS.—

''(1) IN GENERAL.—The Secretary shall make grants, on a competitive basis, to eligible entities having applications approved under paragraph (3) to enable such entities to open and prepare for the operation of one or more replicated high-quality charter schools or to expand one or more high-quality charter schools.

''(2) DEFINITION OF ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means a charter management organization.

''(3) APPLICATION REQUIREMENTS.—An eligible entity desiring to receive a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(A) EXISTING CHARTER SCHOOL DATA.—For each charter school currently operated or managed by the eligible entity—

''(i) student assessment results for all students and for each subgroup of students described in section 1111(c)(2);

''(ii) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates; and

''(iii) information on any significant compliance and management issues encountered within the last 3 school years by any school operated or managed by the eligible entity, including in the areas of student safety and finance.

''(B) DESCRIPTIONS.—A description of—

''(i) the eligible entity's objectives for implementing a high-quality charter school program with funding under this subsection, including a description of the proposed number of high-quality charter schools the eligible entity proposes to open as a result of the replication of a high-quality charter school or to expand with funding under this subsection;

''(ii) the educational program that the eligible entity will implement in such charter schools, including—

''(I) information on how the program will enable all students to meet the challenging State academic standards;

''(II) the grade levels or ages of students who will be served; and

''(III) the instructional practices that will be used;

''(iii) how the operation of such charter schools will be sustained after the grant under this subsection has ended, which shall include a multi-year financial and operating model for the eligible entity;

''(iv) how the eligible entity will ensure that such charter schools will recruit and enroll students, including children with disabilities, English learners, and other educationally disadvantaged students; and

''(v) any request and justification for any waivers of Federal statutory or regulatory requirements that the eligible entity believes are necessary for the successful operation of such charter schools.

''(C) ASSURANCE.—An assurance that the eligible entity has sufficient procedures in effect to ensure timely closure of low-performing or financially mismanaged charter schools and clear plans and procedures in effect for the students in such schools to attend other high-quality schools.

''(4) SELECTION CRITERIA.—The Secretary shall select eligible entities to receive grants under this subsection, on the basis of the quality of the applications submitted under paragraph (3), after taking into consideration such factors as—

''(A) the degree to which the eligible entity has demonstrated success in increasing academic achievement for all students and for each of the subgroups of students described in section 1111(c)(2) attending the charter schools the eligible entity operates or manages;

''(B) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

''(i) have been closed;

''(ii) have had the school's charter revoked due to problems with statutory or regulatory compliance; or

''(iii) have had the school's affiliation with the eligible entity revoked or terminated, including through voluntary disaffiliation; and

''(C) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school's charter.

''(5) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that—

''(A) plan to operate or manage high-quality charter schools with racially and socioeconomically diverse student bodies;

''(B) demonstrate success in working with schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i);

''(C) propose to use funds—

''(i) to expand high-quality charter schools to serve high school students; or

''(ii) to replicate high-quality charter schools to serve high school students; or

''(D) propose to operate or manage high-quality charter schools that focus on dropout recovery and academic reentry.

''(c) TERMS AND CONDITIONS.—Except as otherwise provided, grants awarded under paragraphs (1) and (2) of subsection (a) shall have the same terms and conditions as grants awarded to State entities under section 4303.'';

(2) in section 4306 (20 U.S.C. 7221e), as redesignated by section 4001, by adding at the end the following:

''(c) NEW OR SIGNIFICANTLY EXPANDING CHARTER SCHOOLS.—For purposes of implementing the hold harmless protections in sections 1122(c) and 1125A(g)(3) for a newly opened or significantly expanded charter school under this part, a State educational agency shall calculate a hold-harmless base for the prior year that, as applicable, reflects the new or significantly expanded enrollment of the charter school.'';

(3) in section 4308 (20 U.S.C. 7221g), as redesignated by section 4001, by inserting ''as quickly as possible and'' before ''to the extent practicable'';

(4) in section 4310 (20 U.S.C. 7221i), as redesignated by section 4001—

(A) in the matter preceding paragraph (1), by striking ''subpart'' and inserting ''part'';

(B) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (5), and (6), respectively;

(C) by redesignating paragraph (4) as paragraph (1), and moving such paragraph so as to precede paragraph (2), as redesignated by subparagraph (B);

(D) in paragraph (2), as redesignated by subparagraph (B)—

(i) in subparagraph (G), by striking '', and part B'' and inserting '', the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974'), and part B'';

(ii) by striking subparagraph (H) and inserting the following:

''(H) is a school to which parents choose to send their children, and that—

''(i) admits students on the basis of a lottery, consistent with section 4303(c)(3)(A), if more students apply for admission than can be accommodated; or

''(ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);'';

(iii) by striking subparagraph (I) and inserting the following:

''(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;'';

(iv) in subparagraph (K), by striking ''and'' at the end;

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

(vi) by adding at the end the following:

''(M) may serve students in early childhood education programs or postsecondary students.'';

(E) by inserting after paragraph (2), as redesignated by subparagraph (B), the following:

''(3) CHARTER MANAGEMENT ORGANIZATION.—The term 'charter management organization' means a nonprofit organization that operates or manages a network of charter schools linked by centralized support, operations, and oversight.

''(4) CHARTER SCHOOL SUPPORT ORGANIZATION.—The term 'charter school support organization' means a nonprofit, nongovernmental entity that is not an authorized public chartering agency and provides, on a statewide basis—

''(A) assistance to developers during the planning, program design, and initial implementation of a charter school; and

''(B) technical assistance to operating charter schools.'';

(F) by striking ''under section 5203(d)(3)''; and

(G) by adding at the end the following:

''(7) EXPAND.—The term 'expand', when used with respect to a high-quality charter school, means to significantly increase enrollment or add one or more grades to the high-quality charter school.

''(8) HIGH-QUALITY CHARTER SCHOOL.—The term 'high-quality charter school' means a charter school that—

''(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

''(B) has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;

''(C) has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and

''(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the subgroups of students, as defined in section 1111(c)(2), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

''(9) REPLICATE.—The term 'replicate', when used with respect to a high-quality charter school, means to open a new charter school, or a new campus of a high-quality charter school, based on the educational model of an existing high-quality charter school, under an existing charter or an additional charter, if permitted or required by State law.''; and

(5) by striking section 4311 (20 U.S.C. 7221j), as redesignated by section 4001, and inserting the following:

**''SEC. 4311. AUTHORIZATION OF APPROPRIATIONS.**

''There are authorized to be appropriated to carry out this part—

''(1) $270,000,000 for fiscal year 2017;

''(2) $270,000,000 for fiscal year 2018;

''(3) $300,000,000 for fiscal year 2019; and

''(4) $300,000,000 for fiscal year 2020.''.

## PART D—MAGNET SCHOOLS ASSISTANCE

**SEC. 4401. MAGNET SCHOOLS ASSISTANCE.**

Part D of title IV (20 U.S.C. 7201 et seq.), as amended by section 4001(b)(3), is further amended—

(1) in section 4401—

(A) in subsection (a)(2)—

(i) by striking ''2,000,000'' and inserting ''2,500,000''; and

(ii) by striking ''65'' and inserting ''69''; and

(B) in subsection (b)—

(i) in paragraph (2)—

(I) by striking ''and implementation'' and inserting '', implementation, and expansion''; and

(II) by striking ''content standards and student academic achievement standards'' and inserting ''standards'';

(ii) in paragraph (3), by striking ''and design'' and inserting '', design, and expansion'';

(iii) in paragraph (4), by striking ''vocational'' and inserting ''career''; and

(iv) in paragraph (6), by striking ''productive'';

(2) in section 4405(b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''any available evidence on, or if such evidence is not available, a rationale, based on current research, for'' before ''how the proposed magnet school programs'';

(ii) in subparagraph (B), by inserting '', including any evidence, or if such evidence is not available, a rationale based on current research findings, to support such description'' before the semicolon;

(iii) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(iv) by inserting after subparagraph (C) the following:

''(D) how the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student achievement and integration;''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''section 5301(b)'' and inserting ''section 4401(b)''; and

(ii) in subparagraph (B), by striking ''highly qualified'' and inserting ''effective'';

(3) in section 4406, by striking paragraphs (2) and (3) and inserting the following:

''(2) propose to—

''(A) carry out a new, evidence-based magnet school program;

''(B) significantly revise an existing magnet school program, using evidence-based methods and practices, as available; or

''(C) replicate an existing magnet school program that has a demonstrated record of success in increasing student academic achievement and reducing isolation of minority groups;

''(3) propose to select students to attend magnet school programs by methods such as lottery, rather than through academic examination; and

''(4) propose to increase racial integration by taking into account socioeconomic diversity in designing and implementing magnet school programs.'';

(4) in section 4407—

(A) in subsection (a)—

(i) in paragraph (3), by striking ''highly qualified'' and inserting ''effective'';

(ii) in paragraph (6), by striking ''and'' at the end;

(iii) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(8) to enable the local educational agency, or consortium of such agencies, or other organizations partnered with such agency or consortium, to establish, expand, or strengthen inter-district and regional magnet programs; and

''(9) notwithstanding section 426 of the General Education Provisions Act (20 U.S.C. 1228), to provide transportation to and from the magnet school, provided that—

''(A) such transportation is sustainable beyond the grant period; and

''(B) the costs of providing transportation do not represent a significant portion of the grant funds received by the eligible local educational agency under this part .''; and

(B) by striking subsection (b) and inserting the following:

''(b) SPECIAL RULE.—Grant funds under this part may be used for activities described in paragraphs (2) and (3) of subsection (a) only if the activities are directly related to improving student academic achievement based on the challenging State academic standards or directly related to improving student reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music, or to improving career, technical, and professional skills.'';

(5) in section 4408—

(A) in subsection (a), by striking ''3'' and inserting ''5'';

(B) by striking subsection (c) and inserting the following:

''(c) AMOUNT.—No grant awarded under this part to a local educational agency, or a consortium of such agencies, shall be for more than $15,000,000 for the grant period described in subsection (a).''; and

(C) in subsection (d), by striking ''July'' and inserting ''June'';

(6) in section 4409—

(A) by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—There are authorized to be appropriated to carry out this part the following amounts:

''(1) $94,000,000 for fiscal year 2017.

''(2) $96,820,000 for fiscal year 2018.

''(3) $102,387,150 for fiscal year 2019.

''(4) $108,530,379 for fiscal year 2020.''.

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

''(b) RESERVATION FOR TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 1 percent of the funds appropriated under subsection (a) for any fiscal year to provide technical assistance and share best practices with respect to magnet school programs assisted under this part.''.

## PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS

**SEC. 4501. FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.**

Title IV (20 U.S.C. 7101 et seq.), as amended by section 4001, is further amended by adding at the end the following:

**''PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS**

**''SEC. 4501. PURPOSES.**

''The purposes of this part are the following:

''(1) To provide financial support to organizations to provide technical assistance and training to State educational agencies and local educational agencies in the implementation and enhancement of systemic and effective family engagement policies, programs, and activities that lead to improvements in student development and academic achievement.

''(2) To assist State educational agencies, local educational agencies, community-based organizations, schools, and educators in strengthening partnerships among parents, teachers, school leaders, administrators, and other school personnel in meeting the educational needs of children and fostering greater parental engagement.

''(3) To support State educational agencies, local educational agencies, schools, educators, and parents in developing and strengthening the relationship between parents and their children's school in order to further the developmental progress of children.

''(4) To coordinate activities funded under this part with parent involvement initiatives funded under section 1116 and other provisions of this Act.

''(5) To assist the Secretary, State educational agencies, and local educational agencies in the coordination and integration of Federal, State, and local services and programs to engage families in education.

**"SEC. 4502. GRANTS AUTHORIZED.**

''(a) STATEWIDE FAMILY ENGAGEMENT CENTERS.—From the amount appropriated under section 4506 and not reserved under subsection (d), the Secretary is authorized to award grants for each fiscal year to statewide organizations (or consortia of such organizations), to establish statewide family engagement centers that—

''(1) carry out parent education, and family engagement in education, programs; or

''(2) provide comprehensive training and technical assistance to State educational agencies, local educational agencies, schools identified by State educational agencies and local educational agencies, organizations that support family-school partnerships, and other organizations that carry out such programs.

''(b) MINIMUM AWARD.—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure that a grant is awarded for a statewide family engagement center in an amount not less than $500,000.

''(c) MATCHING FUNDS FOR GRANT RENEWAL.—Each organization or consortium receiving assistance under this part shall demonstrate that, for each fiscal year after the first fiscal year for which the organization or consortium is receiving such assistance, a portion of the services provided by the organization or consortium is supported through non-Federal contributions, which may be in cash or in-kind.

''(d) TECHNICAL ASSISTANCE.—The Secretary shall reserve not more than 2 percent of the funds appropriated under section 4506 to carry out this part to provide technical assistance, by competitive grant or contract, for the establishment, development, and coordination of statewide family engagement centers.

**"SEC. 4503. APPLICATIONS.**

''(a) SUBMISSIONS.—Each statewide organization, or a consortium of such organizations, that desires a grant under this part shall submit an application to the Secretary at such time and in such manner as the Secretary may require, which shall include the information described in subsection (b).

''(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

''(1) A description of the applicant's approach to family engagement in education.

''(2) A description of how the State educational agency and any partner organization will support the statewide family engagement center that will be operated by the applicant including a description of the State educational agency and any partner organization's commitment of such support.

''(3) A description of the applicant's plan for building a statewide infrastructure for family engagement in education, that includes—

''(A) management and governance;

''(B) statewide leadership; or

''(C) systemic services for family engagement in education.

''(4) A description of the applicant's demonstrated experience in providing training, information, and support to State educational agencies, local educational agencies, schools, educators, parents, and organizations on family engagement in education policies and practices that are effective for parents (including low-income parents) and families, parents of English learners, minorities, students with disabilities, homeless children and youth, children and youth in foster care, and migrant students, including evaluation results, reporting, or other data exhibiting such demonstrated experience.

''(5) A description of the steps the applicant will take to target services to low-income students and parents.

''(6) An assurance that the applicant will—

''(A) establish a special advisory committee, the membership of which includes—

''(i) parents, who shall constitute a majority of the members of the special advisory committee;

''(ii) representatives of education professionals with expertise in improving services for disadvantaged children;

''(iii) representatives of local elementary schools and secondary schools, including students;

''(iv) representatives of the business community; and

''(v) representatives of State educational agencies and local educational agencies;

''(B) use not less than 65 percent of the funds received under this part in each fiscal year to serve local educational agencies, schools, and community-based organizations that serve high concentrations of disadvantaged students, including students who are English learners, minorities, students with disabilities, homeless children and youth, children and youth in foster care, and migrant students;

''(C) operate a statewide family engagement center of sufficient size, scope, and quality to ensure that the center is adequate to serve the State educational agency, local educational agencies, and community-based organizations;

''(D) ensure that the statewide family engagement center will retain staff with the requisite training and experience to serve parents in the State;

''(E) serve urban, suburban, and rural local educational agencies and schools;

''(F) work with—

''(i) other statewide family engagement centers assisted under this part; and

''(ii) parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act (20 U.S.C. 1471; 1472);

''(G) use not less than 30 percent of the funds received under this part for each fiscal year to establish or expand technical assistance for evidence-based parent education programs;

''(H) provide assistance to State educational agencies, local educational agencies, and community-based organizations that support family members in supporting student academic achievement;

''(I) work with State educational agencies, local educational agencies, schools, educators, and parents to determine parental needs and the best means for delivery of services to address such needs;

''(J) conduct sufficient outreach to assist parents, including parents who the applicant may have a difficult time engaging with a school or local educational agency; and

''(K) conduct outreach to low-income students and parents, including low-income students and parents who are not proficient in English.

''(7) An assurance that the applicant will conduct training programs in the community to improve adult literacy, including financial literacy.

''(c) PRIORITY.—In awarding grants for activities described in this part, the Secretary shall give priority to statewide family engagement centers that will use funds under section 4504 for evidence-based activities, which, for the purposes of this part is defined as activities meeting the requirements of section 8101(21)(A)(i).

**"SEC. 4504. USES OF FUNDS.**

''(a) IN GENERAL.—Each statewide organization or consortium receiving a grant under this part shall use the grant funds, based on the needs determined under section 4503(b)(6)(I), to provide training and technical assistance to State educational agencies, local educational agencies, and organizations that support family-school partnerships, and activities, services, and training for local educational agencies, school leaders, educators, and parents—

''(1) to assist parents in participating effectively in their children's education and to help their children meet challenging State academic standards, such as by assisting parents—

''(A) to engage in activities that will improve student academic achievement, including understanding how parents can support learning in the classroom with activities at home and in after school and extracurricular programs;

''(B) to communicate effectively with their children, teachers, school leaders, counselors, administrators, and other school personnel;

''(C) to become active participants in the development, implementation, and review of school-parent compacts, family engagement in education policies, and school planning and improvement;

''(D) to participate in the design and provision of assistance to students who are not making academic progress;

''(E) to participate in State and local decision-making;

''(F) to train other parents; and

''(G) in learning and using technology applied in their children's education;

''(2) to develop and implement, in partnership with the State educational agency, statewide family engagement in education policy and systemic initiatives that will provide for a continuum of services to remove barriers for family engagement in education and support school reform efforts; and

''(3) to develop and implement parental involvement policies under this Act.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a statewide family engagement center from—

''(1) having its employees or agents meet with a parent at a site that is not on school grounds; or

''(2) working with another agency that serves children.

''(c) PARENTAL RIGHTS.—Notwithstanding any other provision of this section—

''(1) no person (including a parent who educates a child at home, a public school parent, or a private school parent) shall be required to participate in any program of parent education or developmental screening under this section; and

''(2) no program or center assisted under this section shall take any action that infringes in any manner on the right of parents to direct the education of their children.

**"SEC. 4505. FAMILY ENGAGEMENT IN INDIAN SCHOOLS.**

''The Secretary of the Interior, in consultation with the Secretary of Education, shall establish, or enter into contracts and cooperative agreements with, local tribes, tribal organizations, or Indian nonprofit parent organizations to establish and operate family engagement centers.

**"SEC. 4506. AUTHORIZATION OF APPROPRIATIONS.**

''There are authorized to be appropriated to carry out this part $10,000,000 for each of fiscal years 2017 through 2020.''.''.

***PART F—NATIONAL ACTIVITIES***

***SEC. 4601. NATIONAL ACTIVITIES.***

*Title IV (20 U.S.C. 7101 et seq.), as amended by the previous provisions of this title, is further amended by adding at the end the following:*

***"PART F—NATIONAL ACTIVITIES***

***"SEC. 4601. AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS.***

''(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part—

''(1) $200,741,000 for each of fiscal years 2017 and 2018; and

''(2) $220,741,000 for each of fiscal years 2019 and 2020.

''(b) RESERVATIONS.—From the amounts appropriated under subsection (a) for a fiscal year, the Secretary shall—

''(1) reserve $5,000,000 to carry out activities authorized under subpart 3; and

''(2) from the amounts remaining after the reservation under paragraph (1)—

''(A) carry out activities authorized under subpart 1 using—

''(i) 36 percent of such remainder for each of fiscal years 2017 and 2018; and

''(ii) 42 percent of such remainder for each of fiscal years 2019 and 2020;

''(B) carry out activities authorized under subpart 2 using—

''(i) 36 percent of such remainder for each of fiscal years 2017 and 2018; and

''(ii) 32 percent of such remainder for each of fiscal years 2019 and 2020; and

''(C) to carry out activities authorized under subpart 4—

''(i) 28 percent of such remainder for each of fiscal years 2017 and 2018; and

''(ii) 26 percent of such remainder for each of fiscal years 2019 and 2020.

**''Subpart 1—Education Innovation and Research**

**''SEC. 4611. GRANTS FOR EDUCATION INNOVATION AND RESEARCH.**

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—From funds reserved under section 4601(b)(2)(A), the Secretary shall make grants to eligible entities to enable the eligible entities to—

''(A) create, develop, implement, replicate, or take to scale entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students; and

''(B) rigorously evaluate such innovations, in accordance with subsection (e).

''(2) DESCRIPTION OF GRANTS.—The grants described in paragraph (1) shall include—

''(A) early-phase grants to fund the development, implementation, and feasibility testing of a program, which prior research suggests has promise, for the purpose of determining whether the program can successfully improve student achievement or attainment for high-need students;

''(B) mid-phase grants to fund implementation and a rigorous evaluation of a program that has been successfully implemented under an early-phase grant described in subparagraph (A) or other effort meeting similar criteria, for the purpose of measuring the program's impact and cost effectiveness, if possible using existing administrative data; and

''(C) expansion grants to fund implementation and a rigorous replication evaluation of a program that has been found to produce sizable, important impacts under a mid-phase grant described in subparagraph (B) or other effort meeting similar criteria, for the purposes of—

''(i) determining whether such impacts can be successfully reproduced and sustained over time; and

''(ii) identifying the conditions in which the program is most effective.

''(b) ELIGIBLE ENTITY.—In this subpart, the term 'eligible entity' means any of the following:

''(1) A local educational agency.

''(2) A State educational agency.

''(3) The Bureau of Indian Education.

''(4) A consortium of State educational agencies or local educational agencies.

''(5) A nonprofit organization.

''(6) A State educational agency, a local educational agency, a consortium described in paragraph (4), or the Bureau of Indian Education, in partnership with—

''(A) a nonprofit organization;

''(B) a business;

''(C) an educational service agency; or

''(D) an institution of higher education.

''(c) RURAL AREAS.—

''(1) IN GENERAL.—In awarding grants under subsection (a), the Secretary shall ensure that not less than 25 percent of the funds made available for any fiscal year are awarded for programs that meet both of the following requirements:

''(A) The grantee is—

''(i) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

''(ii) a consortium of such local educational agencies;

''(iii) an educational service agency or a nonprofit organization in partnership with such a local educational agency; or

''(iv) a grantee described in clause (i) or (ii) in partnership with a State educational agency.

''(B) A majority of the schools to be served by the program are designated with a locale code of 32, 33, 41, 42, or 43, or a combination of such codes, as determined by the Secretary.

''(2) EXCEPTION.—Notwithstanding paragraph (1), the Secretary shall reduce the amount of funds made available under such paragraph if the Secretary does not receive a sufficient number of applications of sufficient quality.

''(d) MATCHING FUNDS.—In order to receive a grant under subsection (a), an eligible entity shall demonstrate that the eligible entity will provide matching funds, in cash or through in-kind contributions, from Federal, State, local, or private sources in an amount equal to 10 percent of the funds provided under such grant, except that the Secretary may waive the matching funds requirement, on a case-by-case basis, upon a showing of exceptional circumstances, such as—

''(1) the difficulty of raising matching funds for a program to serve a rural area;

''(2) the difficulty of raising matching funds in areas with a concentration of local educational agencies or schools with a high percentage of students aged 5 through 17—

''(A) who are in poverty, as counted in the most recent census data approved by the Secretary;

''(B) who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

''(C) whose families receive assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

''(D) who are eligible to receive medical assistance under the Medicaid program; and

''(3) the difficulty of raising funds on tribal land.

''(e) EVALUATION.—Each recipient of a grant under this section shall conduct an independent evaluation of the effectiveness of the program carried out under such grant.

''(f) TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 5 percent of the funds appropriated under section 4601(b)(2)(A) for each fiscal year to—

''(1) provide technical assistance for eligibility entities, which may include pre-application workshops, web-based seminars, and evaluation support; and

''(2) to disseminate best practices.

**''Subpart 2—Community Support for School Success**

**''SEC. 4621. PURPOSES.**

''The purposes of this subpart are to—

''(1) significantly improve the academic and developmental outcomes of children living in the most distressed communities of the United States, including ensuring school readiness, high school graduation, and access to a community-based continuum of high-quality services; and

''(2) provide support for the planning, implementation, and operation of full-service community schools that improve the coordination and integration, accessibility, and effectiveness of services for children and families, particularly for children attending high-poverty schools, including high-poverty rural schools.

**''SEC. 4622. DEFINITIONS.**

''In this subpart:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means the following:

''(A) With respect to a grant for activities described in section 4623(a)(1)(A)—

''(i) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002);

''(ii) an Indian tribe or tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

''(iii) one or more nonprofit entities working in formal partnership with not less than 1 of the following entities:

''(I) A high-need local educational agency.

''(II) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

''(III) The office of a chief elected official of a unit of local government.

''(IV) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''(B) With respect to a grant for activities described in section 4623(a)(1)(B), a consortium of—

''(i)(I) 1 or more local educational agencies; or

''(II) the Bureau of Indian Education; and

''(ii) 1 or more community-based organizations, nonprofit organizations, or other public or private entities.

''(2) FULL-SERVICE COMMUNITY SCHOOL.—The term 'full-service community school' means a public elementary school or secondary school that—

''(A) participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services through community-based organizations and public and private partnerships; and

''(B) provides access to such services in school to students, families, and the community, such as access during the school year (including before- and after-school hours and weekends), as well as during the summer.

''(3) PIPELINE SERVICES.—The term 'pipeline services' means a continuum of coordinated supports, services, and opportunities for children from birth through entry into and success in postsecondary education, and career attainment. Such services shall include, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

''(A) High-quality early childhood education programs.

''(B) High-quality school and out-of-school-time programs and strategies.

''(C) Support for a child's transition to elementary school, from elementary school to middle school, from middle school to high school, and from high school into and through postsecondary education and into the workforce, including any comprehensive readiness assessment determined necessary.

''(D) Family and community engagement and supports, which may include engaging or supporting families at school or at home.

''(E) Activities that support postsecondary and workforce readiness, which may include job training, internship opportunities, and career counseling.

''(F) Community-based support for students who have attended the schools in the area served by the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in postsecondary education and the workforce.

''(G) Social, health, nutrition, and mental health services and supports.

''(H) Juvenile crime prevention and rehabilitation programs.

**''SEC. 4623. PROGRAM AUTHORIZED.**

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary shall use not less than 95 percent of the amounts made avail-

*able under section 4601(b)(2)(B) to award grants, on a competitive basis and subject to subsection (e), to eligible entities for the following activities:*

*''(A) PROMISE NEIGHBORHOODS.—The implementation of a comprehensive, effective continuum of coordinated services that meets the purpose described in section 4621(1) by carrying out activities in neighborhoods with—*

*''(i) high concentrations of low-income individuals;*

*''(ii) multiple signs of distress, which may include high rates of poverty, childhood obesity, academic failure, and juvenile delinquency, adjudication, or incarceration; and*

*''(iii) schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d).*

*''(B) FULL-SERVICE COMMUNITY SCHOOLS.—The provision of assistance to public elementary schools or secondary schools to function as full-service community schools.*

*''(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this subpart shall be of sufficient size and scope to allow the eligible entity to carry out the applicable purposes of this subpart.*

*''(b) DURATION.—A grant awarded under this subpart shall be for a period of not more than 5 years, and may be extended for an additional period of not more than 2 years.*

*''(c) CONTINUED FUNDING.—Continued funding of a grant under this subpart, including a grant extended under subsection (b), after the third year of the initial grant period shall be contingent on the eligible entity's progress toward meeting—*

*''(1) with respect to a grant for activities described in section 4624, the performance metrics described in section 4624(h); and*

*''(2) with respect to a grant for activities described in section 4625, annual performance objectives and outcomes under section 4625(a)(4)(C).*

*''(d) MATCHING REQUIREMENTS.—*

*''(1) PROMISE NEIGHBORHOOD ACTIVITIES.—*

*''(A) MATCHING FUNDS.—Each eligible entity receiving a grant under this subpart for activities described in section 4624 shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.*

*''(B) PRIVATE SOURCES.—The Secretary shall require that a portion of the matching funds come from private sources, which may include in-kind contributions.*

*''(C) ADJUSTMENT.—The Secretary may adjust the matching funds requirement under this paragraph for applicants that demonstrate high need, including applicants from rural areas and applicants that wish to provide services on tribal lands.*

*''(D) FINANCIAL HARDSHIP WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement under this paragraph, including the requirement for funds from private sources, for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.*

*''(2) FULL-SERVICE COMMUNITY SCHOOLS ACTIVITIES.—*

*''(A) IN GENERAL.—Each eligible entity receiving a grant under this subpart for activities described in section 4625 shall provide matching funds from non-Federal sources, which may be provided in part with in-kind contributions.*

*''(B) SPECIAL RULE.—The Bureau of Indian Education may meet the requirement of subparagraph (A) using funds from other Federal sources.*

*''(3) SPECIAL RULES.—*

*''(A) IN GENERAL.—The Secretary may not require any eligible entity receiving a grant under this subpart to provide matching funds in an amount that exceeds the amount of the grant award.*

*''(B) CONSIDERATION.—Notwithstanding this subsection, the Secretary shall not consider the ability of an eligible entity to match funds when determining which applicants will receive grants under this subpart.*

*''(e) RESERVATION FOR RURAL AREAS.—*

*''(1) IN GENERAL.—From the amounts allocated under subsection (a) for grants to eligible entities, the Secretary shall use not less than 15 percent of such amounts to award grants to eligible entities that propose to carry out the activities described in such subsection in rural areas.*

*''(2) EXCEPTION.—The Secretary shall reduce the amount described in paragraph (1) if the Secretary does not receive a sufficient number of applications of sufficient quality.*

*''(f) MINIMUM NUMBER OF GRANTS.—For each fiscal year, the Secretary shall award under this subpart not fewer than 3 grants for activities described in section 4624 and not fewer than 10 grants for activities described in section 4625, subject to the availability of appropriations, the requirements of subsection (a)(2), and the number and quality of applications.*

***"SEC. 4624. PROMISE NEIGHBORHOODS.***

*''(a) APPLICATION REQUIREMENTS.—An eligible entity desiring a grant under this subpart for activities described in this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including, at a minimum, all of the following:*

*''(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity—*

*''(A) by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4); and*

*''(B) that is supported by effective practices.*

*''(2) A description of the neighborhood that the eligible entity will serve.*

*''(3) Measurable annual objectives and outcomes for the grant, in accordance with the metrics described in subsection (h), for each year of the grant.*

*''(4) An analysis of the needs and assets of the neighborhood identified in paragraph (1), including—*

*''(A) the size and scope of the population affected;*

*''(B) a description of the process through which the needs analysis was produced, including a description of how parents, families, and community members were engaged in such analysis;*

*''(C) an analysis of community assets and collaborative efforts (including programs already provided from Federal and non-Federal sources) within, or accessible to, the neighborhood, including, at a minimum, early learning opportunities, family and student supports, local businesses, local educational agencies, and institutions of higher education;*

*''(D) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and*

*''(E) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.*

*''(5) A description of—*

*''(A) all information that the entity used to identify the pipeline services to be provided, which shall not include information that is more than 3 years old; and*

*''(B) how the eligible entity will—*

*''(i) collect data on children served by each pipeline service; and*

*''(ii) increase the percentage of children served over time.*

*''(6) A description of the process used to develop the application, including the involvement of family and community members.*

*''(7) A description of how the pipeline services will facilitate the coordination of the following activities:*

*''(A) Providing early learning opportunities for children, including by—*

*''(i) providing opportunities for families to acquire the skills to promote early learning and child development; and*

*''(ii) ensuring appropriate diagnostic assessments and referrals for children with disabilities and children aged 3 through 9 experiencing developmental delays, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), where applicable.*

*''(B) Supporting, enhancing, operating, or expanding rigorous, comprehensive, effective educational improvements, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for postsecondary education admissions and success.*

*''(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.*

*''(D) Providing social, health, nutrition, and mental health services and supports, for children, family members, and community members, which may include services provided within the school building.*

*''(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to postsecondary education courses and postsecondary education enrollment aid or guidance, and other supports for at-risk youth.*

*''(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children within the neighborhood) to support the purpose described in section 4621(1).*

*''(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including—*

*''(A) involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this subpart for activities described in this section;*

*''(B) the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development;*

*''(C) providing services for students, families, and communities within the school building; and*

*''(D) collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with postsecondary education and workforce readiness,*

*''(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.*

*''(b) PRIORITY.—In awarding grants for activities described in this section, the Secretary shall give priority to eligible entities that will use funds under subsection (d) for evidence-based activities, which, for purposes of this subsection, is defined as activities meeting the requirements of section 8101(21)(A)(i).*

*''(c) MEMORANDUM OF UNDERSTANDING.—As eligible entity shall, as part of the application described in subsection (a), submit a preliminary memorandum of understanding, signed by each partner entity or agency described in section 4622(1)(A)(3) (if applicable) and detailing each partner's financial, programmatic, and long-term commitment with respect to the strategies described in the application.*

*''(d) USES OF FUNDS.—Each eligible entity that receives a grant under this subpart to carry out a program of activities described in this section shall use the grant funds to—*

*''(1) support planning activities to develop and implement pipeline services;*

*''(2) implement the pipeline services; and*

*''(3) continuously evaluate the success of the program and improve the program based on data and outcomes.*

*''(e) SPECIAL RULES.—*

*''(1) FUNDS FOR PIPELINE SERVICES.—Each eligible entity that receives a grant under this sub-*

*part for activities described in this section shall, for the first year of the grant, use not less than 50 percent of the grant funds, and, for the second year of the grant, use not less than 25 percent of the grant funds, to carry out the activities described in subsection (d)(1).*

*''(2) OPERATIONAL FLEXIBILITY.—Each eligible entity that operates a school in a neighborhood served by a grant program under this subpart for activities described in this section shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under subsection (a).*

*''(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds provided under this subpart for activities described in this section that are used to improve early childhood education programs shall not be used to carry out any of the following activities:*

*''(A) Assessments that provide rewards or sanctions for individual children or teachers.*

*''(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.*

*''(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.*

*''(f) REPORT.—Each eligible entity that receives a grant under this subpart for activities described in this section shall prepare and submit an annual report to the Secretary, which shall include—*

*''(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services; and*

*''(2) information relating to the performance metrics described in subsection (h).*

*''(g) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this subpart for activities described in this section shall make publicly available, including through electronic means, the information described in subsection (f). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood served under the grant, and such information shall be a part of statewide longitudinal data systems.*

*''(h) PERFORMANCE INDICATORS.—*

*''(1) IN GENERAL.—The Secretary shall establish performance indicators under paragraph (2) and corresponding metrics to be used for the purpose of reporting under paragraph (3) and program evaluation under subsection (i).*

*''(2) INDICATORS.—The performance indicators established by the Secretary under paragraph (1) shall be indicators of improved academic and developmental outcomes for children, including indicators of school readiness, high school graduation, postsecondary education and career readiness, and other academic and developmental outcomes, to promote—*

*''(A) data-driven decision-making by eligible entities receiving funds under this subpart; and*

*''(B) access to a community-based continuum of high-quality services for children living in the most distressed communities of the United States, beginning at birth.*

*''(3) REPORTING.—Each eligible entity that receives a grant under this subpart for activities described in this section shall annually collect and report to the Secretary data on the performance indicators described in paragraph (2) for use by the Secretary in making a determination concerning continuation funding and grant extension under section 4623(b) for each eligible entity.*

*''(i) EVALUATION.—The Secretary shall reserve not more than 5 percent of the funds made available under section 4601(b)(2)(A) to provide technical assistance and evaluate the implementation and impact of the activities funded under this section, in accordance with section 8601.*

***''SEC. 4625. FULL-SERVICE COMMUNITY SCHOOLS.***

*''(a) APPLICATION.—An eligible entity that desires a grant under this subpart for activities described in this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:*

*''(1) A description of the eligible entity.*

*''(2) A memorandum of understanding among all partner entities in the eligible entity that will assist the eligible entity to coordinate and provide pipeline services and that describes the roles the partner entities will assume.*

*''(3) A description of the capacity of the eligible entity to coordinate and provide pipeline services at 2 or more full-service community schools.*

*''(4) A comprehensive plan that includes descriptions of the following:*

*''(A) The student, family, and school community to be served, including demographic information.*

*''(B) A needs assessment that identifies the academic, physical, nonacademic, health, mental health, and other needs of students, families, and community residents.*

*''(C) Annual measurable performance objectives and outcomes, including an increase in the number and percentage of families and students targeted for services each year of the program, in order to ensure that children are—*

*''(i) prepared for kindergarten;*

*''(ii) achieving academically; and*

*''(iii) safe, healthy, and supported by engaged parents.*

*''(D) Pipeline services, including existing and additional pipeline services, to be coordinated and provided by the eligible entity and its partner entities, including an explanation of—*

*''(i) why such services have been selected;*

*''(ii) how such services will improve student academic achievement; and*

*''(iii) how such services will address the annual measurable performance objectives and outcomes established under subparagraph (C).*

*''(E) Plans to ensure that each full-service community school site has a full-time coordinator of pipeline services at such school, including a description of the applicable funding sources, plans for professional development for the personnel managing, coordinating, or delivering pipeline services, and plans for joint utilization and management of school facilities.*

*''(F) Plans for annual evaluation based upon attainment of the performance objectives and outcomes described in subparagraph (C).*

*''(G) Plans for sustaining the programs and services described in this subsection after the grant period.*

*''(5) An assurance that the eligible entity and its partner entities will focus services on schools eligible for a schoolwide program under section 1114(b).*

*''(b) PRIORITY.—In awarding grants under this subpart for activities described in this section, the Secretary shall give priority to eligible entities that—*

*''(1)(A) will serve a minimum of 2 or more full-service community schools eligible for a schoolwide program under section 1114(b), as part of a community- or district-wide strategy; or*

*''(B) include a local educational agency that satisfies the requirements of—*

*''(i) subparagraph (A), (B), or (C) of section 5211(b)(1); or*

*''(ii) subparagraphs (A) and (B) of section 5221(b)(1);*

*''(2) are consortiums comprised of a broad representation of stakeholders or consortiums demonstrating a history of effectiveness; and*

*''(3) will use funds for evidence-based activities described in subsection (e), defined for purposes of this paragraph as activities meeting the requirements of section 8101(21)(A)(i).*

*''(c) PLANNING.—The Secretary may authorize an eligible entity receiving a grant under this subpart for activities described in this section to use not more than 10 percent of the total amount of grant funds for planning purposes during the first year of the grant.*

*''(d) MINIMUM AMOUNT.—The Secretary may not award a grant under this subpart for activities described in this section to an eligible entity in an amount that is less than $75,000 for each year of the grant period, subject to the availability of appropriations.*

*''(e) USE OF FUNDS.—Grants awarded under this subpart for activities described in this section shall be used to—*

*''(1) coordinate not less than 3 existing pipeline services, as of the date of the grant award, and provide not less than 2 additional pipeline services, at 2 or more public elementary schools or secondary schools;*

*''(2) to the extent practicable, integrate multiple pipeline services into a comprehensive, coordinated continuum to achieve the annual measurable performance objectives and outcomes under subsection (a)(4)(C) to meet the holistic needs of children; and*

*''(3) if applicable, coordinate and integrate services provided by community-based organizations and government agencies with services provided by specialized instructional support personnel.*

*''(f) EVALUATIONS BY THE INSTITUTE OF EDUCATION SCIENCES.—The Secretary, acting through the Director of the Institute of Education Sciences, shall conduct evaluations of the effectiveness of grants under this subpart for activities described in this section in achieving the purpose described in section 4621(2).*

*''(g) EVALUATIONS BY GRANTEES.—The Secretary shall require each eligible entity receiving a grant under this subpart for activities described in this section to—*

*''(1) conduct annual evaluations of the progress achieved with the grant toward the purpose described in section 4621(2);*

*''(2) use such evaluations to refine and improve activities carried out through the grant and the annual measurable performance objectives and outcomes under subsection (a)(4)(C); and*

*''(3) make the results of such evaluations publicly available, including by providing public notice of such availability.*

*''(h) CONSTRUCTION CLAUSE.—Nothing in this section shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.*

*''(i) SUPPLEMENT, NOT SUPPLANT.—Funds made available to an eligible entity through a grant under this subpart for activities described in this section may be used only to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this section.*

***''Subpart 3—National Activities for School Safety***

***''SEC. 4631. NATIONAL ACTIVITIES FOR SCHOOL SAFETY.***

*''(a) PROGRAM AUTHORIZED.—*

*''(1) IN GENERAL.—From the funds reserved under section 4601(b)(1), the Secretary—*

*''(A) shall use a portion of such funds for the Project School Emergency Response to Violence program (in this section referred to as 'Project SERV'), in order to provide education-related services to eligible entities; and*

*''(B) may use a portion of such funds to carry out other activities to improve students' safety and well-being, during and after the school day, under this section directly or through grants, contracts, or cooperative agreements with public or private entities or individuals, or other Federal agencies, such as providing technical assistance to States and local educational agencies*

*carrying out activities under this section or conducting a national evaluation.*

*''(2) AVAILABILITY.—Amounts reserved under section 4601(b)(1) for Project SERV are authorized to remain available until expended for Project SERV.*

*''(b) PROJECT SERV.—*

*''(1) ADDITIONAL USE OF FUNDS.—Funds made available under subsection (a) for extended services grants under Project SERV may be used by an eligible entity to initiate or strengthen violence prevention activities as part of the activities designed to restore the learning environment that was disrupted by the violent or traumatic crisis in response to which the grant was awarded.*

*''(2) APPLICATION PROCESS.—*

*''(A) IN GENERAL.—An eligible entity desiring to use a portion of extended services grant funds under Project SERV to initiate or strengthen a violence prevention activity shall—*

*''(i) submit, in an application that meets all requirements of the Secretary for Project SERV, the information described in subparagraph (B); or*

*''(ii) in the case of an eligible entity that has already received an extended services grant under Project SERV, submit an addition to the original application that includes the information described in subparagraph (B).*

*''(B) APPLICATION REQUIREMENTS.—An application, or addition to an application, for an extended services grant pursuant to subparagraph (A) shall include the following:*

*''(i) A demonstration of the need for funds due to a continued disruption or a substantial risk of disruption to the learning environment.*

*''(ii) An explanation of the proposed activities that are designed to restore and preserve the learning environment.*

*''(iii) A budget and budget narrative for the proposed activities.*

*''(3) AWARD BASIS.—Any award of funds under Project SERV for violence prevention activities under this section shall be subject to the discretion of the Secretary and the availability of funds.*

*''(4) PROHIBITED USE.—No funds provided to an eligible entity for violence prevention activities may be used for construction, renovation, or repair of a facility or for the permanent infrastructure of the eligible entity.*

*''(c) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—*

*''(1) a local educational agency, as defined in subparagraph (A), (B), or (C) of section 8101(30), or institution of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis; or*

*''(2) the Bureau of Indian Education in a case where the learning environment of a school operated or funded by the Bureau, including a school meeting the definition of a local educational agency under section 8101(30)(C), has been disrupted due to a violent or traumatic crisis.*

***''Subpart 4—Academic Enrichment***

***''SEC. 4641. AWARDS FOR ACADEMIC ENRICHMENT.***

*''(a) PROGRAM AUTHORIZED.—From funds reserved under section 4601(b)(2)(C), the Secretary shall award grants, contracts, or cooperative agreements, on a competitive basis, to eligible entities for the purposes of enriching the academic experience of students by promoting—*

*''(1) arts education for disadvantaged students and students who are children with disabilities, as described in section 4642;*

*''(2) school readiness through the development and dissemination of accessible instructional programming for preschool and elementary school children and their families, as described in section 4643; and*

*''(3) support for high-ability learners and high-ability learning, as described in section 4644.*

*''(b) ANNUAL AWARDS.—The Secretary shall annually make awards to fulfill each of the purposes described in paragraphs (1) through (3) of subsection (a).*

***''SEC. 4642. ASSISTANCE FOR ARTS EDUCATION.***

*''(a) AWARDS TO PROVIDE ASSISTANCE FOR ARTS EDUCATION.—*

*''(1) IN GENERAL.—Awards made to eligible entities to fulfill the purpose described in section 4641(a)(1), shall be used for a program (to be known as the 'Assistance for Arts Education program') to promote arts education for students, including disadvantaged students and students who are children with disabilities, through activities such as—*

*''(A) professional development for arts educators, teachers, and principals;*

*''(B) development and dissemination of accessible instructional materials and arts-based educational programming, including online resources, in multiple arts disciplines; and*

*''(C) community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or centers for the arts, including national centers for the arts.*

*''(b) CONDITIONS.—As conditions of receiving assistance made available under this section, the Secretary shall require each eligible entity receiving such assistance—*

*''(1) to coordinate, to the extent practicable, each project or program carried out with such assistance with appropriate activities of public or private cultural agencies, institutions, and organizations, including museums, arts education associations, libraries, and theaters; and*

*''(2) to use such assistance only to supplement, and not to supplant, any other assistance or funds made available from non-Federal sources for the activities assisted under this subpart.*

*''(c) CONSULTATION.—In carrying out this section, the Secretary shall consult with Federal agencies or institutions, arts educators (including professional arts education associations), and organizations representing the arts (including State and local arts agencies involved in arts education).*

*''(d) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that are eligible national nonprofit organizations.*

*''(e) DEFINITIONS.—In this section:*

*''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—*

*''(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;*

*''(B) a consortium of such local educational agencies;*

*''(C) a State educational agency;*

*''(D) an institution of higher education;*

*''(E) a museum or cultural institution;*

*''(F) the Bureau of Indian Education;*

*''(G) an eligible national nonprofit organization; or*

*''(H) another private agency, institution, or organization.*

*''(2) ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.—The term 'eligible national nonprofit organization' means an organization of national scope that—*

*''(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and*

*''(B) demonstrates effectiveness or high-quality plans for addressing arts education activities for disadvantaged students or students who are children with disabilities.*

***''SEC. 4643. READY TO LEARN PROGRAMMING.***

*''(a) AWARDS TO PROMOTE SCHOOL READINESS THROUGH READY TO LEARN PROGRAMMING.—*

*''(1) IN GENERAL.—Awards made to eligible entities described in paragraph (3) to fulfill the purpose described in section 4641(a)(2) shall—*

*''(A) be known as 'Ready to Learn Programming awards'; and*

*''(B) be used to—*

*''(i) develop, produce, and distribute accessible educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;*

*''(ii) facilitate the development, directly or through contracts with producers of children's and family educational television programming, of educational programming for preschool and elementary school children, and the accompanying support materials and services that promote the effective use of such programming;*

*''(iii) facilitate the development of programming and digital content containing Ready-to-Learn programming and resources for parents and caregivers that is specially designed for nationwide distribution over public television stations' digital broadcasting channels and the Internet;*

*''(iv) contract with entities (such as public telecommunications entities) so that programming developed under this section is disseminated and distributed to the widest possible audience appropriate to be served by the programming, and through the use of the most appropriate distribution technologies; and*

*''(v) develop and disseminate education and training materials, including interactive programs and programs adaptable to distance learning technologies, that are designed—*

*''(I) to promote school readiness; and*

*''(II) to promote the effective use of materials developed under clauses (ii) and (iii) among parents, family members, teachers, principals and other school leaders, Head Start providers, providers of family literacy services, child care providers, early childhood educators, elementary school teachers, public libraries, and afterschool program personnel caring for preschool and elementary school children.*

*''(2) AVAILABILITY.—In awarding or entering into grants, contracts, or cooperative agreements under this section, the Secretary shall ensure that eligible entities described in paragraph (3) make programming widely available, with support materials as appropriate, to young children, parents, child care workers, Head Start providers, and providers of family literacy services to increase the effective use of such programming.*

*''(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall be a public telecommunications entity that is able to demonstrate each of the following:*

*''(A) A capacity for the development and national distribution of educational and instructional television programming of high quality that is accessible by a large majority of disadvantaged preschool and elementary school children.*

*''(B) A capacity to contract with the producers of children's television programming for the purpose of developing educational television programming of high quality.*

*''(C) A capacity, consistent with the entity's mission and nonprofit nature, to negotiate such contracts in a manner that returns to the entity an appropriate share of any ancillary income from sales of any program-related products.*

*''(D) A capacity to localize programming and materials to meet specific State and local needs and to provide educational outreach at the local level.*

*''(4) COORDINATION OF ACTIVITIES.—An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—*

*''(A) to maximize the use of high-quality educational programming by preschool and elementary school children, and make such programming widely available to Federally funded programs serving such populations; and*

*''(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), re-*

*garding the availability and utilization of materials developed under paragraph (1)(B)(v) to enhance parent and child care provider skills in early childhood development and education.*

*''(b) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require. The application shall include—*

*''(1) a description of the activities to be carried out under this section;*

*''(2) a list of the types of entities with which such entity will enter into contracts under subsection (a)(1)(B)(iv);*

*''(3) a description of the activities the entity will undertake widely to disseminate the content developed under this section; and*

*''(4) a description of how the entity will comply with subsection (a)(2).*

*''(c) REPORTS AND EVALUATIONS.—*

*''(1) ANNUAL REPORT TO SECRETARY.—An entity receiving a grant, contract, or cooperative agreement under this section shall prepare and submit to the Secretary an annual report. The report shall describe the program activities undertaken with funds received under the grant, contract, or cooperative agreement, including each of the following:*

*''(A) The programming that has been developed, directly or indirectly, by the eligible entity, and the target population of the programming.*

*''(B) The support and training materials that have been developed to accompany the programming, and the method by which the materials are distributed to consumers and users of the programming.*

*''(C) The means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available, and the geographic distribution achieved through such technologies.*

*''(D) The initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development, distribution, and broadcast of educational and instructional programming.*

*''(2) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biannual report that includes the following:*

*''(A) A summary of the activities assisted under subsection (a).*

*''(B) A description of the education and training materials made available under subsection (a)(1)(B)(v), the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed in accordance with such subsection.*

*''(d) ADMINISTRATIVE COSTS.—An entity that receives a grant, contract, or cooperative agreement under this section may use up to 5 percent of the amount received under the grant, contract, or agreement for the normal and customary expenses of administering the grant, contract, or agreement.*

*''(e) FUNDING RULE.—Not less than 60 percent of the amount used by the Secretary to carry out this section for each fiscal year shall be used to carry out activities under clauses (ii) through (iv) of subsection (a)(1)(B).*

***"SEC. 4644. SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING.***

*''(a) PURPOSE.—The purpose of this section is to promote and initiate a coordinated program, to be known as the 'Jacob K. Javits Gifted and Talented Students Education Program', of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to identify gifted and talented students and meet their special educational needs.*

*''(b) PROGRAM AUTHORIZED.—*

*''(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall make awards to, or enter into contracts with, State educational agencies, local educational agencies, the Bureau of Indian Education, institutions of higher education, other public agencies, and other private agencies and organizations to assist such agencies, institutions, or organizations, or the Bureau, in carrying out programs or projects to fulfill the purpose described in section 4641(a)(3), including the training of personnel in the identification and education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.*

*''(2) APPLICATION.—Each entity seeking assistance under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Each application shall describe how—*

*''(A) the proposed identification methods, as well as gifted and talented services, materials, and methods, can be adapted, if appropriate, for use by all students; and*

*''(B) the proposed programs can be evaluated.*

*''(c) USES OF FUNDS.—Programs and projects assisted under this section may include any of the following:*

*''(1) Conducting evidence-based research on methods and techniques for identifying and teaching gifted and talented students and for using gifted and talented programs and methods to identify and provide the opportunity for all students to be served, particularly low-income and at-risk students.*

*''(2) Establishing and operating programs and projects for identifying and serving gifted and talented students, including innovative methods and strategies (such as summer programs, mentoring programs, peer tutoring programs, service learning programs, and cooperative learning programs involving business, industry and education) for identifying and educating students who may not be served by traditional gifted and talented programs.*

*''(3) Providing technical assistance and disseminating information, which may include how gifted and talented programs and methods may be adapted for use by all students, particularly low-income and at-risk students.*

*''(d) CENTER FOR RESEARCH AND DEVELOPMENT.—*

*''(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Research Center for the Education of Gifted and Talented Children and Youth through grants to, or contracts with, one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in subsection (c).*

*''(2) DIRECTOR.—The National Center shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with institutions of higher education, State educational agencies, local educational agencies, or other public or private agencies and organizations.*

*''(e) COORDINATION.—Evidence-based activities supported under this section—*

*''(1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and*

*''(2) may include collaborative evidence-based activities that are jointly funded and carried out with such Institute.*

*''(f) GENERAL PRIORITY.—In carrying out this section, the Secretary shall give highest priority to programs and projects designed to—*

*''(1) develop new information that—*

*''(A) improves the capability of schools to plan, conduct, and improve programs to identify and serve gifted and talented students; or*

*''(B) assists schools in the identification of, and provision of services to, gifted and talented students (including economically disadvantaged individuals, individuals who are English learners, and children with disabilities) who may not be identified and served through traditional assessment methods; or*

*''(2) implement evidence-based activities, defined in this paragraph as activities meeting the requirements of section 8101(21)(A)(i).*

*''(g) PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.—In making grants and entering into contracts under this section, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary schools and secondary schools, including the participation of teachers and other personnel in professional development programs serving such students.*

*''(h) REVIEW, DISSEMINATION, AND EVALUATION.—The Secretary shall—*

*''(1) use a peer-review process in reviewing applications under this section;*

*''(2) ensure that information on the activities and results of programs and projects funded under this section is disseminated to appropriate State educational agencies, local educational agencies, and other appropriate organizations, including private nonprofit organizations; and*

*''(3) evaluate the effectiveness of programs under this section in accordance with section 8601, in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than 2 years after the date of enactment of the Every Student Succeeds Act.*

*''(i) PROGRAM OPERATIONS.—The Secretary shall ensure that the programs under this section are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—*

*''(1) administer and coordinate the programs authorized under this section;*

*''(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs;*

*''(3) assist the Director of the Institute of Education Sciences in identifying research priorities that reflect the needs of gifted and talented students; and*

*''(4) disseminate, and consult on, the information developed under this section with other offices within the Department.''.*

***TITLE V—STATE INNOVATION AND LOCAL FLEXIBILITY***

***SEC. 5001. GENERAL PROVISIONS.***

*(a) TITLE VI REDESIGNATIONS.—Title VI (20 U.S.C. 7301 et seq.) is redesignated as title V and further amended—*

*(1) by redesignating sections 6121 through 6123 as sections 5101 through 5103, respectively;*

*(2) by redesignating sections 6201 and 6202 as sections 5201 and 5202, respectively;*

*(3) by redesignating sections 6211 through 6213 as sections 5211 through 5213, respectively;*

*(4) by redesignating sections 6221 through 6224 as sections 5221 through 5224, respectively; and*

*(5) by redesignating sections 6231 through 6234 as sections 5231 through 5234, respectively.*

*(b) STRUCTURAL AND CONFORMING AMENDMENTS.—Title V (as redesignated by subsection (a) of this section) is further amended—*

*(1) in part A, by striking subparts 1, 3, and 4;*

*(2) by striking ''section 6212'' each place it appears and inserting ''section 5212'';*

*(3) by striking ''section 6223'' each place it appears and inserting ''section 5223''; and*

*(4) by striking ''section 6234'' each place it appears and inserting ''section 5234''.*

***SEC. 5002. FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES.***

*Part A of title V, as redesignated and amended by section 5001 of this Act, is further amended—*

*(1) in the part heading, by striking ''**IMPROVING ACADEMIC ACHIEVEMENT**'' and inserting ''**FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES**'';*

*(2) by striking ''**SUBPART 2—FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES**'';*

*(3) by striking ''subpart'' each place it appears and inserting ''part'';*

*(4) by amending section 5102 to read as follows:*

***''SEC. 5102. PURPOSE.***

*''The purpose of this part is to allow States and local educational agencies the flexibility to target Federal funds to the programs and activities that most effectively address the unique needs of States and localities.'';*

*(5) in section 5103—*

*(A) in subsection (a)—*

*(i) in paragraph (1)—*

*(I) in the matter preceding subparagraph (A), by striking ''not more than 50 percent of the nonadministrative State funds'' and inserting ''all, or any lesser amount, of State funds''; and*

*(II) by striking subparagraphs (A) through (D) and inserting the following:*

*''(A) Part A of title II.*

*''(B) Part A of title IV.*

*''(C) Section 4202(c)(3).''; and*

*(ii) by striking paragraph (2) and inserting the following;*

*''(2) ADDITIONAL FUNDS.—In accordance with this part, a State may transfer any funds allotted to the State under a provision listed in paragraph (1) for a fiscal year to its allotment under any other of the following provisions:*

*''(A) Part A of title I.*

*''(B) Part C of title I.*

*''(C) Part D of title I.*

*''(D) Part A of title III.*

*''(E) Part B.''.*

*(B) in subsection (b)—*

*(i) in paragraph (1)—*

*(I) in subparagraph (A), by striking ''(except'' and all that follows through ''subparagraph (C))'' and inserting ''may transfer all, or any lesser amount, of the funds allocated to it'';*

*(II) by striking subparagraphs (B) and (C) and inserting:*

*''(B) ADDITIONAL FUNDS.—In accordance with this part, a local educational agency may transfer any funds allotted to such agency under a provision listed in paragraph (2) for a fiscal year to its allotment under any other of the following provisions:*

*''(i) Part A of title I.*

*''(ii) Part C of title I.*

*''(iii) Part D of title I.*

*''(iv) Part A of title III.*

*''(v) Part B.'';*

*(ii) in paragraph (2)—*

*(I) in the matter preceding subparagraph (A), by striking ''subparagraph (A), (B), or (C)'' and inserting ''subparagraph (A) or (B)''; and*

*(II) by striking subparagraphs (A) through (D) and inserting the following:*

*''(A) Part A of title II.*

*''(B) Part A of title IV.'';*

*(C) by striking subsection (c) and inserting the following:*

*''(c) NO TRANSFER OF CERTAIN FUNDING.—A State or local educational agency may not transfer under this part to any other program any funds allotted or allocated to it for the following provisions:*

*''(1) Part A of title I.*

*''(2) Part C of title I.*

*''(3) Part D of title I.*

*''(4) Part A of title III.*

*''(5) Part B.''; and*

*(D) in subsection (e)(2), by striking ''section 9501'' and inserting ''section 8501''.*

***SEC. 5003. RURAL EDUCATION INITIATIVE.***

*Part B of title V, as redesignated and amended by section 5001 of this Act, is further amended—*

*(1) in section 5211—*

*(A) in subsection (a)(1), by striking subparagraphs (A) through (E) and inserting the following:*

*''(A) Part A of title I.*

*''(B) Part A of title II.*

*''(C) Title III.*

*''(D) Part A or B of title IV.'';*

*(B) in subsection (b)(1)—*

*(i) in subparagraph (A)(ii)—*

*(I) by striking ''school'' before ''locale code''; and*

*(II) by striking ''7 or 8, as determined by the Secretary; or'' and inserting ''41, 42, or 43, as determined by the Secretary;'';*

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

*(iii) by adding at the end the following:*

*''(C) the local educational agency is a member of an educational service agency that does not receive funds under this subpart and the local educational agency meets the requirements of this part.''; and*

*(C) in subsection (c), by striking paragraphs (1) through (3) and inserting the following:*

*''(1) Part A of title II.*

*''(2) Part A of title IV.'';*

*(2) in section 5212—*

*(A) in subsection (a), by striking paragraphs (1) through (5) and inserting the following:*

*''(1) Part A of title I.*

*''(2) Part A of title II.*

*''(3) Title III.*

*''(4) Part A or B of title IV.'';*

*(B) in subsection (b)—*

*(i) by striking paragraph (1) and inserting the following:*

*''(1) ALLOCATION.—*

*''(A) IN GENERAL.—Except as provided in paragraphs (3) and (4), the Secretary shall award a grant under subsection (a) to a local educational agency eligible under section 5211(b) for a fiscal year in an amount equal to the initial amount determined under paragraph (2) for the fiscal year minus the total amount received by the agency under the provisions of law described in section 5211(c) for the preceding fiscal year.*

*''(B) SPECIAL DETERMINATION.—For a local educational agency that is eligible under section 5211(b)(1)(C) and is a member of an educational service agency, the Secretary may determine the award amount by subtracting from the initial amount determined under paragraph (2), an amount that is equal to that local educational agency's per-pupil share of the total amount received by the educational service agency under the provisions described in section 5211(c), as long as a determination under this subparagraph would not disproportionately affect any State.'';*

*(ii) by striking paragraph (2) and inserting the following:*

*''(2) DETERMINATION OF INITIAL AMOUNT.—*

*''(A) IN GENERAL.—The initial amount referred to in paragraph (1) is equal to $100 multiplied by the total number of students in excess of 50 students, in average daily attendance at the schools served by the local educational agency, plus $20,000, except that the initial amount may not exceed $60,000.*

*''(B) SPECIAL RULE.—For any fiscal year for which the amount made available to carry out this part is $265,000,000 or more, subparagraph (A) shall be applied—*

*''(i) by substituting '$25,000' for '$20,000'; and*

*''(ii) by substituting '$80,000' for '$60,000'.''; and*

*(iii) by adding at the end the following:*

*''(4) HOLD HARMLESS.—For a local educational agency that is not eligible under this subpart due to amendments made by the Every Student Succeeds Act to section 5211(b)(1)(A)(ii) but met the eligibility requirements under section 6211(b) as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act, the agency shall receive—*

*''(A) for fiscal year 2017, 75 percent of the amount such agency received for fiscal year 2015;*

*''(B) for fiscal year 2018, 50 percent of the amount such agency received for fiscal year 2015; and*

*''(C) for fiscal year 2019, 25 percent of the amount such agency received for fiscal year 2015.''; and*

*(C) by striking subsection (d);*

*(3) by striking section 5213;*

*(4) in section 5221—*

*(A) in subsection (a), by striking ''section 6222(a)'' and inserting ''section 5222(a)'';*

*(B) in subsection (b)—*

*(i) in paragraph (1)—*

*(I) by striking ''(A) 20 percent'' and inserting ''(A)(i) 20 percent'';*

*(II) by redesignating subparagraph (B) as clause (ii);*

*(III) in clause (ii) (as redesignated by subclause (II))—*

*(aa) by striking ''school'' before ''locale code'';*

*(bb) by striking ''6, 7, or 8'' and inserting ''32, 33, 41, 42, or 43''; and*

*(cc) by striking the period at the end and inserting ''; or''; and*

*(IV) by adding at the end the following:*

*''(B) the agency meets the criteria established in clause (i) of subparagraph (A) and the Secretary, in accordance with paragraph (2), grants the local educational agency's request to waive the criteria described in clause (ii) of such subparagraph.'';*

*(ii) by redesignating paragraph (2) as paragraph (3); and*

*(iii) by inserting after paragraph (1) the following:*

*''(2) CERTIFICATION.—The Secretary shall determine whether to waive the criteria described in paragraph (1)(A)(ii) based on a demonstration by the local educational agency, and concurrence by the State educational agency, that the local educational agency is located in an area defined as rural by a governmental agency of the State.'';*

*(C) in subsection (c)(1) by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';*

*(5) in section 5222(a), by striking paragraphs (1) through (7) and inserting the following:*

*''(1) Activities authorized under part A of title I.*

*''(2) Activities authorized under part A of title II.*

*''(3) Activities authorized under title III.*

*''(4) Activities authorized under part A of title IV.*

*''(5) Parental involvement activities.'';*

*(6) in section 5223—*

*(A) in subsection (a), by striking ''at such time, in such manner, and accompanied by such information'' and inserting ''at such time and in such manner''; and*

*(B) by striking subsection (b) and inserting the following:*

*''(b) CONTENTS.—Each application submitted under subsection (a) shall include information on—*

*''(1) program objectives and outcomes for activities under this subpart, including how the State educational agency or specially qualified agency will use funds to help all students meet the challenging State academic standards;*

*''(2) if the State educational agency will competitively award grants to eligible local educational agencies, as described in section 5221(b)(3)(A), the application under the section shall include—*

*''(A) the methods and criteria the State educational agency will use to review applications and award funds to local educational agencies on a competitive basis; and*

*''(B) how the State educational agency will notify eligible local educational agencies of the grant competition; and*

''(3) a description of how the State educational agency will provide technical assistance to eligible local educational agencies to help such agencies implement the activities described in section 5222.'';

(7) in section 5224—

(A) by striking the section heading and all that follows through ''Each'' and inserting the following: ''**REPORT**.—Each'';

(B) by striking subsections (b) through (e);

(C) in the matter preceding paragraph (1), by inserting ''or specially qualified agency'' after ''Each State educational agency'';

(D) by striking paragraph (1) and inserting the following:

''(1) if the report is submitted by a State educational agency, the method the State educational agency used to award grants to eligible local educational agencies, and to provide assistance to schools, under this subpart;''; and

(E) by striking paragraph (3) and inserting the following:

''(3) the degree to which progress has been made toward meeting the objectives and outcomes described in the application submitted under section 5223, including having all students in the State or the area served by the specially qualified agency, as applicable, meet the challenging State academic standards.'';

(8) by inserting after section 5224 the following:

**''SEC. 5225. CHOICE OF PARTICIPATION.**

''(a) IN GENERAL.—If a local educational agency is eligible for funding under both this subpart and subpart 1, such local educational agency may receive funds under either this subpart or subpart 1 for a fiscal year, but may not receive funds under both subparts for such fiscal year.

''(b) NOTIFICATION.—A local educational agency eligible for funding under both this subpart and subpart 1 shall notify the Secretary and the State educational agency under which of such subparts the local educational agency intends to receive funds for a fiscal year by a date that is established by the Secretary for the notification.''; and

(9) in section 5234, by striking ''$300,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years,'' and inserting ''$169,840,000 for each of the fiscal years 2017 through 2020,''.

**SEC. 5004. GENERAL PROVISIONS.**

Part C of title V, as redesignated by section 5001 of this Act, is amended to read as follows:

**''PART C—GENERAL PROVISIONS**

**''SEC. 5301. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.**

''Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's specific instructional content, academic standards and assessments, curriculum, or program of instruction, as a condition of eligibility to receive funds under this Act.

**''SEC. 5302. RULE OF CONSTRUCTION ON EQUALIZED SPENDING.**

''Nothing in this title shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.''.

**SEC. 5005. REVIEW RELATING TO RURAL LOCAL EDUCATIONAL AGENCIES.**

(a) REVIEW AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Education shall—

(1) review the organization, structure, and process and procedures of the Department of Education for administering its programs and developing policy and regulations, in order to—

(A) assess the methods and manner through which, and the extent to which, the Department of Education takes into account, considers input from, and addresses the unique needs and characteristics of rural schools and rural local educational agencies; and

(B) determine actions that the Department of Education can take to meaningfully increase the consideration and participation of rural schools and rural local educational agencies in the development and execution of the processes, procedures, policies, and regulations of the Department of Education;

(2) make public a preliminary report containing the information described in paragraph (1) and provide Congress and the public with 60 days to comment on the proposed actions described in paragraph (1)(B); and

(3) issue a final report to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives, which shall describe the final actions developed pursuant to paragraph (1)(B) after taking into account the comments submitted under paragraph (2).

(b) IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act, the Secretary of Education shall—

(1) carry out each action described in the report under subsection (a)(3); or

(2) in a case in which an action is not carried out, provide a written explanation to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives of why the action was not carried out.

**TITLE VI—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION**

**SEC. 6001. CONFORMING AMENDMENTS.**

(a) REDESIGNATION OF TITLE.—Title VII (20 U.S.C. 7401 et seq.) is redesignated as title VI.

(b) REDESIGNATIONS AND CONFORMING AMENDMENTS.—The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by redesignating sections 7101, 7102, 7111, 7112, 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7121, 7122, 7131, 7132, 7133, 7134, 7135, 7136, 7141, 7142, 7143, 7144, 7151, 7152, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7301, 7302, 7303, 7304, 7305, and 7306, as sections 6101, 6102, 6111, 6112, 6113, 6114, 6115, 6116, 6117, 6118, 6119, 6121, 6122, 6131, 6132, 6133, 6134, 6135, 6136, 6141, 6142, 6143, 6144, 6151, 6152, 6201, 6202, 6203, 6204, 6205, 6206, 6207, 6301, 6302, 6303, 6304, 6305, and 6306, respectively;

(2) in section 6112 (as so redesignated), in subsection (b)(1), by striking ''section 7117'' and inserting ''section 6117'';

(3) in section 6113 (as so redesignated)—

(A) in subsection (a)(1)(A), is amended by striking ''section 7117'' and inserting ''section 6117'';

(B) in subsection (b)(1), by striking ''section 7112'' and inserting ''section 6112'';

(C) in subsection (d)(2)—

(i) by striking ''section 7114'' the first place it appears and inserting ''section 6114''; and

(ii) by striking ''section 7114(c)(4), section 7118(c), or section 7119'' and inserting ''section 6114(c)(4), section 6118(c), or section 6119''; and

(D) in subsection (e), by striking ''section 7152(a)'' and inserting ''6152(a)'';

(4) in section 6114 (as so redesignated)—

(A) in subsection (b)(4), by striking ''section 7115'' and inserting ''section 6115''; and

(B) in subsection (c)(4)(D), by striking ''section 7115(c)'' and inserting ''section 6115(c)'';

(5) in section 6115 (as so redesignated)—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking ''section 7111'' and inserting ''section 6111''; and

(ii) in paragraph (1), by striking ''section 7114(a)'' and inserting ''section 6114(a)''; and

(B) in subsection (c)—

(i) in paragraph (1), by striking ''section 7114(c)(4)'' and inserting ''section 6114(c)(4)''; and

(ii) in paragraph (2), by striking ''section 7111'' and inserting ''section 6111'';

(6) in section 6116 (as so redesignated), in subsection (d)(9), by striking ''section 7114(c)(4)'' and inserting ''section 6114(c)(4)'';

(7) in section 6117 (as so redesignated)—

(A) in subsection (b)(1)(A)(i), by striking ''section 7151'' and inserting ''section 6151'';

(B) in subsection (c), by striking ''section 7151'' and inserting ''section 6151'';

(C) in subsection (f)(3), by striking ''section 7113'' and inserting ''section 6113''; and

(D) in subsection (h)(1), by striking ''section 7114'' and inserting ''section 6114'';

(8) in section 6118 (as so redesignated), in subsection (a), by striking ''section 7113'' and inserting ''section 6113'';

(9) in section 6119 (as so redesignated), by striking ''section 7114'' and inserting ''section 6114''; and

(10) in section 6205 (as so redesignated), in subsection (c)—

(A) in paragraph (1), by striking ''section 7204'' and inserting ''section 6204''; and

(B) in paragraph (2), by striking ''section 7204'' and inserting ''section 6204''.

**SEC. 6002. INDIAN EDUCATION.**

(a) STATEMENT OF POLICY.—Section 6101 (20 U.S.C. 7401) (as redesignated by section 6001) is amended by adding at the end the following: ''It is further the policy of the United States to ensure that Indian children do not attend school in buildings that are dilapidated or deteriorating, which may negatively affect the academic success of such children.''.

(b) PURPOSE.—Section 6102 (20 U.S.C. 7402) (as redesignated by section 6001) is amended to read as follows:

**''SEC. 6102. PURPOSE.**

''It is the purpose of this part to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities—

''(1) to meet the unique educational and culturally related academic needs of Indian students, so that such students can meet the challenging State academic standards;

''(2) to ensure that Indian students gain knowledge and understanding of Native communities, languages, tribal histories, traditions, and cultures; and

''(3) to ensure that teachers, principals, other school leaders, and other staff who serve Indian students have the ability to provide culturally appropriate and effective instruction and supports to such students.''.

(c) PURPOSE.—Section 6111 (20 U.S.C. 7421) (as redesignated by section 6001) is amended to read as follows:

**''SEC. 6111. PURPOSE.**

''It is the purpose of this subpart to support the efforts of local educational agencies, Indian tribes and organizations, and other entities in developing elementary school and secondary school programs for Indian students that are designed to—

''(1) meet the unique cultural, language, and educational needs of such students; and

''(2) ensure that all students meet the challenging State academic standards.''.

(d) GRANTS TO LOCAL EDUCATIONAL AGENCIES AND TRIBES.—Section 6112 (20 U.S.C. 7422) (as redesignated by section 6001) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary may make grants, from allocations made under section 6113, and in accordance with this section and section 6113, to—

''(1) local educational agencies;

''(2) Indian tribes, as provided under subsection (c)(1);

''(3) Indian organizations, as provided under subsection (c)(1);

''(4) consortia of 2 or more local educational agencies, Indian tribes, Indian organizations, or Indian community-based organizations, if each local educational agency participating in such a consortium, if applicable—

''(A) provides an assurance that the eligible Indian children served by such local educational agency will receive the services of the programs funded under this subpart; and

''(B) is subject to all the requirements, assurances, and obligations applicable to local educational agencies under this subpart; and

''(5) Indian community-based organizations, as provided under subsection (d)(1).'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''A local educational agency shall'' and inserting ''Subject to paragraph (2), a local educational agency shall'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) COOPERATIVE AGREEMENTS.—A local educational agency may enter into a cooperative agreement with an Indian tribe under this subpart if such Indian tribe—

''(A) represents not less than 25 percent of the eligible Indian children who are served by such local educational agency; and

''(B) requests that the local educational agency enter into a cooperative agreement under this subpart.''; and

(3) by striking subsection (c) and inserting the following:

''(c) INDIAN TRIBES AND INDIAN ORGANIZATIONS.—

''(1) IN GENERAL.—If a local educational agency that is otherwise eligible for a grant under this subpart does not establish a committee under section 6114(c)(4) for such grant, an Indian tribe, an Indian organization, or a consortium of such entities, that represents more than one-half of the eligible Indian children who are served by such local educational agency may apply for such grant.

''(2) SPECIAL RULE.—

''(A) IN GENERAL.—The Secretary shall treat each Indian tribe, Indian organization, or consortium of such entities applying for a grant pursuant to paragraph (1) as if such tribe, Indian organization, or consortium were a local educational agency for purposes of this subpart.

''(B) EXCEPTIONS.—Notwithstanding subparagraph (A), such Indian tribe, Indian organization, or consortium shall not be subject to the requirements of subsections (b)(7) or (c)(4) of section 6114 or section 6118(c) or 6119.

''(3) ASSURANCE TO SERVE ALL INDIAN CHILDREN.—An Indian tribe, Indian organization, or consortium of such entities that is eligible to apply for a grant under paragraph (1) shall include, in the application required under section 6114, an assurance that the entity will use the grant funds to provide services to all Indian students served by the local educational agency.

''(d) INDIAN COMMUNITY-BASED ORGANIZATION.—

''(1) IN GENERAL.—If no local educational agency pursuant to subsection (b), and no Indian tribe, Indian organization, or consortium pursuant to subsection (c), applies for a grant under this subpart in a particular community, an Indian community-based organization serving the community of the local educational agency may apply for such grant.

''(2) APPLICABILITY OF SPECIAL RULE.—The Secretary shall apply the special rule in subsection (c)(2) to an Indian community-based organization applying for a grant under paragraph (1) in the same manner as such rule applies to an Indian tribe, Indian organization, or consortium described in that subsection.

''(3) DEFINITION OF INDIAN COMMUNITY-BASED ORGANIZATION.—In this subsection, the term 'Indian community-based organization' means any organization that—

''(A) is composed primarily of Indian parents, family members, and community members, tribal government education officials, and tribal members, from a specific community;

''(B) assists in the social, cultural, and educational development of Indians in such community;

''(C) meets the unique cultural, language, and academic needs of Indian students; and

''(D) demonstrates organizational and administrative capacity to manage the grant.''.

(e) AMOUNT OF GRANTS.—Section 6113 (20 U.S.C. 7423) (as redesignated by section 6001) is amended—

(1) in subsection (b)(1), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education''; and

(2) in subsection (d)—

(A) in the subsection heading, by striking ''INDIAN AFFAIRS'' and inserting ''INDIAN EDUCATION''; and

(B) in paragraph (1)(A)(i), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education''.

(f) APPLICATIONS.—Section 6114 (20 U.S.C. 7424) (as redesignated by section 6001) is amended—

(1) in subsection (a), by striking ''Each local educational agency'' and inserting ''Each entity described in section 6112(a)'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''American Indian and Alaska Native'' and inserting ''Indian'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''is consistent with the State and local plans'' and inserting ''is consistent with the State, tribal, and local plans''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) includes program objectives and outcomes for activities under this subpart that are based on the same challenging State academic standards developed by the State under title I for all students;'';

(C) by striking paragraph (3) and inserting the following:

''(3) explains how the grantee will use funds made available under this subpart to supplement other Federal, State, and local programs that meet the needs of Indian students;'';

(D) in paragraph (5)(B), by striking ''and'' after the semicolon;

(E) in paragraph (6)—

(i) in subparagraph (B)—

(I) in clause (i), by striking ''and'' after the semicolon; and

(II) by adding at the end the following:

''(iii) the Indian tribes whose children are served by the local educational agency, consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974'); and''; and

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

(F) by adding at the end the following:

''(7) describes the process the local educational agency used to meaningfully collaborate with Indian tribes located in the community in a timely, active, and ongoing manner in the development of the comprehensive program and the actions taken as a result of such collaboration.'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''for the education of Indian children,'' and inserting ''for services described in this subsection,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''and'' after the semicolon;

(ii) in subparagraph (B), by striking ''served by such agency;'' and inserting ''served by such agency, and meet program objectives and outcomes for activities under this subpart; and''; and

(iii) by adding at the end the following:

''(C) determine the extent to which such activities by the local educational agency address the unique cultural, language, and educational needs of Indian students;'';

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''American Indian and Alaska Native'' and inserting ''Indian''; and

(ii) in subparagraph (C)—

(I) by inserting ''representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribes have any children in such school, Indian organizations,'' after ''parents of Indian children and teachers,''; and

(II) by striking ''and'' after the semicolon;

(D) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i), by inserting ''and family members'' after ''parents'';

(II) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(III) by inserting after clause (i) the following:

''(ii) representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribes have any children in such school,'';

(ii) by striking subparagraph (B) and inserting the following:

''(B) a majority of whose members are parents and family members of Indian children;'';

(iii) by striking subparagraph (C);

(iv) by redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively; and

(v) in subparagraph (C) (as redesignated by clause (iv))—

(I) in clause (i), by striking ''and'' after the semicolon;

(II) in clause (ii), by striking ''American Indian and Alaska Native'' and inserting ''Indian''; and

(III) by adding at the end the following:

''(iii) determined that the program will directly enhance the educational experience of Indian students; and''; and

(vi) in subparagraph (D), as redesignated by clause (iv), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(5) the local educational agency will coordinate activities under this title with other Federal programs supporting educational and related services administered by such agency;

''(6) the local educational agency conducted outreach to parents and family members to meet the requirements under this paragraph;

''(7) the local educational agency will use funds received under this subpart only for activities described and authorized in this subpart; and

''(8) the local educational agency has set forth such policies and procedures, including policies and procedures relating to the hiring of personnel, as will ensure that the program for which assistance is sought will be operated and evaluated in consultation with, and with the involvement of, parents and family members of the children, and representatives of the area, to be served.''; and

(4) by adding at the end the following:

''(d) TECHNICAL ASSISTANCE.—The Secretary shall, directly or by contract, provide technical assistance to a local educational agency or Bureau of Indian Education school upon request (in addition to any technical assistance available under other provisions of this Act or available through the Institute of Education Sciences) to support the services and activities provided under this subpart, including technical assistance for—

''(1) the development of applications under this subpart, including identifying eligible entities that have not applied for such grants and undertaking appropriate activities to encourage such entities to apply for grants under this subpart;

''(2) improvement in the quality of implementation, content, and evaluation of activities supported under this subpart; and

''(3) integration of activities under this subpart with other educational activities carried out by the local educational agency.''.

(g) AUTHORIZED SERVICES AND ACTIVITIES.—Section 6115 (20 U.S.C. 7425) (as redesignated by section 6001) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''solely for the services and activities described in such application'' before the semicolon; and

(B) in paragraph (2), by striking ''with special regard for'' and inserting ''to be responsive to'';

*(2) by striking subsection (b) and inserting the following:*

*''(b) PARTICULAR ACTIVITIES.—The services and activities referred to in subsection (a) may include—*

*''(1) activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders;*

*''(2) culturally related activities that support the program described in the application submitted by the local educational agency;*

*''(3) early childhood and family programs that emphasize school readiness;*

*''(4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic standards;*

*''(5) integrated educational services in combination with other programs that meet the needs of Indian children and their families, including programs that promote parental involvement in school activities and increase student achievement;*

*''(6) career preparation activities to enable Indian students to participate in programs such as the programs supported by the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), including programs for tech-prep education, mentoring, and apprenticeship;*

*''(7) activities to educate individuals so as to prevent violence, suicide, and substance abuse;*

*''(8) the acquisition of equipment, but only if the acquisition of the equipment is essential to achieve the purpose described in section 6111;*

*''(9) activities that promote the incorporation of culturally responsive teaching and learning strategies into the educational program of the local educational agency;*

*''(10) family literacy services;*

*''(11) activities that recognize and support the unique cultural and educational needs of Indian children, and incorporate appropriately qualified tribal elders and seniors;*

*''(12) dropout prevention strategies for Indian students; and*

*''(13) strategies to meet the educational needs of at-risk Indian students in correctional facilities, including such strategies that support Indian students who are transitioning from such facilities to schools served by local educational agencies.'';*

*(3) in subsection (c)—*

*(A) in paragraph (1), by striking ''and'' after the semicolon;*

*(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and*

*(C) by adding at the end the following:*

*''(3) the local educational agency identifies in its application how the use of such funds in a schoolwide program will produce benefits to Indian students that would not be achieved if the funds were not used in a schoolwide program.''; and*

*(4) by adding at the end the following:*

*''(e) LIMITATION ON THE USE OF FUNDS.—Funds provided to a grantee under this subpart may not be used for long-distance travel expenses for training activities that are available locally or regionally.''.*

*(h) INTEGRATION OF SERVICES AUTHORIZED.—Section 6116 (20 U.S.C. 7426) (as redesignated by section 6001) is amended—*

*(1) in subsection (g), in the matter preceding paragraph (1)—*

*(A) by striking ''No Child Left Behind Act of 2001'' and inserting ''Every Student Succeeds Act'';*

*(B) by inserting ''the Secretary of Health and Human Services,'' after ''the Secretary of the Interior,''; and*

*(C) by inserting ''and coordination'' after ''providing for the implementation''; and*

*(2) in subsection (o)—*

*(A) in paragraph (1), by striking ''the No Child Left Behind Act of 2001'' and inserting ''the Every Student Succeeds Act''; and*

*(B) in paragraph (2)—*

*(i) by striking ''the No Child Left Behind Act of 2001'' and inserting ''the Every Student Succeeds Act''; and*

*(ii) by striking the second sentence.*

*(i) STUDENT ELIGIBILITY FORMS.—Section 6117 (20 U.S.C. 7427) (as redesignated by section 6001) is amended—*

*(1) in subsection (a), by adding at the end the following: ''All individual data collected shall be protected by the local educational agencies and only aggregated data shall be reported to the Secretary.'';*

*(2) by striking subsection (d);*

*(3) by redesignating subsections (e), (f), (g), and (h), as subsections (d), (e), (f), and (g), respectively;*

*(4) by striking subsection (d), as redesignated by paragraph (4), and inserting the following:*

*''(d) DOCUMENTATION AND TYPES OF PROOF.—*

*''(1) TYPES OF PROOF.—For purposes of determining whether a child is eligible to be counted for the purpose of computing the amount of a grant award under section 6113, the membership of the child, or any parent or grandparent of the child, in a tribe or band of Indians (as so defined) may be established by proof other than an enrollment number, notwithstanding the availability of an enrollment number for a member of such tribe or band. Nothing in subsection (b) shall be construed to require the furnishing of an enrollment number.*

*''(2) NO NEW OR DUPLICATIVE DETERMINATIONS.—Once a child is determined to be an Indian eligible to be counted for such grant award, the local educational agency shall maintain a record of such determination and shall not require a new or duplicate determination to be made for such child for a subsequent application for a grant under this subpart.*

*''(3) PREVIOUSLY FILED FORMS.—An Indian student eligibility form that was on file as required by this section on the day before the date of enactment of the Every Student Succeeds Act and that met the requirements of this section, as this section was in effect on the day before the date of the enactment of such Act, shall remain valid for such Indian student.'';*

*(5) in subsection (f), as redesignated by paragraph (4), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education''; and*

*(6) in subsection (g), as redesignated by paragraph (4), by striking ''subsection (g)(1)'' and inserting ''subsection (f)(1)''.*

*(j) PAYMENTS.—Section 6118 (20 U.S.C. 7428) (as redesignated by section 6001) is amended, by striking subsection (c) and inserting the following:*

*''(c) REDUCTION OF PAYMENT FOR FAILURE TO MAINTAIN FISCAL EFFORT.—Each local educational agency shall maintain fiscal effort in accordance with section 8521 or be subject to reduced payments under this subpart in accordance with such section 8521.''.*

*(k) IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.—Section 6121 (20 U.S.C. 7441) (as redesignated by section 6001) is amended—*

*(1) by striking the section header and inserting the following:*

***''SEC. 6121. IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.'';***

*(2) in subsection (a)—*

*(A) in paragraph (1), by inserting ''and youth'' after ''Indian children''; and*

*(B) in paragraph (2)(B), by striking ''American Indian and Alaska Native children'' and inserting ''Indian children and youth'';*

*(3) in subsection (b), by striking ''Indian institution (including an Indian institution of higher education)'' and inserting ''a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)))'';*

*(4) by striking subsection (c) and inserting the following:*

*''(c) GRANTS AUTHORIZED.—The Secretary shall award grants to eligible entities to enable such entities to carry out activities that meet the purpose of this section, including—*

*''(1) innovative programs related to the educational needs of educationally disadvantaged Indian children and youth;*

*''(2) educational services that are not available to such children and youth in sufficient quantity or quality, including remedial instruction, to raise the achievement of Indian children in one or more of the subjects of English, mathematics, science, foreign languages, art, history, and geography;*

*''(3) bilingual and bicultural programs and projects;*

*''(4) special health and nutrition services, and other related activities, that address the special health, social, and psychological problems of Indian children and youth;*

*''(5) special compensatory and other programs and projects designed to assist and encourage Indian children and youth to enter, remain in, or reenter school, and to increase the rate of high school graduation for Indian children and youth;*

*''(6) comprehensive guidance, counseling, and testing services;*

*''(7) early childhood education programs that are effective in preparing young children to make sufficient academic growth by the end of grade 3, including kindergarten and pre-kindergarten programs, family-based preschool programs that emphasize school readiness, screening and referral, and the provision of services to Indian children and youth with disabilities;*

*''(8) partnership projects between local educational agencies and institutions of higher education that allow secondary school students to enroll in courses at the postsecondary level to aid such students in the transition from secondary to postsecondary education;*

*''(9) partnership projects between schools and local businesses for career preparation programs designed to provide Indian youth with the knowledge and skills such youth need to make an effective transition from school to a high-skill career;*

*''(10) programs designed to encourage and assist Indian students to work toward, and gain entrance into, institutions of higher education;*

*''(11) family literacy services;*

*''(12) activities that recognize and support the unique cultural and educational needs of Indian children and youth, and incorporate traditional leaders;*

*''(13) high-quality professional development of teaching professionals and paraprofessionals; or*

*''(14) other services that meet the purpose described in this section.''; and*

*(5) in subsection (d)—*

*(A) in paragraph (1)(C), by striking ''make a grant payment for a grant described in this paragraph to an eligible entity after the initial year of the multiyear grant only if the Secretary determines'' and inserting ''award grants for an initial period of not more than 3 years and may renew such grants for not more than an additional 2 years if the Secretary determines''; and*

*(B) in paragraph (3)(B)—*

*(i) in clause (i), by striking ''parents of Indian children'' and inserting ''parents and family of Indian children''; and*

*(ii) in clause (iii), by striking ''information demonstrating that the proposed program for the activities is a scientifically based research program'' and inserting ''information demonstrating that the proposed program is an evidence-based program''.*

*(l) PROFESSIONAL DEVELOPMENT FOR TEACHERS AND EDUCATION PROFESSIONALS.—Section 6122 (20 U.S.C. 7442) (as redesignated by section 6001) is amended—*

*(1) in subsection (a)—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) to increase the number of qualified Indian teachers and administrators serving Indian students;'';*

*(B) by striking paragraph (2) and inserting the following:*

''(2) to provide pre- and in-service training and support to qualified Indian individuals to enable such individuals to become effective teachers, principals, other school leaders, administrators, paraprofessionals, counselors, social workers, and specialized instructional support personnel;'';

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) to develop and implement initiatives to promote retention of effective teachers, principals, and school leaders who have a record of success in helping low-achieving Indian students improve their academic achievement, outcomes, and preparation for postsecondary education or employment.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''including an Indian institution of higher education'' and inserting ''including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))''; and

(B) in paragraph (4), by inserting ''in a consortium with at least one Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)), where feasible'' before the period at the end;

(3) in subsection (d)(1)—

(A) in the first sentence, by striking ''purposes'' and inserting ''purpose''; and

(B) by striking the second sentence and inserting ''Such activities may include—

''(A) continuing education programs, symposia, workshops, and conferences;

''(B) teacher mentoring programs, professional guidance, and instructional support provided by educators, local traditional leaders, or cultural experts, as appropriate for teachers during their first 3 years of employment as teachers;

''(C) direct financial support; and

''(D) programs designed to train traditional leaders and cultural experts to assist those personnel referenced in subsection (a)(2), as appropriate, with relevant Native language and cultural mentoring, guidance, and support.''; and

(4) by striking subsection (e) and inserting the following:

''(e) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. At a minimum, an application under this section shall describe how the eligible entity will—

''(1) recruit qualified Indian individuals, such as students who may not be of traditional college age, to become teachers, principals, or school leaders;

''(2) use funds made available under the grant to support the recruitment, preparation, and professional development of Indian teachers or principals in local educational agencies that serve a high proportion of Indian students; and

''(3) assist participants in meeting the requirements under subsection (h).'';

(5) in subsection (f)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following:

''(1) may give priority to Tribal Colleges and Universities;''; and

(C) in paragraph (3), as redesignated by subparagraph (A), by striking ''basis of'' and all that follows through the period at the end and inserting ''basis of the length of any period for which the eligible entity has received a grant.'';

(6) by striking subsection (g) and inserting the following:

''(g) GRANT PERIOD.—The Secretary shall award grants under this section for an initial period of not more than 3 years, and may renew such grants for an additional period of not more than 2 years if the Secretary finds that the grantee is achieving the objectives of the grant.''; and

(7) in subsection (h)(1)(A)(ii), by striking ''people'' and inserting ''students in a local educational agency that serves a high proportion of Indian students''.

(m) NATIONAL RESEARCH ACTIVITIES.—Section 6131 (20 U.S.C. 7451) (as redesignated by section 6001) is amended—

(1) in subsection (a), by striking ''under section 7152(b)'' and inserting ''to carry out this subpart''; and

(2) in subsection (c)(2), by inserting '', the Bureau of Indian Education,'' after ''Office of Indian Education Programs''.

(n) IN-SERVICE TRAINING FOR TEACHERS OF INDIAN CHILDREN; FELLOWSHIPS FOR INDIAN STUDENTS; GIFTED AND TALENTED INDIAN STUDENTS.—Title VI (20 U.S.C. 7401 et seq.) (as redesignated by section 6001) is amended—

(1) by striking sections 6132, 6133, and 6134 (as redesignated by section 6001); and

(2) by redesignating section 6135 (as redesignated by section 6001) as section 6132.

(o) NATIVE AMERICAN LANGUAGE.—Title VI (20 U.S.C. 7401 et seq.) (as redesignated by section 6001) is amended by inserting after section 6132 (as redesignated by subsection (n)(2)) the following:

**''SEC. 6133. NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.**

''(a) PURPOSES.—The purposes of this section are—

''(1) to establish a grant program to support schools that use Native American and Alaska Native languages as the primary language of instruction;

''(2) to maintain, protect, and promote the rights and freedom of Native Americans and Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

''(3) to support the Nation's First Peoples' efforts to maintain and revitalize their languages and cultures, and to improve educational opportunities and student outcomes within Native American and Alaska Native communities.

''(b) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—From funds reserved under section 6152(c), the Secretary shall reserve 20 percent to make grants to eligible entities to develop and maintain, or to improve and expand, programs that support schools, including elementary school and secondary school education sites and streams, using Native American and Alaska Native languages as the primary languages of instruction.

''(2) ELIGIBLE ENTITIES.—In this subsection, the term 'eligible entity' means any of the following entities that has a plan to develop and maintain, or to improve and expand, programs that support the entity's use of a Native American or Alaska Native language as the primary language of instruction in elementary schools or secondary schools, or both:

''(A) An Indian tribe.

''(B) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c)).

''(C) A tribal education agency.

''(D) A local educational agency, including a public charter school that is a local educational agency under State law.

''(E) A school operated by the Bureau of Indian Education.

''(F) An Alaska Native Regional Corporation (as described in section 3(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(g))).

''(G) A private, tribal, or Alaska Native nonprofit organization.

''(H) A nontribal for-profit organization.

''(c) APPLICATION.—

''(1) IN GENERAL.—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including the following:

''(A) The name of the Native American or Alaska Native language to be used for instruction at the school supported by the eligible entity.

''(B) The number of students attending such school.

''(C) The number of hours of instruction in or through 1 or more Native American or Alaska Native languages being provided to targeted students at such school, if any.

''(D) A description of how the eligible entity will—

''(i) use the funds provided to meet the purposes of this section;

''(ii) implement the activities described in subsection (e);

''(iii) ensure the implementation of rigorous academic content; and

''(iv) ensure that students progress toward high-level fluency goals.

''(E) Information regarding the school's organizational governance or affiliations, including information about—

''(i) the school governing entity (such as a local educational agency, tribal education agency or department, charter organization, private organization, or other governing entity);

''(ii) the school's accreditation status;

''(iii) any partnerships with institutions of higher education; and

''(iv) any indigenous language schooling and research cooperatives.

''(F) An assurance that—

''(i) the school is engaged in meeting State or tribally designated long-term goals for students, as may be required by applicable Federal, State, or tribal law;

''(ii) the school provides assessments of students using the Native American or Alaska Native language of instruction, where possible;

''(iii) the qualifications of all instructional and leadership personnel at such school is sufficient to deliver high-quality education through the Native American or Alaska Native language used in the school; and

''(iv) the school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or workforce development programs, of students who are enrolled in the school's programs.

''(2) LIMITATION.—The Secretary shall not give a priority in awarding grants under this section based on the information described in paragraph (1)(E).

''(3) SUBMISSION OF CERTIFICATION.—

''(A) IN GENERAL.—An eligible entity that is a public elementary school or secondary school (including a public charter school or a school operated by the Bureau of Indian Education) or a nontribal for-profit or nonprofit organization shall submit, along with the application requirements described in paragraph (1), a certification described in subparagraph (B) indicating that—

''(i) the school or organization has the capacity to provide education primarily through a Native American or an Alaska Native language; and

''(ii) there are sufficient speakers of the target language at the school or available to be hired by the school or organization.

''(B) CERTIFICATION.—The certification described in subparagraph (A) shall be from one of the following entities, on whose land the school or program is located, that is an entity served by such school, or that is an entity whose members (as defined by that entity) are served by the school:

''(i) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c)).

''(ii) A Federally recognized Indian tribe or tribal organization.

''(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.

''(iv) A Native Hawaiian organization.

''(d) AWARDING OF GRANTS.—In awarding grants under this section, the Secretary shall—

''(1) determine the amount of each grant and the duration of each grant, which shall not exceed 3 years; and

''(2) ensure, to the maximum extent feasible, that diversity in languages is represented.

''(e) ACTIVITIES AUTHORIZED.—

''(1) REQUIRED ACTIVITIES.—An eligible entity that receives a grant under this section shall use such funds to carry out the following activities:

''(A) Supporting Native American or Alaska Native language education and development.

''(B) Providing professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language and academic goals of the school that will be served by the grant program.

''(2) ALLOWABLE ACTIVITIES.—An eligible entity that receives a grant under this section may use such funds to carry out the following activities:

''(A) Developing or refining curriculum, including teaching materials and activities, as appropriate.

''(B) Creating or refining assessments written in the Native American or Alaska Native language of instruction that measure student proficiency and that are aligned with State or tribal academic standards.

''(C) Carrying out other activities that promote the maintenance and revitalization of the Native American or Alaska Native language relevant to the grant program.

''(f) REPORT TO SECRETARY.—Each eligible entity that receives a grant under this section shall prepare and submit an annual report to the Secretary, which shall include—

''(1) the activities the entity carried out to meet the purposes of this section; and

''(2) the number of children served by the program and the number of instructional hours in the Native American or Alaska Native language.

''(g) ADMINISTRATIVE COSTS.—Not more than 5 percent of the funds provided to a grantee under this section for any fiscal year may be used for administrative purposes.''.

(p) GRANTS TO TRIBES FOR EDUCATION ADMINISTRATIVE PLANNING, DEVELOPMENT, AND COORDINATION.—Section 6132 (20 U.S.C. 7455) (as redesignated by subsection (n)) is amended to read as follows:

**''SEC. 6132. GRANTS TO TRIBES FOR EDUCATION ADMINISTRATIVE PLANNING, DEVELOPMENT, AND COORDINATION.**

''(a) IN GENERAL.—The Secretary may award grants under this section to eligible applicants to enable the eligible applicants to—

''(1) promote tribal self-determination in education;

''(2) improve the academic achievement of Indian children and youth; and

''(3) promote the coordination and collaboration of tribal educational agencies with State educational agencies and local educational agencies to meet the unique educational and culturally related academic needs of Indian students.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE APPLICANT.—In this section, the term 'eligible applicant' means—

''(A) an Indian tribe or tribal organization approved by an Indian tribe; or

''(B) a tribal educational agency.

''(2) INDIAN TRIBE.—The term 'Indian tribe' means a federally recognized tribe or a State-recognized tribe.

''(3) TRIBAL EDUCATIONAL AGENCY.—The term 'tribal educational agency' means the agency, department, or instrumentality of an Indian tribe that is primarily responsible for supporting tribal students' elementary and secondary education.

''(c) GRANT PROGRAM.—The Secretary may award grants to—

''(1) eligible applicants described under subsection (b)(1)(A) to plan and develop a tribal educational agency, if the tribe or organization has no current tribal educational agency, for a period of not more than 1 year; and

''(2) eligible applicants described under subsection (b)(1)(B), for a period of not more than 3 years, in order to—

''(A) directly administer education programs, including formula grant programs under this Act, consistent with State law and under a written agreement between the parties;

''(B) build capacity to administer and coordinate such education programs, and to improve the relationship and coordination between such applicants and the State educational agencies and local educational agencies that educate students from the tribe;

''(C) receive training and support from the State educational agency and local educational agency, in areas such as data collection and analysis, grants management and monitoring, fiscal accountability, and other areas as needed;

''(D) train and support the State educational agency and local educational agency in areas related to tribal history, language, or culture;

''(E) build on existing activities or resources rather than replacing other funds; and

''(F) carry out other activities, consistent with the purposes of this section.

''(d) GRANT APPLICATION.—

''(1) IN GENERAL.—Each eligible applicant desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably prescribe.

''(2) CONTENTS.—Each application described in paragraph (1) shall contain—

''(A) a statement describing the activities to be conducted, and the objectives to be achieved, under the grant;

''(B) a description of the method to be used for evaluating the effectiveness of the activities for which assistance is sought and for determining whether such objectives are achieved; and

''(C) for applications for activities under subsection (c)(2), evidence of—

''(i) a preliminary agreement with the appropriate State educational agency, 1 or more local educational agencies, or both the State educational agency and a local educational agency; and

''(ii) existing capacity as a tribal educational agency.

''(3) APPROVAL.—The Secretary may approve an application submitted by an eligible applicant under this subsection if the application, including any documentation submitted with the application—

''(A) demonstrates that the eligible applicant has consulted with other education entities, if any, within the territorial jurisdiction of the applicant that will be affected by the activities to be conducted under the grant;

''(B) provides for consultation with such other education entities in the operation and evaluation of the activities conducted under the grant; and

''(C) demonstrates that there will be adequate resources provided under this section or from other sources to complete the activities for which assistance is sought.

''(e) RESTRICTIONS.—

''(1) IN GENERAL.—An Indian tribe may not receive funds under this section if the tribe receives funds under section 1140 of the Education Amendments of 1978 (20 U.S.C. 2020).

''(2) DIRECT SERVICES.—No funds under this section may be used to provide direct services.

''(f) SUPPLEMENT, NOT SUPPLANT.—Funds under this section shall be used to supplement, and not supplant, other Federal, State, and local programs that meet the needs of tribal students.''.

(q) IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR ADULT INDIANS.—Title VI (20 U.S.C. 7401 et seq.) (as redesignated by section 6001) is amended by striking section 6136.

(r) NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION.—Section 6141(b)(1) (20 U.S.C. 7471(b)(1)) (as redesignated by section 6001) is amended by inserting ''and the Secretary of the Interior'' after ''advise the Secretary''.

(s) DEFINITIONS.—Section 6151 (20 U.S.C. 7491) (as redesignated by section 6001) is amended by adding at the end the following:

''(4) TRADITIONAL LEADERS.—The term 'traditional leaders' has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).''.

(t) AUTHORIZATIONS OF APPROPRIATIONS.—Section 6152 (20 U.S.C. 7492) (as redesignated by section 6001) is amended—

(1) in subsection (a), by striking ''$96,400,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years'' and inserting ''$100,381,000 for fiscal year 2017, $102,388,620 for fiscal year 2018, $104,436,392 for fiscal year 2019, and $106,525,120 for fiscal year 2020'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''SUBPARTS 2 AND 3'' and inserting ''SUBPART 2'';

(B) by striking ''subparts 2 and 3'' and inserting ''subpart 2''; and

(C) by striking ''$24,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years'' and inserting ''$17,993,000 for each of fiscal years 2017 through 2020''; and

(3) by adding at the end the following:

''(c) SUBPART 3.—For the purpose of carrying out subpart 3, there are authorized to be appropriated $5,565,000 for each of fiscal years 2017 through 2020.''.

**SEC. 6003. NATIVE HAWAIIAN EDUCATION.**

(a) FINDINGS.—Section 6202 (20 U.S.C. 7512) (as redesignated by section 6001) is amended by striking paragraphs (14) through (21).

(b) NATIVE HAWAIIAN EDUCATION COUNCIL.—Section 6204 (20 U.S.C. 7514) (as redesignated by section 6001) is amended to read as follows:

**''SEC. 6204. NATIVE HAWAIIAN EDUCATION COUNCIL.**

''(a) GRANT AUTHORIZED.—In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs that receive funding under this part, the Secretary shall award a grant to the education council described under subsection (b).

''(b) EDUCATION COUNCIL.—

''(1) ELIGIBILITY.—To be eligible to receive the grant under subsection (a), the council shall be an education council (referred to in this section as the 'Education Council') that meets the requirements of this subsection.

''(2) COMPOSITION.—The Education Council shall consist of 15 members, of whom—

''(A) 1 shall be the President of the University of Hawaii (or a designee);

''(B) 1 shall be the Governor of the State of Hawaii (or a designee);

''(C) 1 shall be the Superintendent of the State of Hawaii Department of Education (or a designee);

''(D) 1 shall be the chairperson of the Office of Hawaiian Affairs (or a designee);

''(E) 1 shall be the executive director of Hawaii's Charter School Network (or a designee);

''(F) 1 shall be the chief executive officer of the Kamehameha Schools (or a designee);

''(G) 1 shall be the Chief Executive Officer of the Queen Liliuokalani Trust (or a designee);

''(H) 1 shall be appointed by the Secretary, in a timely manner, and chosen from a list of 5 individuals who represent one or more private grant-making entities that is submitted to the Secretary by the Education Council;

''(I) 1 shall be the Mayor of the County of Hawaii (or a designee);

''(J) 1 shall be the Mayor of Maui County (or a designee from the Island of Maui);

''(K) 1 shall be the Mayor of the County of Kauai (or a designee);

''(L) 1 shall be appointed by the Secretary, in a timely manner, and chosen from a list of 5 individuals who are from the Island of Molokai or the Island of Lanai that is submitted to the Secretary by the Mayor of Maui County;

''(M) 1 shall be the Mayor of the City and County of Honolulu (or a designee);

''(N) 1 shall be the chairperson of the Hawaiian Homes Commission (or a designee); and

''(O) 1 shall be the chairperson of the Hawaii Workforce Development Council (or a designee representing the private sector).

''(3) REQUIREMENTS.—Any designee serving on the Education Council shall demonstrate, as de-

*termined by the individual who appointed such designee with input from the Native Hawaiian community, not less than 5 years of experience as a consumer or provider of Native Hawaiian educational or cultural activities, with traditional cultural experience given due consideration.*

*''(4) LIMITATION.—A member (including a designee), while serving on the Education Council, shall not be a direct recipient or administrator of grant funds that are awarded under this part.*

*''(5) TERM OF MEMBERS.—A member who is a designee shall serve for a term of not more than 4 years.*

*''(6) CHAIR; VICE CHAIR.—*

*''(A) SELECTION.—The Education Council shall select a Chairperson and a Vice Chairperson from among the members of the Education Council.*

*''(B) TERM LIMITS.—The Chairperson and Vice Chairperson shall each serve for a 2-year term.*

*''(7) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL.—The Education Council shall meet at the call of the Chairperson of the Council, or upon request by a majority of the members of the Education Council, but in any event not less often than every 120 days.*

*''(8) NO COMPENSATION.—None of the funds made available through the grant may be used to provide compensation to any member of the Education Council or member of a working group established by the Education Council, for functions described in this section.*

*''(c) USE OF FUNDS FOR COORDINATION ACTIVITIES.—The Education Council shall use funds made available through a grant under subsection (a) to carry out each of the following activities:*

*''(1) Providing advice about the coordination of, and serving as a clearinghouse for, the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part.*

*''(2) Assessing the extent to which such services and programs meet the needs of Native Hawaiians, and collecting data on the status of Native Hawaiian education.*

*''(3) Providing direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, relating to Native Hawaiian education, and serving, where appropriate, in an advisory capacity.*

*''(4) Awarding grants, if such grants enable the Education Council to carry out the activities described in paragraphs (1) through (3).*

*''(5) Hiring an executive director, who shall assist in executing the duties and powers of the Education Council, as described in subsection (d).*

*''(d) USE OF FUNDS FOR TECHNICAL ASSISTANCE.—The Education Council shall use funds made available through a grant under subsection (a) to—*

*''(1) provide technical assistance to Native Hawaiian organizations that are grantees or potential grantees under this part;*

*''(2) obtain from such grantees information and data regarding grants awarded under this part, including information and data about—*

*''(A) the effectiveness of such grantees in meeting the educational priorities established by the Education Council, as described in paragraph (6)(D), using metrics related to these priorities; and*

*''(B) the effectiveness of such grantees in carrying out any of the activities described in paragraph (3) of section 6205(a) that are related to the specific goals and purposes of each grantee's grant project, using metrics related to these goals and purposes;*

*''(3) assess and define the educational needs of Native Hawaiians;*

*''(4) assess the programs and services available to address the educational needs of Native Hawaiians;*

*''(5) assess and evaluate the individual and aggregate impact achieved by grantees under this part in improving Native Hawaiian educational performance and meeting the goals of this part, using metrics related to these goals; and*

*''(6) prepare and submit to the Secretary, at the end of each calendar year, an annual report that contains—*

*''(A) a description of the activities of the Education Council during the calendar year;*

*''(B) a description of significant barriers to achieving the goals of this part;*

*''(C) a summary of each community consultation session described in subsection (e); and*

*''(D) recommendations to establish priorities for funding under this part, based on an assessment of—*

*''(i) the educational needs of Native Hawaiians;*

*''(ii) programs and services available to address such needs;*

*''(iii) the effectiveness of programs in improving the educational performance of Native Hawaiian students to help such students meet challenging State academic standards under section 1111(b)(1); and*

*''(iv) priorities for funding in specific geographic communities.*

*''(e) USE OF FUNDS FOR COMMUNITY CONSULTATIONS.—The Education Council shall use funds made available through the grant under subsection (a) to hold not less than 1 community consultation each year on each of the islands of Hawaii, Maui, Molokai, Lanai, Oahu, and Kauai, at which—*

*''(1) not fewer than 3 members of the Education Council shall be in attendance;*

*''(2) the Education Council shall gather community input regarding—*

*''(A) current grantees under this part, as of the date of the consultation;*

*''(B) priorities and needs of Native Hawaiians; and*

*''(C) other Native Hawaiian education issues; and*

*''(3) the Education Council shall report to the community on the outcomes of the activities supported by grants awarded under this part.*

*''(f) FUNDING.—For each fiscal year, the Secretary shall use the amount described in section 6205(c)(2), to make a payment under the grant. Funds made available through the grant shall remain available until expended.''.*

*(c) PROGRAM AUTHORIZED.—Section 6205 (20 U.S.C. 7515) (as redesignated by section 6001) is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (1)—*

*(i) in subparagraph (C), by striking ''and'' after the semicolon;*

*(ii) by redesignating subparagraph (D) as subparagraph (E); and*

*(iii) by inserting after subparagraph (C) the following:*

*''(D) charter schools; and'';*

*(B) in paragraph (3)—*

*(i) in subparagraph (C)—*

*(I) by striking ''third grade'' and inserting ''grade 3''; and*

*(II) by striking ''fifth and sixth grade'' and inserting ''grades 5 and 6'';*

*(ii) in subparagraph (D)(ii), by striking ''of those students'' and inserting ''of such students'';*

*(iii) in subparagraph (E)(ii), by striking ''students' educational progress'' and inserting ''educational progress of such students'';*

*(iv) in subparagraph (G)(ii), by striking ''concentrations'' and all that follows through ''; and'' and inserting ''high concentrations of Native Hawaiian students to meet the unique needs of such students; and''; and*

*(v) in subparagraph (H)—*

*(I) in the matter preceding clause (i), by striking ''families'' and inserting ''students, parents, families,'';*

*(II) in clause (i), by striking ''preschool programs'' and inserting ''early childhood education programs'';*

*(III) by striking clause (ii) and inserting the following:*

*''(ii) before, after, and summer school programs, expanded learning time, or weekend academies;''; and*

*(IV) in clause (iii), by striking ''vocational and adult education programs'' and inserting ''career and technical education programs''; and*

*(vi) by striking clauses (i) through (v) of subparagraph (I) and inserting the following:*

*''(i) family literacy services; and*

*''(ii) counseling, guidance, and support services for students;''; and*

*(C) by striking paragraph (4); and*

*(2) in subsection (c)—*

*(A) in paragraph (1), by striking ''such sums as may be necessary for fiscal year 2002 and each of the 5 succeeding fiscal years'' and inserting ''$32,397,000 for each of fiscal years 2017 through 2020''; and*

*(B) in paragraph (2), by striking ''for fiscal year 2002 and each of the 5 succeeding fiscal years'' and inserting ''for each of fiscal years 2017 through 2020''.*

*(d) DEFINITIONS.—Section 6207 (20 U.S.C. 7517) (as redesignated by section 6001) is amended—*

*(1) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and*

*(2) by inserting before paragraph (2), as redesignated by paragraph (1), the following:*

*''(1) COMMUNITY CONSULTATION.—The term 'community consultation' means a public gathering—*

*''(A) to discuss Native Hawaiian education concerns; and*

*''(B) about which the public has been given not less than 30 days notice.''.*

***SEC. 6004. ALASKA NATIVE EDUCATION.***

*(a) FINDINGS.—Section 6302 (20 U.S.C. 7542) (as redesignated by section 6001) is amended by striking paragraphs (1) through (7) and inserting the following:*

*''(1) It is the policy of the Federal Government to maximize the leadership of and participation by Alaska Natives in the planning and the management of Alaska Native education programs and to support efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.*

*''(2) Many Alaska Native children enter and exit school with serious educational disadvantages.*

*''(3) Overcoming the magnitude of the geographic challenges, historical inequities, and other barriers to successfully improving educational outcomes for Alaska Native students in rural, village, and urban settings is challenging. Significant disparities between academic achievement of Alaska Native students and non-Native students continue, including lower graduation rates, increased school dropout rates, and lower achievement scores on standardized tests.*

*''(4) The preservation of Alaska Native cultures and languages and the integration of Alaska Native cultures and languages into education, positive identity development for Alaska Native students, and local, place-based, and culture-based programming are critical to the attainment of educational success and the long-term well-being of Alaska Native students.*

*''(5) Improving educational outcomes for Alaska Native students increases access to employment opportunities.*

*''(6) The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for Alaska Native students. In 1983, pursuant to Public Law 98–63, Alaska ceased to receive educational funding from the Bureau of Indian Affairs. The Bureau of Indian Education does not operate any schools in Alaska, nor operate or fund Alaska Native education programs. The program under this part supports the Federal trust responsibility of the United States to Alaska Natives.''.*

*(b) PURPOSES.—Section 6303 (20 U.S.C. 7543) (as redesignated by section 6001) is amended—*

*(1) in paragraph (1), by inserting ''and address'' after ''To recognize'';*

*(2) by striking paragraph (3);*

*(3) by redesignating paragraphs (2) and (4) as paragraphs (4) and (5), respectively;*

*(4) by inserting after paragraph (1) the following:*

*''(2) To recognize the role of Alaska Native languages and cultures in the educational success and long-term well-being of Alaska Native students.*

*''(3) To integrate Alaska Native cultures and languages into education, develop Alaska Native students' positive identity, and support local place-based and culture-based curriculum and programming.'';*

*(5) in paragraph (4), as redesignated by paragraph (3), by striking ''of supplemental educational programs to benefit Alaska Natives.'' and inserting '', management, and expansion of effective supplemental educational programs to benefit Alaska Natives.''; and*

*(6) by adding at the end the following:*

*''(6) To ensure the maximum participation by Alaska Native educators and leaders in the planning, development, implementation, management, and evaluation of programs designed to serve Alaska Native students.''.*

*(c) PROGRAM AUTHORIZED.—Section 6304 (20 U.S.C. 7544) (as redesignated by section 6001) is amended to read as follows:*

***''SEC. 6304. PROGRAM AUTHORIZED.***

*''(a) GENERAL AUTHORITY.—*

*''(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make grants to, or enter into contracts with—*

*''(A) Alaska Native organizations with experience operating programs that fulfill the purposes of this part;*

*''(B) Alaska Native organizations that do not have the experience described in subparagraph (A) but are in partnership with—*

*''(i) a State educational agency or a local educational agency; or*

*''(ii) an Alaska Native organization that operates a program that fulfills the purposes of this part;*

*''(C) an entity located in Alaska, and predominately governed by Alaska Natives, that does not meet the definition of an Alaska Native organization under this part but—*

*''(i) has experience operating programs that fulfill the purposes of this part; and*

*''(ii) is granted an official charter or sanction, as described in the definition of a tribal organization under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), from at least one Alaska Native tribe or Alaska Native organization to carry out programs that meet the purposes of this part.*

*''(2) MANDATORY ACTIVITIES.—Activities provided through the programs carried out under this part shall include the following:*

*''(A) The development and implementation of plans, methods, strategies, and activities to improve the educational outcomes of Alaska Natives.*

*''(B) The collection of data to assist in the evaluation of the programs carried out under this part.*

*''(3) PERMISSIBLE ACTIVITIES.—Activities provided through programs carried out under this part may include the following:*

*''(A) The development of curricula and programs that address the educational needs of Alaska Native students, including the following:*

*''(i) Curriculum materials that are culturally informed and reflect the cultural diversity, languages, history, or the contributions of Alaska Native people, including curricula intended to preserve and promote Alaska Native culture.*

*''(ii) Instructional programs that make use of Alaska Native languages and cultures.*

*''(iii) Networks that develop, test, and disseminate best practices and introduce successful programs, materials, and techniques to meet the educational needs of Alaska Native students in urban and rural schools.*

*''(B) Training and professional development activities for educators, including the following:*

*''(i) Pre-service and in-service training and professional development programs to prepare teachers to develop appreciation for, and understanding of, Alaska Native history, cultures, values, and ways of knowing and learning in order to effectively address the cultural diversity and unique needs of Alaska Native students and improve the teaching methods of educators.*

*''(ii) Recruitment and preparation of Alaska Native teachers.*

*''(iii) Programs that will lead to the certification and licensing of Alaska Native teachers, principals, other school leaders, and superintendents.*

*''(C) Early childhood and parenting education activities designed to improve the school readiness of Alaska Native children, including—*

*''(i) the development and operation of home visiting programs for Alaska Native preschool children, to ensure the active involvement of parents in their children's education from the earliest ages;*

*''(ii) training, education, and support, including in-home visitation, for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development, reading readiness, observation, storytelling, and critical thinking);*

*''(iii) family literacy services;*

*''(iv) activities carried out under the Head Start Act (42 U.S.C. 9831 et seq.);*

*''(v) programs for parents and their infants, from the prenatal period of the infant through age 3;*

*''(vi) early childhood education programs; and*

*''(vii) native language immersion within early childhood education programs, Head Start, or preschool programs.*

*''(D) The development and operation of student enrichment programs, including programs in science, technology, engineering, and mathematics that—*

*''(i) are designed to prepare Alaska Native students to excel in such subjects;*

*''(ii) provide appropriate support services to enable such students to benefit from the programs; and*

*''(iii) include activities that recognize and support the unique cultural and educational needs of Alaska Native children and incorporate appropriately qualified Alaska Native elders and other tradition bearers.*

*''(E) Research and data collection activities to determine the educational status and needs of Alaska Native children and adults and other such research and evaluation activities related to programs funded under this part.*

*''(F) Activities designed to enable Alaska Native students served under this part to meet the challenging State academic standards or increase the graduation rates of Alaska Native students, such as—*

*''(i) remedial and enrichment programs;*

*''(ii) culturally based education programs, such as—*

*''(I) programs of study and other instruction in Alaska Native history and ways of living to share the rich and diverse cultures of Alaska Natives among Alaska Native youth and elders, non-Native students and teachers, and the larger community;*

*''(II) instructing Alaska Native youth in leadership, communication, and Alaska Native culture, arts, history, and languages;*

*''(III) intergenerational learning and internship opportunities to Alaska Native youth and young adults;*

*''(IV) providing cultural immersion activities aimed at Alaska Native cultural preservation;*

*''(V) native language instruction and immersion activities, including native language immersion nests or schools;*

*''(VI) school-within-a-school model programs; and*

*''(VII) preparation for postsecondary education and career planning; and*

*''(iii) comprehensive school or community-based support services, including services that—*

*''(I) address family instability and trauma; and*

*''(II) improve conditions for learning at home, in the community, and at school.*

*''(G) Student and teacher exchange programs, cross-cultural immersion programs, and culture camps designed to build mutual respect and understanding among participants.*

*''(H) Education programs for at-risk urban Alaska Native students that are designed to improve academic proficiency and graduation rates, use strategies otherwise permissible under this part, and incorporate a strong data collection and continuous evaluation component.*

*''(I) Strategies designed to increase the involvement of parents in their children's education.*

*''(J) Programs and strategies that increase connections between and among schools, families, and communities, including positive youth-adult relationships, to—*

*''(i) promote the academic progress and positive development of Alaska Native children and youth; and*

*''(ii) improve conditions for learning at home, in the community, and at school.*

*''(K) Career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment, including programs providing tech-prep, mentoring, training, and apprenticeship activities.*

*''(L) Support for the development and operational activities of regional vocational schools in rural areas of Alaska to provide students with necessary resources to prepare for skilled employment opportunities.*

*''(M) Regional leadership academies that demonstrate effectiveness in building respect and understanding, and fostering a sense of Alaska Native identity in Alaska Native students to promote their pursuit of and success in completing higher education or career training.*

*''(N) Other activities, consistent with the purposes of this part, to meet the educational needs of Alaska Native children and adults.*

*''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $31,453,000 for each of fiscal years 2017 through 2020.''.*

*(d) ADMINISTRATIVE PROVISIONS.—Section 6305 (20 U.S.C. 7545) (as redesignated by section 6001) is amended to read as follows:*

***''SEC. 6305. ADMINISTRATIVE PROVISIONS.***

*''Not more than 5 percent of funds provided to an award recipient under this part for any fiscal year may be used for administrative purposes.''.*

*(e) DEFINITIONS.—Section 6306 (20 U.S.C. 7546) (as redesignated by section 6001) is amended—*

*(1) in paragraph (1), by inserting ''(43 U.S.C. 1602(b)) and includes the descendants of individuals so defined'' after ''Settlement Act'';*

*(2) by striking paragraph (2) and inserting the following:*

*''(2) ALASKA NATIVE ORGANIZATION.—The term 'Alaska Native organization' means an organization that has or commits to acquire expertise in the education of Alaska Natives and is—*

*''(A) an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), that is an Indian tribe located in Alaska;*

*''(B) a 'tribal organization', as defined in section 4 of such Act (25 U.S.C. 450b), that is a tribal organization located in Alaska; or*

*''(C) an organization listed in clauses (i) through (xii) of section 419(4)(B) of the Social Security Act (42 U.S.C. 619(4)(B)(i) through (xii)), or the successor of an entity so listed.''.*

***SEC. 6005. REPORT ON NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.***

*(a) DEFINITIONS.—In this section:*

*(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the*

*meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.*

*(2) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.*

*(3) NATIVE AMERICAN; NATIVE AMERICAN LANGUAGE.—The terms ''Native American'' and ''Native American language'' have the meanings given such terms in section 103 of the Native American Languages Act of 1990 (25 U.S.C. 2902).*

*(4) STATE EDUCATIONAL AGENCY.—The term ''State educational agency'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.*

*(b) STUDY.—By not later than 18 months after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall—*

*(1) conduct a study to evaluate all levels of education being provided primarily through the medium of Native American languages; and*

*(2) report on the findings of such study.*

*(c) CONSULTATION.—In carrying out the study conducted under subsection (b), the Secretary shall consult with—*

*(1) institutions of higher education that conduct Native American language immersion programs, including teachers of such programs;*

*(2) State educational agencies and local educational agencies;*

*(3) Indian tribes and tribal organizations, as such terms are defined by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) that sponsor Native American language immersion schools; and*

*(4) experts in the fields of Native American or Alaska Native language and Native American language medium education, including scholars who are fluent in Native American languages.*

*(d) SCOPE OF STUDY.—The study conducted under subsection (b) shall evaluate the components, policies, and practices of successful Native American language immersion schools and programs, including—*

*(1) the level of expertise in educational pedagogy, Native American language fluency, and experience of the principal, teachers, paraprofessionals, and other educational staff;*

*(2) how such schools and programs are using Native American languages to provide instruction in reading, language arts, mathematics, science, and, as applicable, other academic subjects;*

*(3) how such schools and programs assess the academic proficiency of the students, including—*

*(A) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in the Native American language of instruction;*

*(B) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in English; and*

*(C) how the standards measured by the assessments in the Native American language of instruction and in English compare; and*

*(4) the academic outcomes, graduation rate, and other outcomes of students who have completed the highest grade taught primarily through such schools or programs, including, when available, college attendance rates compared with demographically similar students who did not attend a school in which the language of instruction was a Native American language.*

*(e) RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall—*

*(1) develop a report that includes findings and conclusions regarding the study conducted under subsection (b), including recommendations for such legislative and administrative actions as the Secretary of Education considers to be appropriate;*

*(2) consult with the entities described in subsection (c) in reviewing such findings and conclusions; and*

*(3) submit the report described in paragraph (1) to each of the following:*

*(A) The Committee on Health, Education, Labor, and Pensions of the Senate.*

*(B) The Committee on Education and the Workforce of the House of Representatives.*

*(C) The Committee on Indian Affairs of the Senate.*

*(D) The Subcommittee on Indian, Insular and Alaska Native Affairs of the House of Representatives.*

***SEC. 6006. REPORT ON RESPONSES TO INDIAN STUDENT SUICIDES.***

*(a) PREPARATION.—*

*(1) IN GENERAL.—The Secretary of Education, in coordination with the Secretary of the Interior and the Secretary of Health and Human Services, shall prepare a report on efforts to address outbreaks of suicides among elementary school and secondary school students (referred to in this section as ''student suicides'') that occurred within 1 year prior to the date of enactment of this Act in Indian country (as defined in section 1151 of title 18, United States Code).*

*(2) CONTENTS.—The report described in paragraph (1) shall include information on—*

*(A) the Federal response to the occurrence of high numbers of student suicides in Indian country (as so defined);*

*(B) a list of Federal resources available to prevent and respond to outbreaks of student suicides, including the availability and use of telebehavioral health care;*

*(C) any barriers to timely implementation of programs or interagency collaboration regarding student suicides;*

*(D) interagency collaboration efforts to streamline access to programs regarding student suicides, including information on how the Department of Education, the Department of the Interior, and the Department of Health and Human Services work together on administration of such programs;*

*(E) recommendations to improve or consolidate resources or programs described in subparagraph (B) or (D); and*

*(F) feedback from Indian tribes to the Federal response described in subparagraph (A).*

*(b) SUBMISSION.—Not later than 270 days after the date of enactment of this Act, the Secretary of Education shall submit the report described in subsection (a) to the appropriate committees of Congress.*

## *TITLE VII—IMPACT AID*

***SEC. 7001. GENERAL PROVISIONS.***

*(a) IMPACT AID IMPROVEMENT ACT OF 2012.—Section 563(c) of National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1748; 20 U.S.C. 6301 note) (also known as the ''Impact Aid Improvement Act of 2012''), as amended by section 563 of division A of Public Law 113–291, is amended—*

*(1) by striking paragraphs (1) and (4); and*

*(2) by redesignating paragraphs (2) and (3), as paragraphs (1) and (2), respectively.*

*(b) REPEAL.—Section 309 of division H of the Consolidated Appropriations Act, 2014 (Public Law 113–76; 20 U.S.C. 7702 note) is repealed.*

*(c) TITLE VII REDESIGNATIONS.—Title VIII (20 U.S.C. 7701 et seq.) is redesignated as title VII and further amended—*

*(1) by redesignating sections 8001 through 8005 as sections 7001 through 7005, respectively; and*

*(2) by redesignating sections 8007 through 8014 as sections 7007 through 7014, respectively.*

*(d) CONFORMING AMENDMENTS.—Title VII (as redesignated by subsection (c) of this section) is further amended—*

*(1) by striking ''section 8002'' each place it appears and inserting ''section 7002'';*

*(2) by striking ''section 8003'' each place it appears and inserting ''section 7003'';*

*(3) by striking ''section 8003(a)(1)'' each place it appears and inserting ''section 7003(a)(1)'';*

*(4) by striking ''section 8003(a)(1)(C)'' each place it appears and inserting ''section 7003(a)(1)(C)'';*

*(5) by striking ''section 8003(a)(2)'' each place it appears and inserting ''section 7003(a)(2)'';*

*(6) by striking ''section 8003(b)'' each place it appears and inserting ''section 7003(b)'';*

*(7) by striking ''section 8003(b)(1)'' each place it appears and inserting ''section 7003(b)(1)'';*

*(8) by striking ''section 8003(b)(2)'' each place it appears and inserting ''section 7003(b)(2)'';*

*(9) by striking ''section 8014(a)'' each place it appears and inserting ''section 7014(a)'';*

*(10) by striking ''section 8014(b)'' each place it appears and inserting ''section 7014(b)''; and*

*(11) by striking ''section 8014(e)'' each place it appears and inserting ''section 7014(d)''.*

***SEC. 7002. PURPOSE.***

*Section 7001, as redesignated by section 7001 of this Act, is amended in the matter preceding paragraph (1), by striking ''challenging State standards'' and inserting ''the same challenging State academic standards''.*

***SEC. 7003. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.***

*Section 7002, as redesignated and amended by section 7001 of this Act, is further amended—*

*(1) in subsection (a)(1)(C), by striking the matter preceding clause (i) and inserting the following:*

*''(C) had an assessed value according to original records (including facsimiles or other reproductions of those records) documenting the assessed value of such property (determined as of the time or times when so acquired) prepared by the local officials referred to in subsection (b)(3) or, when such original records are not available due to unintentional destruction (such as natural disaster, fire, flooding, pest infestation, or deterioration due to age), other records, including Federal agency records, local historical records, or other records that the Secretary determines to be appropriate and reliable, aggregating 10 percent or more of the assessed value of—'';*

*(2) in subsection (b)—*

*(A) in paragraph (1)(C) by striking ''section 8003(b)(1)(C)'' and inserting ''section 7003(b)(1)(C)'';*

*(B) in paragraph (3), by striking subparagraph (B) and inserting the following:*

*''(B) SPECIAL RULE.—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies that are eligible under this section, any of such agencies may ask the Secretary to calculate (and the Secretary shall calculate) the taxable value of the eligible Federal property that is within its boundaries by—*

*''(i) first calculating the per-acre value of the eligible Federal property separately for each eligible local educational agency that shared the Federal property, as provided in subparagraph (A)(ii);*

*''(ii) then averaging the resulting per-acre values of the eligible Federal property from each eligible local educational agency that shares the Federal property; and*

*''(iii) then applying the average per-acre value to determine the total taxable value of the eligible Federal property under subparagraph (A)(iii) for the requesting local educational agency.'';*

*(3) in subsection (e)(2), by adding at the end the following: ''For each fiscal year beginning on or after the date of enactment of the Every Student Succeeds Act, the Secretary shall treat local educational agencies chartered in 1871 having more than 70 percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1).'';*

*(4) by striking subsection (f) and inserting the following:*

*''(f) SPECIAL RULE.—For each fiscal year beginning on or after the date of enactment of the Every Student Succeeds Act, a local educational agency shall be deemed to meet the requirements of subsection (a)(1)(C) if the agency was eligible under paragraph (1) or (3) of section 8002(f) as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act.'';*

*(5) by striking subsection (g) and inserting the following:*

*''(g) FORMER DISTRICTS.—*

*''(1) CONSOLIDATIONS.—For fiscal year 2006 and each succeeding fiscal year, if a local educational agency described in paragraph (2) is formed at any time after 1938 by the consolidation of 2 or more former school districts, the local educational agency may elect to have the Secretary determine its eligibility for assistance under this section for any fiscal year on the basis of 1 or more of those former districts, as designated by the local educational agency.*

*''(2) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—A local educational agency referred to in paragraph (1) is—*

*''(A) any local educational agency that, for fiscal year 1994 or any preceding fiscal year, applied, and was determined to be eligible under, section 2(c) of the Act of September 30, 1950 (Public Law 874, 81st Congress) as that section was in effect for that fiscal year; or*

*''(B) a local educational agency—*

*''(i) that was formed by the consolidation of 2 or more districts, at least 1 of which was eligible for assistance under this section for the fiscal year preceding the year of the consolidation; and*

*''(ii) which includes the designation referred to in paragraph (1) in its application under section 7005 for a fiscal year beginning on or after the date of enactment of the Every Student Succeeds Act or any timely amendment to such application.*

*''(3) AMOUNT.—A local educational agency eligible under paragraph (1) shall receive a foundation payment as provided for under subparagraphs (A) and (B) of subsection (h)(1), except that the foundation payment shall be calculated based on the most recent payment received by the local educational agency based on its status prior to consolidation.'';*

*(6) in subsection (h)(4), by striking ''For each local educational agency that received a payment under this section for fiscal year 2010 through the fiscal year in which the Impact Aid Improvement Act of 2012 is enacted'' and inserting ''For each local educational agency that received a payment under this section for fiscal year 2010 or any succeeding fiscal year'';*

*(7) by repealing subsections (k) and (m);*

*(8) by redesignating subsection (l) as subsection (j);*

*(9) in subsection (j) (as redesignated by paragraph (8)), by striking ''(h)(4)(B)'' and inserting ''(h)(2)'';*

*(10) by redesignating subsection (n) as subsection (k); and*

*(11) in subsection (k)(1) (as redesignated by paragraph (10)), by striking ''section 8013(5)(C)(iii)'' and inserting ''section 7013(5)(C)(iii)''.*

***SEC. 7004. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.***

*Section 7003, as redesignated and amended by section 7001 of this Act, is further amended—*

*(1) in subsection (a)(5)(A), by striking ''to be children'' and all that follows through the period at the end and inserting ''or under lease of off-base property under subchapter IV of chapter 169 of title 10, United States Code, to be children described under paragraph (1)(B), if the property described is—*

*''(i) within the fenced security perimeter of the military facility; or*

*''(ii) attached to, and under any type of force protection agreement with, the military installation upon which such housing is situated.'';*

*(2) in subsection (b)—*

*(A) in paragraph (1)—*

*(i) by striking subparagraph (E); and*

*(ii) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;*

*(B) in paragraph (2), by striking subparagraphs (B) through (H) and inserting the following:*

*''(B) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—*

*''(i) IN GENERAL.—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) with respect to a number of children determined under subsection (a)(1) if the agency—*

*''(I) is a local educational agency—*

*''(aa) whose boundaries are the same as a Federal military installation or an island property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government; and*

*''(bb) that has no taxing authority;*

*''(II) is a local educational agency that—*

*''(aa) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 45 percent;*

*''(bb) has a per-pupil expenditure that is less than—*

*''(AA) for an agency that has a total student enrollment of 500 or more students, 125 percent of the average per-pupil expenditure of the State in which the agency is located; or*

*''(BB) for any agency that has a total student enrollment of less than 500 students, 150 percent of the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of 3 or more comparable local educational agencies in the State in which the agency is located; and*

*''(cc) is an agency that has a tax rate for general fund purposes that is not less than 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State;*

*''(III) is a local educational agency that—*

*''(aa) has a tax rate for general fund purposes which is not less than 125 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State; and*

*''(bb)(AA) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 30 percent; or*

*''(BB) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 20 percent, and for the 3 fiscal years preceding the fiscal year for which the determination is made, the average enrollment of children who are not described in subsection (a)(1) and who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act constitutes a percentage of the total student enrollment of the agency that is not less than 65 percent;*

*''(IV) is a local educational agency that has a total student enrollment of not less than 25,000 students, of which—*

*''(aa) not less than 50 percent are children described in subsection (a)(1); and*

*''(bb) not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1); or*

*''(V) is a local educational agency that—*

*''(aa) has an enrollment of children described in subsection (a)(1) including, for purposes of determining eligibility, those children described in subparagraphs (F) and (G) of such subsection, that is not less than 35 percent of the total student enrollment of the agency;*

*''(bb) has a per-pupil expenditure described in subclause (II)(bb) (except that a local educational agency with a total student enrollment of less than 350 students shall be deemed to have satisfied such per-pupil expenditure requirement) and has a tax rate for general fund purposes which is not less than 95 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State; and*

*''(cc) was eligible to receive assistance under subparagraph (A) for fiscal year 2001.*

*''(ii) LOSS OF ELIGIBILITY.—*

*''(I) IN GENERAL.—Subject to subclause (II), a heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subparagraph (A) if the agency fails to meet the requirements of clause (i) for a subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.*

*''(II) LOSS OF ELIGIBILITY DUE TO FALLING BELOW 95 PERCENT OF THE AVERAGE TAX RATE FOR GENERAL FUND PURPOSES.—In the case of a heavily impacted local educational agency described in subclause (II) or (V) of clause (i) that is eligible to receive a basic support payment under subparagraph (A), but that has had, for 2 consecutive fiscal years, a tax rate for general fund purposes that falls below 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State, such agency shall be determined to be ineligible under clause (i) and ineligible to receive a basic support payment under subparagraph (A) for each fiscal year succeeding such 2 consecutive fiscal years for which the agency has such a tax rate for general fund purposes, and until the fiscal year for which the agency resumes such eligibility in accordance with clause (iii).*

*''(III) TAKEN OVER BY STATE BOARD OF EDUCATION.—In the case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has been taken over by a State board of education in any 2 previous years, such agency shall be deemed to maintain heavily impacted status for 2 fiscal years following the date of enactment of the Every Student Succeeds Act.*

*''(iii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of clause (i) for that subsequent fiscal year, except that such agency shall not receive a basic support payment under this paragraph until the fiscal year succeeding the fiscal year for which the eligibility determination is made.*

*''(C) MAXIMUM AMOUNT FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—*

*''(i) IN GENERAL.—Except as provided in subparagraph (D), the maximum amount that a heavily impacted local educational agency is eligible to receive under this paragraph for any fiscal year is the sum of the total weighted student units, as computed under subsection (a)(2) and subject to clause (ii), multiplied by the greater of—*

*''(I) four-fifths of the average per-pupil expenditure of the State in which the local educational agency is located for the third fiscal year preceding the fiscal year for which the determination is made; or*

*''(II) four-fifths of the average per-pupil expenditure of all of the States for the third fiscal year preceding the fiscal year for which the determination is made.*

*''(ii) CALCULATION OF WEIGHTED STUDENT UNITS.—*

*''(I) IN GENERAL.—*

*''(aa) PERCENTAGE ENROLLMENT.—For a local educational agency in which 35 percent or more of the total student enrollment of the schools of the agency are children described in subparagraph (D) or (E) (or a combination thereof) of subsection (a)(1), and that has an enrollment of children described in subparagraph (A), (B), or (C) of such subsection equal to at least 10 percent of the agency's total enrollment, the Secretary shall calculate the weighted student units of those children described in subparagraph (D) or (E) of such subsection by multiplying the number of such children by a factor of 0.55.*

*''(bb) EXCEPTION.—Notwithstanding item (aa), a local educational agency that received a payment under this paragraph for fiscal year 2013 shall not be required to have an enrollment of children described in subparagraph (A), (B), or*

*(C) of subsection (a)(1) equal to at least 10 percent of the agency's total enrollment and shall be eligible for the student weight as provided for in item (aa).*

*''(II) ENROLLMENT OF 100 OR FEWER CHILDREN.—For a local educational agency that has an enrollment of 100 or fewer children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.*

*''(III) ENROLLMENT OF MORE THAN 100 CHILDREN BUT LESS THAN 1000.—For a local educational agency that is not described under subparagraph (B)(i)(I) and has an enrollment of more than 100 but not more than 1,000 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.*

*''(D) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—*

*''(i) IN GENERAL.—*

*''(I) FORMULA.—Subject to clause (ii), the maximum amount that a heavily impacted local educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).*

*''(II) HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCY.—A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).*

*''(ii) FACTOR.—For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.*

*''(E) DATA.—For purposes of providing assistance under this paragraph, the Secretary shall use student, revenue, expenditure, and tax data from the third fiscal year preceding the fiscal year for which the local educational agency is applying for assistance under this paragraph.*

*''(F) DETERMINATION OF AVERAGE TAX RATES FOR GENERAL FUND PURPOSES.—*

*''(i) IN GENERAL.—Except as provided in clause (ii), for the purpose of determining the average tax rates for general fund purposes for local educational agencies in a State under this paragraph, the Secretary shall use either—*

*''(I) the average tax rate for general fund purposes for comparable local educational agencies, as determined by the Secretary in regulations; or*

*''(II) the average tax rate of all the local educational agencies in the State.*

*''(ii) FISCAL YEARS 2010–2015.—*

*''(I) IN GENERAL.—For fiscal years 2010 through 2015, any local educational agency that was found ineligible to receive a payment under subparagraph (A) because the Secretary determined that it failed to meet the average tax rate requirement for general fund purposes in subparagraph (B)(i)(II)(cc), shall be considered to have met that requirement, if its State determined, through an alternate calculation of average tax rates for general fund purposes, that such local educational agency met that requirement.*

*''(II) SUBSEQUENT FISCAL YEARS AFTER 2015.—For any succeeding fiscal year after 2015, any local educational agency identified in subclause (I) may continue to have its State use that alternate methodology to calculate whether the average tax rate requirement for general fund purposes under subparagraph (B)(i)(II)(cc) is met.*

*''(III) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law limiting the period during which the Secretary may obligate funds appropriated for any fiscal year after 2012, the Secretary shall reserve a total of $14,000,000 from funds that remain unobligated under this section from fiscal years 2015 or 2016 in order to make payments under this clause for fiscal years 2011 through 2014.*

*''(G) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES AFFECTED BY PRIVATIZATION OF MILITARY HOUSING.—*

*''(i) ELIGIBILITY.—For any fiscal year, a heavily impacted local educational agency that received a basic support payment under this paragraph for the prior fiscal year, but is ineligible for such payment for the current fiscal year under subparagraph (B) due to the conversion of military housing units to private housing described in clause (iii), or as the direct result of base realignment and closure or modularization as determined by the Secretary of Defense and force structure change or force relocation, shall be deemed to meet the eligibility requirements under subparagraph (B) for the period during which the housing units are undergoing such conversion or during such time as activities associated with base closure and realignment, modularization, force structure change, or force relocation are ongoing.*

*''(ii) AMOUNT OF PAYMENT.—The amount of a payment to a heavily impacted local educational agency for a fiscal year by reason of the application of clause (i), and calculated in accordance with subparagraph (C) or (D), as the case may be, shall be based on the number of children in average daily attendance in the schools of such agency for the fiscal year and under the same provisions of subparagraph (C) or (D) under which the agency was paid during the prior fiscal year.*

*''(iii) CONVERSION OF MILITARY HOUSING UNITS TO PRIVATE HOUSING DESCRIBED.—For purposes of clause (i), 'conversion of military housing units to private housing' means the conversion of military housing units to private housing units pursuant to subchapter IV of chapter 169 of title 10, United States Code, or pursuant to any other related provision of law.'';*

*(C) in paragraph (3)—*

*(i) in subparagraph (B), by striking clause (iii) and inserting the following:*

*''(iii) In the case of a local educational agency providing a free public education to students enrolled in kindergarten through grade 12, that enrolls students described in subparagraphs (A), (B), and (D) of subsection (a)(1) only in grades 9 through 12, and that received a final payment for fiscal year 2009 calculated under section 8003(b)(3) (as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act) for students in grades 9 through 12, the Secretary shall, in calculating the agency's payment, consider only that portion of such agency's total enrollment of students in grades 9 through 12 when calculating the percentage under clause (i)(I) and only that portion of the total current expenditures attributed to the operation of grades 9 through 12 in such agency when calculating the percentage under clause (i)(II).'';*

*(ii) in subparagraph (C), by striking ''subparagraph (D) or (E) of paragraph (2), as the case may be'' and inserting ''subparagraph (C) or (D) of paragraph (2), as the case may be''; and*

*(iii) by striking subparagraph (D) and inserting the following:*

*''(D) RATABLE DISTRIBUTION.—For fiscal years described in subparagraph (A), for which the sums available exceed the amount required to pay each local educational agency 100 percent of its threshold payment, the Secretary shall distribute the excess sums to each eligible local educational agency that has not received its full amount computed under paragraphs (1) or (2) (as the case may be) by multiplying—*

*''(i) a percentage, the denominator of which is the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for all local educational agencies and the amount of the threshold payment (as calculated under subparagraphs (B) and (C)) of all local educational agencies, and the numerator of which is the aggregate of the excess sums, by*

*''(ii) the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for the agency and the amount of the threshold payment (as calculated under subparagraphs (B) or (C)) of the agency, except that no local educational agency shall receive more than 100 percent of the maximum payment calculated under subparagraph (C) or (D) of paragraph (2).*

*''(E) INSUFFICIENT PAYMENTS.—For each fiscal year described in subparagraph (A) for which the sums appropriated are insufficient to pay each local educational agency all of the local educational agency's threshold payment described in subparagraph (B), the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.*

*''(F) INCREASES.—*

*''(i) INCREASES BASED ON INSUFFICIENT FUNDS.—If additional funds become available under 7014(b) for making payments under paragraphs (1) and (2) and those funds are not sufficient to increase each local educational agency's threshold payment above 100 percent of its threshold payment described in subparagraph (B), payments that were reduced under subparagraph (E) shall be increased by the Secretary on the same basis as such payments were reduced.*

*''(ii) INCREASES BASED ON SUFFICIENT FUNDS.—If additional funds become available under section 7014(b) for making payments under paragraphs (1) and (2) and those funds are sufficient to increase each local educational agency's threshold payment above 100 percent of its threshold payment described in subparagraph (B), the payment for each local educational agency shall be 100 percent of its threshold payment. The Secretary shall then distribute the excess sums to each eligible local educational agency in accordance with subparagraph (D).*

*''(G) PROVISION OF TAX RATE AND RESULTING PERCENTAGE.—As soon as practicable following the payment of funds under paragraph (2) to an eligible local educational agency, the Secretary shall provide the local educational agency with a description of—*

*''(i) the tax rate of the local educational agency; and*

*''(ii) the percentage such tax rate represents of the average tax rate for general fund purposes of comparable local educational agencies in the State as determined under subclauses (II)(cc), III(aa), or (V)(bb) of paragraph (2)(B)(i) (as the case may be).''; and*

*(D) in paragraph (4)—*

*(i) in subparagraph (A), by striking ''through (D)'' and inserting ''and (C)''; and*

*(ii) in subparagraph (B), by striking ''subparagraph (D) or (E)'' and inserting ''subparagraph (C) or (D)'';*

*(3) in subsection (c), by striking paragraph (2) and inserting the following:*

*''(2) EXCEPTION.—Calculation of payments for a local educational agency shall be based on data from the fiscal year for which the agency is making an application for payment if such agency—*

*''(A) is newly established by a State, for the first year of operation of such agency only;*

*''(B) was eligible to receive a payment under this section for the previous fiscal year and has had an overall increase in enrollment (as determined by the Secretary in consultation with the Secretary of Defense, the Secretary of the Interior, or the heads of other Federal agencies)—*

*''(i)(I) of not less than 10 percent of children described in—*

*''(aa) subparagraph (A), (B), (C), or (D) of subsection (a)(1); or*

*''(bb) subparagraphs (F) and (G) of subsection (a)(1), but only to the extent that such children are civilian dependents of employees of the Department of Defense or the Department of the Interior; or*

*''(II) of not less than 100 of such children; and*

*''(ii) that is the direct result of closure or realignment of military installations under the*

*base closure process or the relocation of members of the Armed Forces and civilian employees of the Department of Defense as part of the force structure changes or movements of units or personnel between military installations or because of actions initiated by the Secretary of the Interior or the head of another Federal agency; or*

*''(C) was eligible to receive a payment under this section for the previous fiscal year and has had an increase in enrollment (as determined by the Secretary)—*

*''(i) of not less than 10 percent of children described in subsection (a)(1) or not less than 100 of such children; and*

*''(ii) that is the direct result of the closure of a local educational agency that received a payment under subsection (b)(1) or (b)(2) for the previous fiscal year.'';*

*(4) in subsection (d)(1), by striking ''section 8014(c)'' and inserting ''section 7014(c)'';*

*(5) in subsection (e)—*

*(A) by redesignating paragraph (3) as paragraph (4);*

*(B) by striking paragraphs (1) and (2) and inserting the following:*

*''(1) IN GENERAL.—In the case of any local educational agency eligible to receive a payment under subsection (b) whose calculated payment amount for a fiscal year is reduced by 20 percent, as compared to the amount received for the previous fiscal year, the Secretary shall pay the local educational agency, for the year of the reduction and the following 2 years, the amount determined under paragraph (2).*

*''(2) AMOUNT OF REDUCTION.—Subject to paragraph (3), A local educational agency described in paragraph (1) shall receive—*

*''(A) for the first year for which the reduced payment is determined, an amount that is not less than 90 percent of the total amount that the local educational agency received under subsection (b) for the previous fiscal year;*

*''(B) for the second year following such reduction, an amount that is not less than 85 percent of the total amount that the local educational agency received under subparagraph (A); and*

*''(C) for the third year following such reduction, an amount that is not less than 80 percent of the total amount that the local educational agency received under subparagraph (B).*

*''(3) SPECIAL RULE.—For any fiscal year for which a local educational agency would receive a payment under subsection (b) in excess of the amount determined under paragraph (2), the payment received by the local educational agency for such fiscal year shall be calculated under paragraph (1) or (2) of subsection (b).''; and*

*(6) by striking subsection (g).*

***SEC. 7005. POLICIES AND PROCEDURES RELATING TO CHILDREN RESIDING ON INDIAN LANDS.***

*Section 7004(e)(9), as redesignated and amended by section 7001 of this Act, is further amended by striking ''Affairs'' both places the term appears and inserting ''Education''.*

***SEC. 7006. APPLICATION FOR PAYMENTS UNDER SECTIONS 7002 AND 7003.***

*Section 7005, as redesignated and amended by section 7001 of this Act, is further amended—*

*(1) in the section heading, by striking ''**8002 AND 8003**'' and inserting ''**7002 AND 7003**'';*

*(2) by striking ''or 8003'' each place it appears and inserting ''or 7003'';*

*(3) in subsection (b)—*

*(A) in the matter preceding paragraph (1), by striking '', and shall contain such information,''; and*

*(B) by striking ''section 8004'' and inserting ''section 7004''; and*

*(4) in subsection (d)(2), by striking ''section 8003(e)'' and inserting ''section 7003(e)'';*

***SEC. 7007. CONSTRUCTION.***

*Section 7007, as redesignated and amended by section 7001 of this Act, is further amended—*

*(1) in subsection (a)—*

*(A) in paragraph (3)(A)(i)—*

*(i) by redesignating the first subclause (II) as subclause (I);*

*(ii) in subclause (II), by striking ''section 8008(a)'' and inserting ''section 7008(a)''; and*

*(B) in paragraph (4), by striking ''section 8013(3)'' and inserting ''section 7013(3)''; and*

*(2) in subsection (b)—*

*(A) in paragraph (3)(C)(i)(I), by adding at the end the following:*

*''(cc) Not less than 10 percent of the property acreage in the agency is exempt from State and local taxation under Federal law.''; and*

*(B) in paragraph (6)—*

*(i) in the matter preceding subparagraph (A), by striking '', in such manner, and accompanied by such information'' and inserting ''and in such manner'';*

*(ii) in subparagraph (A), by inserting before the period at the end the following: '', and containing such additional information as may be necessary to meet any award criteria for a grant under this subsection as provided by any other Act''; and*

*(iii) by striking subparagraph (F).*

***SEC. 7008. FACILITIES.***

*Section 7008(a), as redesignated by section 7001 of this Act, is amended by striking ''section 8014(f)'' and inserting ''section 7014(e)''.*

***SEC. 7009. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.***

*Section 7009, as redesignated and amended by section 7001 of this Act, is further amended—*

*(1) by striking ''section 8011(a)'' each place it appears and inserting ''section 7011(a)'';*

*(2) in subsection (b)(1)—*

*(A) by striking ''or 8003(b)'' and inserting ''or 7003(b)''; and*

*(B) by striking ''section 8003(a)(2)(B)'' and inserting ''section 7003(a)(2)(B)''; and*

*(3) in subsection (c)(1)(B), by striking ''and contain the information'' and inserting ''that'' after ''form''.*

***SEC. 7010. FEDERAL ADMINISTRATION.***

*Section 7010, as redesignated and amended by section 7001 of this Act, is further amended—*

*(1) in subsection (c)—*

*(A) in paragraph (1), in the paragraph heading, by striking ''8003(a)(1)'' and inserting ''7003(a)(1)'';*

*(B) in paragraph (2)(D), by striking ''section 8009(b)'' and inserting ''section 7009(b)''; and*

*(2) in subsection (d)(2), by striking ''section 8014'' and inserting ''section 7014''.*

***SEC. 7011. ADMINISTRATIVE HEARINGS AND JUDICIAL REVIEW.***

*Section 7011(a), as redesignated by section 7001 of this Act, is amended by striking ''or under the Act'' and all that follows through ''1994)''.*

***SEC. 7012. DEFINITIONS.***

*Section 7013, as redesignated by section 7001 of this Act, is amended—*

*(1) in paragraph (1), by striking ''and Marine Corps'' and inserting ''Marine Corps, and Coast Guard'';*

*(2) in paragraph (4), by striking ''and title VI'';*

*(3) in paragraph (5)(A)—*

*(A) in clause (ii), by striking subclause (III) and inserting the following:*

*''(III) conveyed at any time under the Alaska Native Claims Settlement Act to a Native individual, Native group, or village or regional corporation (including single family occupancy properties that may have been subsequently sold or leased to a third party), except that property that is conveyed under such Act—*

*''(aa) that is not taxed is, for the purposes of this paragraph, considered tax-exempt due to Federal law; and*

*''(bb) is considered Federal property for the purpose of this paragraph if the property is located within a Regional Educational Attendance Area that has no taxing power;''; and*

*(B) in clause (iii)—*

*(i) in subclause (II), by striking ''Stewart B. McKinney Homeless Assistance Act'' and inserting ''McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411)''; and*

*(ii) by striking subclause (III) and inserting the following:*

*''(III) used for affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); or''.*

***SEC. 7013. AUTHORIZATION OF APPROPRIATIONS.***

*Section 7014, as amended and redesignated by section 7001 of this Act, is further amended—*

*(1) in subsection (a), by striking ''$32,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''$66,813,000 for each of fiscal years 2017 through 2019, and $71,997,917 for fiscal year 2020'';*

*(2) in subsection (b), by striking ''$809,400,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''$1,151,233,000 for each of fiscal years 2017 through 2019, and $1,240,572,618 for fiscal year 2020'';*

*(3) in subsection (c)—*

*(A) by striking ''section 8003(d)'' and inserting ''section 7003(d)''; and*

*(B) by striking ''$50,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''$48,316,000 for each of fiscal years 2017 through 2019, and $52,065,487 for fiscal year 2020'';*

*(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;*

*(5) in subsection (d) (as redesignated by paragraph (4))—*

*(A) by striking ''section 8007'' and inserting ''section 7007''; and*

*(B) by striking ''$10,052,000 for fiscal year 2000 and such sums as may be necessary for fiscal year 2001, $150,000,000 for fiscal year 2002, and such sums as may be necessary for each of the five succeeding fiscal years'' and inserting ''$17,406,000 for each of fiscal years 2017 through 2019, and $18,756,765 for fiscal year 2020''; and*

*(6) in subsection (e) (as redesignated by paragraph (4))—*

*(A) by striking ''section 8008'' and inserting ''section 7008''; and*

*(B) by striking ''$5,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''$4,835,000 for each of fiscal years 2017 through 2019, and $5,210,213 for fiscal year 2020''.*

## *TITLE VIII—GENERAL PROVISIONS*

***SEC. 8001. GENERAL PROVISIONS.***

*(a) TITLE IX REDESIGNATIONS.—Title IX (20 U.S.C. 7801 et seq.) (as amended by sections 2001 and 4001 of this Act) is redesignated as title VIII and further amended—*

*(1) by redesignating sections 9101 through 9103 as sections 8101 through 8103, respectively;*

*(2) by redesignating sections 9201 through 9204 as sections 8201 through 8204, respectively;*

*(3) by redesignating sections 9301 through 9306 as sections 8301 through 8306, respectively;*

*(4) by redesignating section 9401 as section 8401;*

*(5) by redesignating sections 9501 through 9506 as sections 8501 through 8506, respectively;*

*(6) by redesignating sections 9521 through 9537 as sections 8521 through 8537, respectively;*

*(7) by redesignating sections 9541 through 9548 as sections 8551 through 8558, respectively;*

*(8) by redesignating section 9551 as 8561;*

*(9) by redesignating sections 9561 through 9564 as sections 8571 through 8574, respectively; and*

*(10) by redesignating section 9601 as section 8601.*

*(b) STRUCTURAL AND CONFORMING AMENDMENTS.—Title VIII (as redesignated by subsection (a) of this section) is further amended—*

*(1) by redesignating parts E and F as parts F and G, respectively;*

*(2) by striking ''9305'' each place it appears and inserting ''8305'';*

*(3) by striking ''9302'' each place it appears and inserting ''8302''; and*

*(4) by striking ''9501'' each place it appears and inserting ''8501''.*

***SEC. 8002. DEFINITIONS.***

*Section 8101, as redesignated and amended by section 8001 of this Act, is further amended—*

*(1) by striking paragraphs (3), (11), (19), (23), (35), (36), (37), and (42);*

*(2) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (12), (13), (14), (15), (16), (17), (18), (20), (21), (22), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (38), (39), (41), and (43) as paragraphs (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (18), (19), (24), (26), (27), (29), (20), (30), (31), (34), (35), (36), (38), (39), (41), (42), (45), (46), (49), and (50), respectively, and by transferring such paragraph (20) (as so redesignated) so as to follow such paragraph (19) (as so redesignated);*

*(3) by striking paragraphs (11) and (12) (as so redesignated by paragraph (2)) and inserting the following:*

*''(11) COVERED PROGRAM.—The term 'covered program' means each of the programs authorized by—*

*''(A) part A of title I;*

*''(B) part C of title I;*

*''(C) part D of title I;*

*''(D) part A of title II;*

*''(E) part A of title III;*

*''(F) part A of title IV;*

*''(G) part B of title IV; and*

*''(H) subpart 2 of part B of title V.*

*''(12) CURRENT EXPENDITURES.—The term 'current expenditures' means expenditures for free public education—*

*''(A) including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities; but*

*''(B) not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds received under title I.'';*

*(4) by inserting after paragraph (14) (as so redesignated by paragraph (2)) the following:*

*''(15) DUAL OR CONCURRENT ENROLLMENT PROGRAM.—The term 'dual or concurrent enrollment program' means a program offered by a partnership between at least one institution of higher education and at least one local educational agency through which a secondary school student who has not graduated from high school with a regular high school diploma is able to enroll in one or more postsecondary courses and earn postsecondary credit that—*

*''(A) is transferable to the institutions of higher education in the partnership; and*

*''(B) applies toward completion of a degree or recognized educational credential as described in the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).*

*''(16) EARLY CHILDHOOD EDUCATION PROGRAM.—The term 'early childhood education program' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).*

*''(17) EARLY COLLEGE HIGH SCHOOL.—The term 'early college high school' means a partnership between at least one local educational agency and at least one institution of higher education that allows participants to simultaneously complete requirements toward earning a regular high school diploma and earn not less than 12 credits that are transferable to the institutions of higher education in the partnership as part of an organized course of study toward a postsecondary degree or credential at no cost to the participant or participant's family.'';*

*(5) in paragraph (20) (as so redesignated and transferred by paragraph (2))—*

*(A) in the paragraph heading, by striking ''LIMITED ENGLISH PROFICIENT'' and inserting ''ENGLISH LEARNER'';*

*(B) in the matter preceding subparagraph (A), by striking ''limited English proficient'' and inserting ''English learner''; and*

*(C) in subparagraph (D)(i), by striking ''State's proficient level of achievement on State assessments described in section 1111(b)(3)'' and inserting ''challenging State academic standards'';*

*(6) by inserting after paragraph (20) (as so redesignated and transferred by paragraph (2)), the following:*

*''(21) EVIDENCE-BASED.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evidence-based', when used with respect to a State, local educational agency, or school activity, means an activity, strategy, or intervention that—*

*''(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—*

*''(I) strong evidence from at least 1 well-designed and well-implemented experimental study;*

*''(II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or*

*''(III) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or*

*''(ii)(I) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and*

*''(II) includes ongoing efforts to examine the effects of such activity, strategy, or intervention.*

*''(B) DEFINITION FOR SPECIFIC ACTIVITIES FUNDED UNDER THIS ACT.—When used with respect to interventions or improvement activities or strategies funded under section 1003, the term 'evidence-based' means a State, local educational agency, or school activity, strategy, or intervention that meets the requirements of subclause (I), (II), or (III) of subparagraph (A)(i).*

*''(22) EXPANDED LEARNING TIME.—The term 'expanded learning time' means using a longer school day, week, or year schedule to significantly increase the total number of school hours, in order to include additional time for—*

*''(A) activities and instruction for enrichment as part of a well-rounded education; and*

*''(B) instructional and support staff to collaborate, plan, and engage in professional development (including professional development on family and community engagement) within and across grades and subjects.*

*''(23) EXTENDED-YEAR ADJUSTED COHORT GRADUATION RATE.—*

*''(A) IN GENERAL.—The term 'extended-year adjusted cohort graduation rate' means the fraction—*

*''(i) the denominator of which consists of the number of students who form the original cohort of entering first-time students in grade 9 enrolled in the high school no later than the date by which student membership data must be collected annually by State educational agencies for submission to the National Center for Education Statistics under section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543), adjusted by—*

*''(I) adding the students who joined that cohort, after the date of the determination of the original cohort; and*

*''(II) subtracting only those students who left that cohort, after the date of the determination of the original cohort, as described in subparagraph (B); and*

*''(ii) the numerator of which—*

*''(I) consists of the sum of—*

*''(aa) the number of students in the cohort, as adjusted under clause (i), who earned a regular high school diploma before, during, or at the conclusion of—*

*''(AA) one or more additional years beyond the fourth year of high school; or*

*''(BB) a summer session immediately following the additional year of high school; and*

*''(bb) all students with the most significant cognitive disabilities in the cohort, as adjusted under clause (i), assessed using the alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) and awarded a State-defined alternate diploma that is—*

*''(AA) standards-based;*

*''(BB) aligned with the State requirements for the regular high school diploma; and*

*''(CC) obtained within the time period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(1)); and*

*''(II) shall not include any student awarded a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.*

*''(B) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation, or obtain documentation from the State educational agency, to confirm that the student has transferred out, emigrated to another country, or transferred to a prison or juvenile facility, or is deceased.*

*''(C) TRANSFERRED OUT.— For purposes of this paragraph, the term 'transferred out' has the meaning given the term in clauses (i), (ii), and (iii) of paragraph (25)(C).*

*''(D) SPECIAL RULES.—*

*''(i) SCHOOLS STARTING AFTER GRADE 9.—For those high schools that start after grade 9, the original cohort shall be calculated for the earliest high school grade students attend no later than the date by which student membership data is collected annually by State educational agencies for submission to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543).*

*''(ii) VERY SMALL SCHOOLS.—A State educational agency may calculate the extended year adjusted cohort graduation rate described under this paragraph for a high school with an average enrollment over a 4-year period of less than 100 students for the purposes of section 1111(c)(4) by—*

*''(I) averaging the extended-year adjusted cohort graduation rate of the school over a period of three years; or*

*''(II) establishing a minimum number of students that must be included in the cohort described in clause (i) of subparagraph (A) that will provide a valid graduation rate calculation as determined by the Secretary, below which the school shall be exempt from differentiation and identification under such section.'';*

*(7) by inserting after paragraph (24) (as so redesignated by paragraph (2)) the following:*

*''(25) FOUR-YEAR ADJUSTED COHORT GRADUATION RATE.—*

*''(A) IN GENERAL.—The term 'four-year adjusted cohort graduation rate' means the fraction—*

*''(i) the denominator of which consists of the number of students who form the original cohort of entering first-time students in grade 9 enrolled in the high school no later than the date by which student membership data is collected annually by State educational agencies for submission to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543), adjusted by—*

*''(I) adding the students who joined that cohort, after the date of the determination of the original cohort; and*

*''(II) subtracting only those students who left that cohort, after the date of the determination of the original cohort, as described in subparagraph (B); and*

*''(ii) the numerator of which—*

*''(I) consists of the sum of—*

*''(aa) the number of students in the cohort, as adjusted under clause (i), who earned a regular high school diploma before, during, or at the conclusion of—*

*''(AA) the fourth year of high school; or*

*''(BB) a summer session immediately following the fourth year of high school; and*

*''(bb) all students with the most significant cognitive disabilities in the cohort, as adjusted under clause (i), assessed using the alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) and awarded a State-defined alternate diploma that is—*

''(AA) standards-based;

''(BB) aligned with the State requirements for the regular high school diploma; and

''(CC) obtained within the time period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(1); and

''(II) shall not include any student awarded a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.

''(B) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation, or obtain documentation from the State educational agency, to confirm that the student has transferred out, emigrated to another country, or transferred to a prison or juvenile facility, or is deceased.

''(C) TRANSFERRED OUT.—

''(i) IN GENERAL.—For purposes of this paragraph, the term 'transferred out' means that a student, as confirmed by the high school or local educational agency in accordance with clause (ii), has transferred to—

''(I) another school from which the student is expected to receive a regular high school diploma; or

''(II) another educational program from which the student is expected to receive a regular high school diploma or an alternate diploma that meets the requirements of subparagraph (A)(ii)(I)(bb).

''(ii) CONFIRMATION REQUIREMENTS.—

''(I) DOCUMENTATION REQUIRED.—The confirmation of a student's transfer to another school or educational program described in clause (i) requires documentation of such transfer from the receiving school or program in which the student enrolled.

''(II) LACK OF CONFIRMATION.—A student who was enrolled in a high school, but for whom there is no confirmation of the student having transferred out, shall remain in the adjusted cohort.

''(iii) PROGRAMS NOT PROVIDING CREDIT.—Except as provided in subparagraph (A)(ii)(I)(bb), a student who is retained in grade or who is enrolled in a program leading to a general equivalency diploma, or other alternative educational program that does not issue or provide credit toward the issuance of a regular high school diploma, shall not be considered transferred out and shall remain in the adjusted cohort.

''(D) SPECIAL RULES.—

''(i) SCHOOLS STARTING AFTER GRADE 9.—For those high schools that start after grade 9, the original cohort shall be calculated for the earliest high school grade students attend no later than the date by which student membership data must be collected annually by State educational agencies for submission to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543).

''(ii) VERY SMALL SCHOOLS.—A State educational agency may calculate the four-year adjusted cohort graduation rate described under this paragraph for a high school with an average enrollment over a 4-year period of less than 100 students for the purposes of section 1111(c)(4) by—

''(I) averaging the four-year adjusted cohort graduation rate of the school over a period of three years; or

''(II) establishing a minimum number of students that must be included in the cohort described in clause (i) of subparagraph (A) that will provide a valid graduation rate calculation as determined by the Secretary, below which the school shall be exempt from differentiation and identification under such section.'';

(8) by inserting after paragraph (27) (as so redesignated by paragraph (2)) the following:

''(28) HIGH SCHOOL.—The term 'high school' means a secondary school that—

''(A) grants a diploma, as defined by the State; and

''(B) includes, at least, grade 12.'';

(9) in paragraph (30) (as so redesignated by paragraph (2)), in subparagraph (C)—

(A) by striking the subparagraph designation and heading and inserting ''(C) BUREAU OF INDIAN EDUCATION SCHOOLS.—''; and

(B) by striking ''Affairs'' both places the term appears and inserting ''Education'';

(10) by inserting after paragraph (31) (as redesignated by paragraph (2)) the following:

''(32) MIDDLE GRADES.—The term middle grades means any of grades 5 through 8.

''(33) MULTI-TIER SYSTEM OF SUPPORTS.—The term 'multi-tier system of supports' means a comprehensive continuum of evidence-based, systemic practices to support a rapid response to students' needs, with regular observation to facilitate data-based instructional decision-making.'';

(11) in paragraph (35) (as so redesignated by paragraph (2)), by striking ''pupil services'' and inserting ''specialized instructional support'';

(12) by striking paragraph (36) (as so redesignated by paragraph (2)) and inserting the following:

''(36) OUTLYING AREA.—The term 'outlying area'—

''(A) means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands;

''(B) means the Republic of Palau, to the extent permitted under section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188; 117 Stat. 2751) and until an agreement for the extension of United States education assistance under the Compact of Free Association becomes effective for the Republic of Palau; and

''(C) for the purpose of any discretionary grant program under this Act, includes the Republic of the Marshall Islands and the Federated States of Micronesia, to the extent permitted under section 105(f)(1)(B)(viii) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188; 117 Stat. 2751).'';

(13) by inserting after paragraph (36) (as so redesignated by paragraph (2)), the following:

''(37) PARAPROFESSIONAL.—The term 'paraprofessional', also known as a 'paraeducator', includes an education assistant and instructional assistant.'';

(14) in paragraph (39) (as so redesignated by paragraph (2))—

(A) in subparagraph (C), by inserting ''and'' after the semicolon; and

(B) in subparagraph (D), by striking ''section 1118'' and inserting ''section 1116'';

(15) by inserting after paragraph (39) (as so redesignated by paragraph (2)) the following:

''(40) PAY FOR SUCCESS INITIATIVE.—The term 'pay for success initiative' means a performance-based grant, contract, or cooperative agreement awarded by a public entity in which a commitment is made to pay for improved outcomes that result in social benefit and direct cost savings or cost avoidance to the public sector. Such an initiative shall include—

''(A) a feasibility study on the initiative describing how the proposed intervention is based on evidence of effectiveness;

''(B) a rigorous, third-party evaluation that uses experimental or quasi-experimental design or other research methodologies that allow for the strongest possible causal inferences to determine whether the initiative has met its proposed outcomes;

''(C) an annual, publicly available report on the progress of the initiative; and

''(D) a requirement that payments are made to the recipient of a grant, contract, or cooperative agreement only when agreed upon outcomes are achieved, except that the entity may make payments to the third party conducting the evaluation described in subparagraph (B).'';

(16) by striking paragraph (42) (as so redesignated by paragraph (2)) and inserting the following:

''(42) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means activities that—

''(A) are an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in a well-rounded education and to meet the challenging State academic standards; and

''(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused, and may include activities that—

''(i) improve and increase teachers'—

''(I) knowledge of the academic subjects the teachers teach;

''(II) understanding of how students learn; and

''(III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;

''(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

''(iii) allow personalized plans for each educator to address the educator's specific needs identified in observation or other feedback;

''(iv) improve classroom management skills;

''(v) support the recruitment, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;

''(vi) advance teacher understanding of—

''(I) effective instructional strategies that are evidence-based; and

''(II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;

''(vii) are aligned with, and directly related to, academic goals of the school or local educational agency;

''(viii) are developed with extensive participation of teachers, principals, other school leaders, parents, representatives of Indian tribes (as applicable), and administrators of schools to be served under this Act;

''(ix) are designed to give teachers of English learners, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

''(x) to the extent appropriate, provide training for teachers, principals, and other school leaders in the use of technology (including education about the harms of copyright piracy), so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;

''(xi) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;

''(xii) are designed to give teachers of children with disabilities or children with developmental delays, and other teachers and instructional staff, the knowledge and skills to provide instruction and academic support services, to those children, including positive behavioral interventions and supports, multi-tier system of supports, and use of accommodations;

''(xiii) include instruction in the use of data and assessments to inform and instruct classroom practice;

''(xiv) include instruction in ways that teachers, principals, other school leaders, specialized instructional support personnel, and school administrators may work more effectively with parents and families;

''(xv) involve the forming of partnerships with institutions of higher education, including, as applicable, Tribal Colleges and Universities as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)), to estab-

*lish school-based teacher, principal, and other school leader training programs that provide prospective teachers, novice teachers, principals, and other school leaders with an opportunity to work under the guidance of experienced teachers, principals, other school leaders, and faculty of such institutions;*

*''(xvi) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;*

*''(xvii) provide follow-up training to teachers who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and*

*''(xviii) where practicable, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.'';*

*(17) by inserting after paragraph (42) (as so redesignated by paragraph (2)) the following:*

*''(43) REGULAR HIGH SCHOOL DIPLOMA.—The term 'regular high school diploma'—*

*''(A) means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E); and*

*''(B) does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.*

*''(44) SCHOOL LEADER.—The term 'school leader' means a principal, assistant principal, or other individual who is—*

*''(A) an employee or officer of an elementary school or secondary school, local educational agency, or other entity operating an elementary school or secondary school; and*

*''(B) responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building.'';*

*(18) by inserting after paragraph (46) (as so redesignated by paragraph (2)) the following:*

*''(47) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—*

*''(A) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term 'specialized instructional support personnel' means—*

*''(i) school counselors, school social workers, and school psychologists; and*

*''(ii) other qualified professional personnel, such as school nurses, speech language pathologists, and school librarians, involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)) as part of a comprehensive program to meet student needs.*

*''(B) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The term 'specialized instructional support services' means the services provided by specialized instructional support personnel.'';*

*(19) by striking the undesignated paragraph between paragraph (47) (as inserted by paragraph (18)) and paragraph (49) (as so redesignated by paragraph (2)) and inserting the following:*

*''(48) STATE.—The term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.'';*

*(20) by striking paragraph (50) (as so redesignated by paragraph (2)) and inserting the following:*

*''(50) TECHNOLOGY.—The term 'technology' means modern information, computer and communication technology products, services, or tools, including, the Internet and other communications networks, computer devices and other computer and communications hardware, software applications, data systems, and other electronic content (including multimedia content) and data storage.''; and*

*(21) by adding at the end the following:*

*''(51) UNIVERSAL DESIGN FOR LEARNING.—The term 'universal design for learning' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).*

*''(52) WELL-ROUNDED EDUCATION.—The term 'well-rounded education' means courses, activities, and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the State or local educational agency, with the purpose of providing all students access to an enriched curriculum and educational experience.''.*

***SEC. 8003. APPLICABILITY OF TITLE.***

*Section 8102, as redesignated by section 8001 of this Act, is further amended by striking ''Parts B, C, D, and E of this title do not apply to title VIII'' and inserting ''Parts B, C, D, E, and F of this title do not apply to title VII''.*

***SEC. 8004. APPLICABILITY TO BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS.***

*Section 8103, as redesignated by section 8001 of this Act, is amended—*

*(1) in the section heading, by striking ''**BUREAU OF INDIAN AFFAIRS**'' and inserting ''**BUREAU OF INDIAN EDUCATION**''; and*

*(2) by striking ''Bureau of Indian Affairs'' each place the term appears and inserting ''Bureau of Indian Education''.*

***SEC. 8005. CONSOLIDATION OF STATE ADMINISTRATIVE FUNDS FOR ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.***

*Section 8201(b)(2), as redesignated by section 8001 of this Act, is amended—*

*(1) in subparagraph (G), by striking ''and'' after the semicolon;*

*(2) in subparagraph (H), by striking the period and inserting ''; and''; and*

*(3) by adding at the end the following:*

*''(I) implementation of fiscal support teams that provide technical fiscal support assistance, which shall include evaluating fiscal, administrative, and staffing functions, and any other key operational function.''.*

***SEC. 8006. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.***

*Section 8203, as redesignated by section 8001 of this Act, is amended—*

*(1) in subsection (b), by striking ''Within 1 year after the date of enactment of the No Child Left Behind Act of 2001, a State'' and inserting ''A State''; and*

*(2) by striking subsection (d) and inserting the following:*

*''(d) USES OF ADMINISTRATIVE FUNDS.—*

*''(1) IN GENERAL.—A local educational agency that consolidates administrative funds under this section may use the consolidated funds for the administration of the programs and for uses, at the school district and school levels, comparable to those described in section 8201(b)(2).*

*''(2) FISCAL SUPPORT TEAMS.—A local educational agency that uses funds as described in section 8201(b)(2)(I) may contribute State or local funds to expand the reach of such support without violating any supplement, not supplant requirement of any program contributing administrative funds.''.*

***SEC. 8007. CONSOLIDATED SET-ASIDE FOR DEPARTMENT OF THE INTERIOR FUNDS.***

*Section 8204, as redesignated and amended by section 8001 of this Act, is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (1), by striking ''part A of title VII'' and inserting ''part A of title VI''; and*

*(B) in paragraph (2), by striking subparagraph (B) and inserting the following:*

*''(B) CONTENTS.—The agreement shall—*

*''(i) set forth the plans of the Secretary of the Interior for the use of the amount transferred and the achievement measures to assess program effectiveness, including program objectives; and*

*''(ii) be developed in consultation with Indian tribes.''; and*

*(2) by adding at the end the following:*

*''(c) ACCOUNTABILITY SYSTEM.—*

*''(1) For the purposes of part A of title I, the Secretary of Interior, in consultation with the Secretary, if the Secretary of the Interior requests the consultation, using a negotiated rulemaking process to develop regulations for implementation no later than the 2017-2018 academic year, shall define the standards, assessments, and accountability system consistent with section 1111, for the schools funded by the Bureau of Indian Education on a national, regional, or tribal basis, as appropriate, taking into account the unique circumstances and needs of such schools and the students served by such schools.*

*''(2) The tribal governing body or school board of a school funded by the Bureau of Indian Affairs may waive, in part or in whole, the requirements established pursuant to paragraph (1) where such requirements are determined by such body or school board to be inappropriate. If such requirements are waived, the tribal governing body or school board shall, within 60 days, submit to the Secretary of Interior a proposal for alternative standards, assessments, and an accountability system, if applicable, consistent with section 1111, that takes into account the unique circumstances and needs of such school or schools and the students served. The Secretary of the Interior and the Secretary shall approve such standards, assessments, and accountability system unless the Secretary determines that the standards, assessments, and accountability system do not meet the requirements of section 1111, taking into account the unique circumstances and needs of such school or schools and the students served.*

*''(3) TECHNICAL ASSISTANCE.—The Secretary of Interior and the Secretary shall, either directly or through a contract, provide technical assistance, upon request, to a tribal governing body or school board of a school funded by the Bureau of Indian Affairs that seeks a waiver under paragraph (2).''.*

***SEC. 8008. DEPARTMENT STAFF.***

*Title VIII, as redesignated and amended by section 8001 of this Act, is further amended by adding after section 8204 the following:*

***''SEC. 8205. DEPARTMENT STAFF.***

*''The Secretary shall—*

*''(1) not later than 60 days after the date of enactment of the Every Student Succeeds Act, identify the number of Department full-time equivalent employees who worked on or administered each education program or project authorized under this Act, as such program or project was in effect on the day before such date of enactment, and publish such information on the Department's website;*

*''(2) not later than 60 days after such date of enactment, identify the number of full-time equivalent employees who worked on or administered each program or project authorized under this Act, as such program or project was in effect on the day before such date of enactment, that has been eliminated or consolidated since such date of enactment;*

*''(3) not later than 1 year after such date of enactment, reduce the workforce of the Department by the number of full-time equivalent employees the Department identified under paragraph (2); and*

*''(4) not later than 1 year after such date of enactment, report to Congress on—*

*''(A) the number of full-time equivalent employees associated with each program or project authorized under this Act and administered by the Department;*

*''(B) the number of full-time equivalent employees who were determined to be associated with eliminated or consolidated programs or projects described in paragraph (2);*

''(C) how the Secretary has reduced the number of full-time equivalent employees as described in paragraph (3);

''(D) the average salary of the full-time equivalent employees described in subparagraph (B) whose positions were eliminated; and

''(E) the average salary of the full-time equivalent employees who work on or administer a program or project authorized by the Department under this Act, disaggregated by employee function within each such program or project.''.

***SEC. 8009. OPTIONAL CONSOLIDATED STATE PLANS OR APPLICATIONS.***

*Section 8302(b)(1), as redesignated by section 8001 of this Act, is amended by striking ''nonprofit''.*

***SEC. 8010. GENERAL APPLICABILITY OF STATE EDUCATIONAL AGENCY ASSURANCES.***

*Section 8304(a)(2), as redesignated by section 8001 of this Act, is amended by striking ''nonprofit'' and inserting ''eligible'' each place the term appears.*

***SEC. 8011. RURAL CONSOLIDATED PLAN.***

*Section 8305, as redesignated and amended by section 8001 of this Act, is amended by adding at the end the following:*

''(e) RURAL CONSOLIDATED PLAN.—

''(1) IN GENERAL.—Two or more eligible local educational agencies, a consortium of eligible local educational service agencies, or an educational service agency on behalf of eligible local educational agencies may submit plans or applications for 1 or more covered programs to the State educational agency on a consolidated basis, if each eligible local educational agency impacted elects to participate in the joint application or elects to allow the educational service agency to apply on its behalf.

''(2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—For the purposes of this subsection, the term 'eligible local educational agency' means a local educational agency that is an eligible local educational agency under part B of title V.''.

***SEC. 8012. OTHER GENERAL ASSURANCES.***

*Section 8306(a), as redesignated and amended by section 8001 of this Act, is further amended—*

*(1) in the matter preceding paragraph (1), by striking ''whether separately or pursuant to section 8305,''; and*

*(2) in paragraph (2), by striking ''nonprofit'' each place it appears and inserting ''eligible''.*

***SEC. 8013. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.***

*Section 8401, as redesignated by section 8001 of this Act, is amended—*

*(1) by striking subsection (a) and inserting the following:*

''(a) IN GENERAL.—

''(1) REQUEST FOR WAIVER BY STATE OR INDIAN TRIBE.—A State educational agency or Indian tribe that receives funds under a program authorized under this Act may submit a request to the Secretary to waive any statutory or regulatory requirement of this Act.

''(2) LOCAL EDUCATIONAL AGENCY AND SCHOOL REQUESTS SUBMITTED THROUGH THE STATE.—

''(A) REQUEST FOR WAIVER BY LOCAL EDUCATIONAL AGENCY.—A local educational agency that receives funds under a program authorized under this Act and desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the appropriate State educational agency. The State educational agency may then submit the request to the Secretary if the State educational agency determines the waiver appropriate.

''(B) REQUEST FOR WAIVER BY SCHOOL.—An elementary school or secondary school that desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the local educational agency serving the school. The local educational agency may then submit the request to the State educational agency in accordance with subparagraph (A) if the local educational agency determines the waiver appropriate.

''(3) RECEIPT OF WAIVER.—Except as provided in subsection (b)(4) or (c), the Secretary may waive any statutory or regulatory requirement of this Act for which a waiver request is submitted to the Secretary pursuant to this subsection.'';

*(2) in subsection (b)—*

*(A) in paragraph (1)—*

*(i) in the matter preceding subparagraph (A)—*

*(I) by striking '', local educational agency,'' and inserting '', acting on its own behalf or on behalf of a local educational agency in accordance with subsection (a)(2),''; and*

*(II) by inserting '', which shall include a plan'' after ''to the Secretary'';*

*(ii) by redesignating subparagraph (E) as subparagraph (F);*

*(iii) by striking subparagraphs (B), (C), and (D) and inserting the following:*

''(B) describes which Federal statutory or regulatory requirements are to be waived;

''(C) describes how the waiving of such requirements will advance student academic achievement;

''(D) describes the methods the State educational agency, local educational agency, school, or Indian tribe will use to monitor and regularly evaluate the effectiveness of the implementation of the plan;

''(E) includes only information directly related to the waiver request; and''; and

*(iv) in subparagraph (F), as redesignated by clause (ii), by inserting ''and, if the waiver relates to provisions of subsections (b) or (h) of section 1111, describes how the State educational agency, local educational agency, school, or Indian tribe will maintain or improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of the subgroups of students identified in section 1111(b)(2)(B)(xi)'' after ''waivers are requested'';*

*(B) in paragraph (2)(B)(i)(II), by striking ''(on behalf of, and based on the requests of, local educational agencies)'' and inserting ''(on behalf of those agencies or on behalf of, and based on the requests of, local educational agencies in the State)'';*

*(C) in paragraph (3)—*

*(i) in subparagraph (A)—*

*(I) in the matter preceding clause (i), by inserting ''or on behalf of local educational agencies in the State under subsection (a)(2),'' after ''acting on its own behalf,''; and*

*(II) by striking clauses (i) through (iii) and inserting the following:*

''(i) provide the public and any interested local educational agency in the State with notice and a reasonable opportunity to comment and provide input on the request, to the extent that the request impacts the local educational agency;

''(ii) submit the comments and input to the Secretary, with a description of how the State addressed the comments and input; and

''(iii) provide notice and a reasonable time to comment to the public and local educational agencies in the manner in which the applying agency customarily provides similar notice and opportunity to comment to the public.''; and

*(ii) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:*

''(i) the request shall be reviewed and approved by the State educational agency in accordance with subsection (a)(2) before being submitted to the Secretary and be accompanied by the comments, if any, of the State educational agency and the public; and

''(ii) notice and a reasonable opportunity to comment regarding the waiver request shall be provided to the State educational agency and the public by the agency requesting the waiver in the manner in which that agency customarily provides similar notice and opportunity to comment to the public.''.

*(D) by adding at the end the following:*

''(4) WAIVER DETERMINATION, DEMONSTRATION, AND REVISION.—

''(A) IN GENERAL.—The Secretary shall issue a written determination regarding the initial approval or disapproval of a waiver request not more than 120 days after the date on which such request is submitted. Initial disapproval of such request shall be based on the determination of the Secretary that—

''(i) the waiver request does not meet the requirements of this section;

''(ii) the waiver is not permitted under subsection (c);

''(iii) the description required under paragraph (1)(C) in the plan provides insufficient information to demonstrate that the waiving of such requirements will advance student academic achievement consistent with the purposes of this Act; or

''(iv) the waiver request does not provide for adequate evaluation to ensure review and continuous improvement of the plan.

''(B) WAIVER DETERMINATION AND REVISION.—Upon the initial determination of disapproval under subparagraph (A), the Secretary shall—

''(i) immediately—

''(I) notify the State educational agency, local educational agency (through the State educational agency), school (through the local educational agency), or Indian tribe, as applicable, of such determination; and

''(II) provide detailed reasons for such determination in writing to the applicable entity under subclause (I) to the public, such as posting in a clear and easily accessible format to the Department's website;

''(ii) offer the State educational agency, local educational agency (through the State educational agency), school (through the local educational agency), or Indian tribe an opportunity to revise and resubmit the waiver request by a date that is not more than 60 days after the date of such determination; and

''(iii) if the Secretary determines that the resubmission under clause (ii) does not meet the requirements of this section, at the request of the State educational agency, local educational agency, school, or Indian tribe, conduct a hearing not more than 30 days after the date of such resubmission.

''(C) WAIVER DISAPPROVAL.—The Secretary may ultimately disapprove a waiver request if—

''(i) the State educational agency, local educational agency, school, or Indian tribe has been notified and offered an opportunity to revise and resubmit the waiver request, as described under clauses (i) and (ii) of subparagraph (B); and

''(ii) the State educational agency, local educational agency (through the State educational agency), school (through the local educational agency), or Indian tribe—

''(I) does not revise and resubmit the waiver request; or

''(II) revises and resubmits the waiver request, and the Secretary determines that such waiver request does not meet the requirements of this section after a hearing conducted under subparagraph (B)(iii), if such a hearing is requested.

''(D) EXTERNAL CONDITIONS.—The Secretary shall not disapprove a waiver request under this section based on conditions outside the scope of the waiver request.'';

*(3) in subsection (c)—*

*(A) in paragraph (1), by inserting '', Indian tribes'' after ''local educational agencies'';*

*(B) in paragraph (8), by striking ''subpart 1 of part B of title V'' and inserting ''part C of title IV''; and*

*(C) by striking paragraph (9) and inserting the following:*

''(9) the prohibitions—

''(A) in subpart 2 of part F;

''(B) regarding use of funds for religious worship or instruction in section 8505; and

''(C) regarding activities in section 8526; or'';

*(4) in subsection (d)—*

*(A) in the subsection heading, by adding ''; LIMITATIONS'' after ''WAIVER'';*

*(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''Secretary determines'' and inserting ''State demonstrates''; and*

*(C) by adding at the end the following:*

*''(3) SPECIFIC LIMITATIONS.—The Secretary shall not require a State educational agency, local educational agency, school, or Indian tribe, as a condition of approval of a waiver request, to—*

*''(A) include in, or delete from, such request, specific academic standards, such as the Common Core State Standards developed under the Common Core State Standards Initiative or any other standards common to a significant number of States;*

*''(B) use specific academic assessment instruments or items, including assessments aligned to the standards described in subparagraph (A); or*

*''(C) include in, or delete from, such waiver request any specific elements of—*

*''(i) State academic standards;*

*''(ii) academic assessments;*

*''(iii) State accountability systems; or*

*''(iv) teacher and school leader evaluation systems.'';*

*(5) by striking subsection (e) and inserting the following:*

*''(e) REPORTS.—A State educational agency, local educational agency, school, or Indian tribe receiving a waiver under this section shall describe, as part of, and pursuant to, the required annual reporting under section 1111(h)—*

*''(1) the progress of schools covered under the provisions of such waiver toward improving student academic achievement; and*

*''(2) how the use of the waiver has contributed to such progress.''; and*

*(6) in subsection (f), by striking ''if the Secretary determines'' and all that follows through the period at the end and inserting the following: ''if, after notice and an opportunity for a hearing, the Secretary—*

*''(A) presents a rationale and supporting information that clearly demonstrates that the waiver is not contributing to the progress of schools described in subsection (e)(1); or*

*''(B) determines that the waiver is no longer necessary to achieve its original purposes.''.*

***SEC. 8014. APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS.***

*Title VIII, as amended and redesignated by section 8001 of this Act, is further amended by inserting after section 8401 the following:*

***''PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS***

***''SEC. 8451. APPROVAL AND DISAPPROVAL OF STATE PLANS.***

*''(a) APPROVAL.—A plan submitted by a State pursuant to section 2101(d), 4103(c), 4203, or 8302 shall be approved by the Secretary unless the Secretary makes a written determination (which shall include the supporting information and rationale supporting such determination), prior to the expiration of the 120-day period beginning on the date on which the Secretary received the plan, that the plan is not in compliance with section 2101(d), 4103(c), or 4203, or part C, respectively.*

*''(b) DISAPPROVAL PROCESS.—*

*''(1) IN GENERAL.—The Secretary shall not finally disapprove a plan submitted under section 2101(d), 4103(c), 4203, or 8302, except after giving the State educational agency notice and an opportunity for a hearing.*

*''(2) NOTIFICATIONS.—If the Secretary finds that the plan is not in compliance, in whole or in part, with section 2101(d), 4103(c), or 4203, or part C, as applicable, the Secretary shall—*

*''(A) immediately notify the State of such determination;*

*''(B) provide a detailed description of the specific provisions of the plan that the Secretary determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;*

*''(C) offer the State an opportunity to revise and resubmit its plan within 45 days of such determination, including the chance for the State to present supporting information to clearly demonstrate that the State plan meets the requirements of such section or part, as applicable;*

*''(D) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of such section or part, as applicable;*

*''(E) conduct a hearing within 30 days of the plan's resubmission under subparagraph (C), unless a State declines the opportunity for such hearing; and*

*''(F) request additional information, only as to the noncompliant provisions, needed to make the plan compliant.*

*''(3) RESPONSE.—If the State educational agency responds to the Secretary's notification described in paragraph (2)(A) prior to the expiration of the 45-day period beginning on the date on which the State educational agency received the notification, and resubmits the plan as described in paragraph (2)(C), the Secretary shall approve such plan unless the Secretary determines the plan does not meet the requirements of section 2101(d), 4103(c), or 4203, or part C, as applicable.*

*''(4) FAILURE TO RESPOND.—If the State educational agency does not respond to the Secretary's notification described in paragraph (2)(A) prior to the expiration of the 45-day period beginning on the date on which the State educational agency received the notification, such plan shall be deemed to be disapproved.*

*''(c) LIMITATION.—A plan submitted under section 2101(d), 4103(c), 4203, or 8302 shall not be approved or disapproved based upon the nature of the activities proposed within such plan if such proposed activities meet the applicable program requirements.*

*''(d) PEER-REVIEW REQUIREMENTS.—Notwithstanding any other requirements of this part, the Secretary shall ensure that any portion of a consolidated State plan that is related to part A of title I is subject to the peer-review process described in section 1111(a)(4).*

***''SEC. 8452. APPROVAL AND DISAPPROVAL OF LOCAL EDUCATIONAL AGENCY APPLICATIONS.***

*''(a) APPROVAL.—An application submitted by a local educational agency pursuant to section 2102(b), 4106, 4204(b) or 8305, shall be approved by the State educational agency unless the State educational agency makes a written determination (which shall include the supporting information and rationale for such determination), prior to the expiration of the 120-day period beginning on the date on which the State educational agency received the application, that the application is not in compliance with section 2102(b), 4106, or 4204(b), or part C, respectively.*

*''(b) DISAPPROVAL PROCESS.—*

*''(1) IN GENERAL.—The State educational agency shall not finally disapprove an application submitted under section 2102(b), 4106, 4204(b) or 8305 except after giving the local educational agency notice and opportunity for a hearing.*

*''(2) NOTIFICATIONS.—If the State educational agency finds that the application submitted under section 2102(b), 4106, 4204(b) or 8305 is not in compliance, in whole or in part, with section 2102(b), 4106, or 4204(b), or part C, respectively, the State educational agency shall—*

*''(A) immediately notify the local educational agency of such determination;*

*''(B) provide a detailed description of the specific provisions of the application that the State determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;*

*''(C) offer the local educational agency an opportunity to revise and resubmit its application within 45 days of such determination, including the chance for the local educational agency to present supporting information to clearly demonstrate that the application meets the requirements of such section or part;*

*''(D) provide technical assistance, upon request of the local educational agency, in order to assist the local educational agency to meet the requirements of such section or part, as applicable;*

*''(E) conduct a hearing within 30 days of the application's resubmission under subparagraph (C), unless a local educational agency declines the opportunity for such a hearing; and*

*''(F) request additional information, only as to the noncompliant provisions, needed to make the application compliant.*

*''(3) RESPONSE.—If the local educational agency responds to the State educational agency's notification described in paragraph (2)(A) prior to the expiration of the 45-day period beginning on the date on which the local educational agency received the notification, and resubmits the application as described in paragraph (2)(C), the State educational agency shall approve such application unless the State educational agency determines the application does not meet the requirements of this part.*

*''(4) FAILURE TO RESPOND.—If the local educational agency does not respond to the State educational agency's notification described in paragraph (2)(A) prior to the expiration of the 45-day period beginning on the date on which the local educational agency received the notification, such application shall be deemed to be disapproved.''.*

***SEC. 8015. PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND TEACHERS.***

*Section 8501, as redesignated by section 8001 of this Act, is amended—*

*(1) in subsection (a)—*

*(A) by striking paragraph (3) and inserting the following:*

*''(3) SPECIAL RULE.—*

*''(A) IN GENERAL.—Educational services and other benefits provided under this section for private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating in the program and shall be provided in a timely manner.*

*''(B) OMBUDSMAN.—To help ensure equitable services are provided to private school children, teachers, and other educational personnel under this section, the State educational agency involved shall direct the ombudsman designated by the agency under section 1117 to monitor and enforce the requirements of this section.''; and*

*(B) by striking paragraph (4) and inserting the following:*

*''(4) EXPENDITURES.—*

*''(A) IN GENERAL.—Expenditures for educational services and other benefits provided under this section for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children.*

*''(B) OBLIGATION OF FUNDS.—Funds allocated to a local educational agency for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received by the agency.*

*''(C) NOTICE OF ALLOCATION.—Each State educational agency shall provide notice in a timely manner to the appropriate private school officials in the State of the allocation of funds for educational services and other benefits under this subpart that the local educational agencies have determined are available for eligible private school children.''.*

*(2) in subsection (b)—*

*(A) in paragraph (1), by striking subparagraphs (A) through (H) and inserting the following:*

*''(A) part C of title I;*

*''(B) part A of title II;*

*''(C) part A of title III;*

*''(D) part A of title IV; and*

*''(E) part B of title IV.''; and*

*(B) by striking paragraph (3); and*

*(3) in subsection (c)—*

*(A) in the matter preceding subparagraph (A), by striking ''To ensure'' and all that follows through ''such as'' and inserting ''To ensure timely and meaningful consultation, a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity shall consult with appropriate private school officials. Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, on issues such as'';*

*(B) in paragraph (1)—*

*(i) in subparagraph (E)—*

*(I) by striking ''and the amount'' and inserting '', the amount''; and*

*(II) by striking ''services; and'' and inserting ''services, and how that amount is determined;'';*

*(ii) in subparagraph (F)—*

*(I) by striking ''contract'' after ''provision of''; and*

*(II) by striking the period at the end and inserting ''; and''; and*

*(iii) by adding at the end the following:*

*''(G) whether the agency, consortium, or entity shall provide services directly or through a separate government agency, consortium, or entity, or through a third-party contractor; and*

*''(H) whether to provide equitable services to eligible private school children—*

*''(i) by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(C) based on all the children from low-income families in a participating school attendance area who attend private schools; or*

*''(ii) in the agency's participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(C) based on the number of children from low-income families who attend private schools.''; and*

*(4) by adding at the end the following:*

*''(5) DOCUMENTATION.—Each local educational agency shall maintain in the agency's records, and provide to the State educational agency involved, a written affirmation signed by officials of each participating private school that the meaningful consultation required by this section has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If such officials do not provide such affirmation within a reasonable period of time, the local educational agency shall forward the documentation that such consultation has, or attempts at such consultation have, taken place to the State educational agency.*

*''(6) COMPLIANCE.—*

*''(A) IN GENERAL.—If the consultation required under this section is with a local educational agency or educational service agency, a private school official shall have the right to file a complaint with the State educational agency that the consultation required under this section was not meaningful and timely, did not give due consideration to the views of the private school official, or did not make a decision that treats the private school or its students equitably as required by this section.*

*''(B) PROCEDURE.—If the private school official wishes to file a complaint, the private school official shall provide the basis of the noncompliance and all parties shall provide the appropriate documentation to the appropriate officials.*

*''(C) SERVICES.—A State educational agency shall provide services under this section directly or through contracts with public and private agencies, organizations, and institutions, if the appropriate private school officials have—*

*''(i) requested that the State educational agency provide such services directly; and*

*''(ii) demonstrated that the local educational agency involved has not met the requirements of this section in accordance with the procedures for making such a request, as prescribed by the State educational agency.''.*

***SEC. 8016. STANDARDS FOR BY-PASS.***

*Section 8502(a)(2), as redesignated and amended by section 8001 of this Act, is further amended by striking ''9503, and 9504'' and inserting ''8503, and 8504''.*

***SEC. 8017. COMPLAINT PROCESS FOR PARTICIPATION OF PRIVATE SCHOOL CHILDREN.***

*Section 8503, as redesignated and amended by section 8001 of this Act, is further amended by striking subsections (a) and (b) and inserting the following:*

*''(a) PROCEDURES FOR COMPLAINTS.—The Secretary shall develop and implement written procedures for receiving, investigating, and resolving complaints from parents, teachers, or other individuals and organizations concerning violations of section 8501 by a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity. The individual or organization shall submit the complaint to the State educational agency for a written resolution by the State educational agency within 45 days.*

*''(b) APPEALS TO SECRETARY.—The resolution may be appealed by an interested party to the Secretary not later than 30 days after the State educational agency resolves the complaint or fails to resolve the complaint within the 45-day time limit. The appeal shall be accompanied by a copy of the State educational agency's resolution, and, if there is one, a complete statement of the reasons supporting the appeal. The Secretary shall investigate and resolve the appeal not later than 90 days after receipt of the appeal.''.*

***SEC. 8018. BY-PASS DETERMINATION PROCESS.***

*Section 8504(a)(1)(A), as redesignated by section 8001 of this Act, is amended by striking ''9502'' and inserting ''8502''.*

***SEC. 8019. MAINTENANCE OF EFFORT.***

*Section 8521, as redesignated by section 8001 of this Act, is amended—*

*(1) in subsection (a), by inserting '', subject to the requirements of subsection (b)'' after ''for the second preceding fiscal year'';*

*(2) in subsection (b)(1), by inserting before the period at the end the following: '', if such local educational agency has also failed to meet such requirement (as determined using the measure most favorable to the local agency) for 1 or more of the 5 immediately preceding fiscal years''; and*

*(3) in subsection (c)(1), by inserting ''or a change in the organizational structure of the local educational agency'' after '', such as a natural disaster''.*

***SEC. 8020. PROHIBITION REGARDING STATE AID.***

*Section 8522, as redesignated by section 8001 of this Act, is amended by striking ''title VIII'' and inserting ''title VII''.*

***SEC. 8021. SCHOOL PRAYER.***

*Section 8524(a), as redesignated by section 8001 of this Act, is amended by striking ''on the Internet'' and inserting ''by electronic means, including by posting the guidance on the Department's website in a clear and easily accessible manner''.*

***SEC. 8022. PROHIBITED USES OF FUNDS.***

*Section 8526, as redesignated by section 8001 of this Act, is amended—*

*(1) by striking the section heading and inserting ''**PROHIBITED USES OF FUNDS**'';*

*(2) in subsection (a)—*

*(A) by redesignating paragraphs (1) through (4) as paragraphs (3) through (6), respectively; and*

*(B) by inserting before paragraph (3) (as redesignated by subparagraph (A)) the following:*

*''(1) for construction, renovation, or repair of any school facility, except as authorized under this Act;*

*''(2) for transportation unless otherwise authorized under this Act;'';*

*(3) by striking ''(a)PROHIBITION.—None of the funds authorized under this Act shall be used'' and inserting ''No funds under this Act may be used''; and*

*(4) by striking subsection (b).*

***SEC. 8023. PROHIBITIONS.***

*Title VIII, as redesignated and amended by section 8001 of this Act, is further amended by inserting after section 8526 the following:*

***''SEC. 8526A. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.***

*''(a) IN GENERAL.—No officer or employee of the Federal Government shall, through grants, contracts, or other cooperative agreements, mandate, direct, or control a State, local educational agency, or school's specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this Act (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards), nor shall anything in this Act be construed to authorize such officer or employee to do so.*

*''(b) FINANCIAL SUPPORT.—No officer or employee of the Federal Government shall condition or incentivize the receipt of any grant, contract, or cooperative agreement, the receipt of any priority or preference under such grant, contract, or cooperative agreement, or the receipt of a waiver under section 8401 upon a State, local educational agency, or school's adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this Act (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards).''.*

***SEC. 8024. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.***

*Section 8527, as redesignated by section 8001 of this Act, is amended to read as follows:*

***''SEC. 8527. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.***

*''(a) GENERAL PROHIBITION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government, including through a grant, contract, or cooperative agreement, to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.*

*''(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—Notwithstanding any other provision of Federal law, no funds provided to the Department under this Act may be used by the Department, whether through a grant, contract, or cooperative agreement, to endorse, approve, develop, require, or sanction any curriculum, including any curriculum aligned to the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States, designed to be used in an elementary school or secondary school.*

*''(c) LOCAL CONTROL.—Nothing in this section shall be construed to—*

*''(1) authorize an officer or employee of the Federal Government, whether through a grant, contract, or cooperative agreement to mandate, direct, review, or control a State, local educational agency, or school's instructional content, curriculum, and related activities;*

*''(2) limit the application of the General Education Provisions Act (20 U.S.C. 1221 et seq.);*

*''(3) require the distribution of scientifically or medically false or inaccurate materials or to prohibit the distribution of scientifically or medically true or accurate materials; or*

''(4) create any legally enforceable right.

''(d) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.—

''(1) IN GENERAL.—Notwithstanding any other provision of Federal law, no State shall be required to have academic standards approved or certified by the Federal Government, in order to receive assistance under this Act.

''(2) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State, local educational agency, or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.

''(3) BUILDING STANDARDS.—Nothing in this Act shall be construed to mandate national school building standards for a State, local educational agency, or school.''.

**SEC. 8025. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.**

Section 8528, as redesignated by section 8001 of this Act, is amended by striking subsections (a) through (d) and inserting the following:

''(a) POLICY.—

''(1) ACCESS TO STUDENT RECRUITING INFORMATION.—Notwithstanding section 444(a)(5)(B) of the General Education Provisions Act (20 U.S.C. 1232g(a)(5)(B)), each local educational agency receiving assistance under this Act shall provide, upon a request made by a military recruiter or an institution of higher education, access to the name, address, and telephone listing of each secondary school student served by the local educational agency, unless the parent of such student has submitted the prior consent request under paragraph (2).

''(2) CONSENT.—

''(A) OPT-OUT PROCESS.—A parent of a secondary school student may submit a written request, to the local educational agency, that the student's name, address, and telephone listing not be released for purposes of paragraph (1) without prior written consent of the parent. Upon receiving such request, the local educational agency may not release the student's name, address, and telephone listing for such purposes without the prior written consent of the parent.

''(B) NOTIFICATION OF OPT-OUT PROCESS.—Each local educational agency shall notify the parents of the students served by the agency of the option to make a request described in subparagraph (A).

''(3) SAME ACCESS TO STUDENTS.—Each local educational agency receiving assistance under this Act shall provide military recruiters the same access to secondary school students as is provided to institutions of higher education or to prospective employers of those students.

''(4) RULE OF CONSTRUCTION PROHIBITING OPT-IN PROCESSES.—Nothing in this subsection shall be construed to allow a local educational agency to withhold access to a student's name, address, and telephone listing from a military recruiter or institution of higher education by implementing an opt-in process or any other process other than the written consent request process under paragraph (2)(A).

''(5) PARENTAL CONSENT.—For purposes of this subsection, whenever a student has attained 18 years of age, the permission or consent required of and the rights accorded to the parents of the student shall only be required of and accorded to the student.

''(b) NOTIFICATION.—The Secretary, in consultation with the Secretary of Defense, shall, not later than 120 days after the date of the enactment of the Every Student Succeeds Act, notify school leaders, school administrators, and other educators about the requirements of this section.

''(c) EXCEPTION.—The requirements of this section do not apply to a private secondary school that maintains a religious objection to service in the Armed Forces if the objection is verifiable through the corporate or other organizational documents or materials of that school.''.

**SEC. 8026. PROHIBITION ON FEDERALLY SPONSORED TESTING.**

Section 8529, as redesignated by section 8001 of this Act, is amended to read as follows:

**''SEC. 8529. PROHIBITION ON FEDERALLY SPONSORED TESTING.**

''(a) GENERAL PROHIBITION.—Notwithstanding any other provision of Federal law and except as provided in subsection (b), no funds provided under this Act to the Secretary or to the recipient of any award may be used to develop, incentivize, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law, including any assessment or testing materials aligned to the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States.

''(b) EXCEPTIONS.—Subsection (a) shall not apply to international comparative assessments developed under the authority of section 153(a)(6) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543(a)(6)) and administered to only a representative sample of pupils in the United States and in foreign nations.''.

**SEC. 8027. LIMITATIONS ON NATIONAL TESTING OR CERTIFICATION FOR TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS.**

Section 8530, as redesignated by section 8001 of this Act, is amended—

(1) in the section heading, by inserting **'', PRINCIPALS, OR OTHER SCHOOL LEADERS''** after **''TEACHERS''**;

(2) in the subsection heading, by inserting '', PRINCIPALS, OR OTHER SCHOOL LEADERS'' after ''TEACHERS''; and

(3) in subsection (a)—

(A) by inserting '', principals, other school leaders,'' after ''teachers''; and

(B) by inserting '', or incentive regarding,'' after ''administration of''.

**SEC. 8028. PROHIBITION ON REQUIRING STATE PARTICIPATION.**

Title VIII, as redesignated and amended by section 8001 of this Act, is further amended by inserting after section 8530 the following:

**''SEC. 8530A. PROHIBITION ON REQUIRING STATE PARTICIPATION.**

''Any State that opts out of receiving funds, or that has not been awarded funds, under one or more programs under this Act shall not be required to carry out any of the requirements of such program or programs, and nothing in this Act shall be construed to require a State to participate in any program under this Act.''.

**SEC. 8029. CIVIL RIGHTS.**

Section 8534(b), as redesignated by section 8001 of this Act, is amended—

(1) by striking ''as defined in section 1116 of title I and part B of title V'' and inserting ''as defined in section 1111(d) of title I and part C of title IV''; and

(2) by striking ''grant under section 1116 of title I or part B of title V'' and inserting ''grant under section 1111(d) of title I or part C of title IV''.

**SEC. 8030. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.**

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

**''SEC. 8538. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.**

''(a) IN GENERAL.—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency prior to the affected local educational agency's submission of a required plan or application for a covered program under this Act or for a program under title VI of this Act. Such consultation shall be done in a manner and in such time that provides the opportunity for such appropriate officials from Indian tribes or tribal organizations to meaningfully and substantively contribute to such plan.

''(b) DOCUMENTATION.—Each affected local educational agency shall maintain in the agency's records and provide to the State educational agency a written affirmation signed by the appropriate officials of the participating tribes or tribal organizations approved by the tribes that the consultation required by this section has occurred. If such officials do not provide such affirmation within a reasonable period of time, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

''(c) DEFINITIONS.—In this section:

''(1) AFFECTED LOCAL EDUCATIONAL AGENCY.—The term 'affected local educational agency' means a local educational agency—

''(A) with an enrollment of American Indian or Alaska Native students that is not less than 50 percent of the total enrollment of the local educational agency; or

''(B) that—

''(i) for fiscal year 2017, received a grant in the previous year under subpart 1 of part A of title VII (as such subpart was in effect on the day before the date of enactment of the Every Student Succeeds Act) that exceeded $40,000; or

''(ii) for any fiscal year following fiscal year 2017, received a grant in the previous fiscal year under subpart 1 of part A of title VI that exceeded $40,000.

''(2) APPROPRIATE OFFICIALS.—The term 'appropriate officials' means—

''(A) tribal officials who are elected; or

''(B) appointed tribal leaders or officials designated in writing by an Indian tribe for the specific consultation purpose under this section.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to require the local educational agency to determine who are the appropriate officials; or

''(2) to make the local educational agency liable for consultation with appropriate officials that the tribe determines not to be the correct appropriate officials.

''(e) LIMITATION.—Consultation required under this section shall not interfere with the timely submission of the plans or applications required under this Act.''.

**SEC. 8031. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.**

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

**''SEC. 8539. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.**

''(a) OUTREACH.—The Secretary shall engage in outreach to rural local educational agencies regarding opportunities to apply for competitive grant programs under this Act.

''(b) TECHNICAL ASSISTANCE.—If requested to do so, the Secretary shall provide technical assistance to rural local educational agencies with locale codes 32, 33, 41, 42, or 43, or an educational service agency representing rural local educational agencies with locale codes 32, 33, 41, 42, or 43 on applications or pre-applications for any competitive grant program under this Act. No rural local educational agency or educational service agency shall be required to request technical assistance or include any technical assistance provided by the Secretary in any application.''.

**SEC. 8032. CONSULTATION WITH THE GOVERNOR.**

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is

*further amended by adding at the end the following:*

***''SEC. 8540. CONSULTATION WITH THE GOVERNOR.***

*''(a) IN GENERAL.—A State educational agency shall consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor's office, in the development of State plans under titles I and II and section 8302.*

*''(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the State educational agency and the Governor's office and shall occur—*

*''(1) during the development of such plan; and*

*''(2) prior to submission of the plan to the Secretary.*

*''(c) JOINT SIGNATURE AUTHORITY.—A Governor shall have 30 days prior to the State educational agency submitting the State plan under title I or II or section 8302 to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the State educational agency to the Governor, the State educational agency shall submit the plan to the Secretary without such signature.''.*

***SEC. 8033. LOCAL GOVERNANCE.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8541. LOCAL GOVERNANCE.***

*''(a) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to allow the Secretary to—*

*''(1) exercise any governance or authority over school administration, including the development and expenditure of school budgets, unless otherwise authorized under this Act;*

*''(2) issue any regulation without first complying with the rulemaking requirements of section 553 of title 5, United States Code; or*

*''(3) issue any nonregulatory guidance without first, to the extent feasible, considering input from stakeholders.*

*''(b) AUTHORITY UNDER OTHER LAW.—Nothing in subsection (a) shall be construed to affect any authority the Secretary has under any other Federal law.''.*

***SEC. 8034. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8542. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.***

*''(a) IN GENERAL.—Subject to subsection (b), nothing in this Act shall authorize the Secretary to, or shall be construed to—*

*''(1) prohibit a child from traveling to and from school on foot or by car, bus, or bike when the parents of the child have given permission; or*

*''(2) expose parents to civil or criminal charges for allowing their child to responsibly and safely travel to and from school by a means the parents believe is age appropriate.*

*''(b) NO PREEMPTION OF STATE OR LOCAL LAWS.—Notwithstanding subsection (a), nothing in this section shall be construed to preempt State or local laws.''.*

***SEC. 8035. LIMITATIONS ON SCHOOL-BASED HEALTH CENTERS.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8543. LIMITATIONS ON SCHOOL-BASED HEALTH CENTERS.***

*''Notwithstanding section 8102, funds used for activities under this Act shall be carried out in accordance with the provision of section 399z–1(a)(3)(C) of the Public Health Service Act (42 U.S.C. 280h–5(a)(3)(C)).''.*

***SEC. 8036. STATE CONTROL OVER STANDARDS.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8544. STATE CONTROL OVER STANDARDS.***

*''(a) IN GENERAL.—Nothing in this Act shall be construed to prohibit a State from withdrawing from the Common Core State Standards or from otherwise revising their standards.*

*''(b) PROHIBITION.—No officer or employee of the Federal Government shall, directly or indirectly, through grants, contracts or other cooperative agreements, through waiver granted under section 8401 or through any other authority, take any action against a State that exercises its rights under subsection (a).''.*

***SEC. 8037. SENSE OF CONGRESS ON PROTECTING STUDENT PRIVACY.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8545. SENSE OF CONGRESS ON PROTECTING STUDENT PRIVACY.***

*''(a) FINDINGS.—The Congress finds as follows:*

*''(1) Students' personally identifiable information is important to protect.*

*''(2) Students' information should not be shared with individuals other than school officials in charge of educating those students without clear notice to parents.*

*''(3) With the use of more technology, and more research about student learning, the responsibility to protect students' personally identifiable information is more important than ever.*

*''(4) Regulations allowing more access to students' personal information could allow that information to be shared or sold by individuals who do not have the best interest of the students in mind.*

*''(5) The Secretary has the responsibility to ensure every entity that receives funding under this Act holds any personally identifiable information in strict confidence.*

*''(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary should review all regulations addressing issues of student privacy, including those under this Act, and ensure that students' personally identifiable information is protected.''.*

***SEC. 8038. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8546. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.***

*''(a) IN GENERAL.—A State, State educational agency, or local educational agency in the case of a local educational agency that receives Federal funds under this Act shall have laws, regulations, or policies that prohibit any individual who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.*

*''(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the information giving rise to probable cause—*

*''(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and*

*''(B) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and*

*''(2)(A) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;*

*''(B) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or*

*''(C) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.*

*''(c) PROHIBITION.—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by a State, State educational agency, or local educational agency under this section.*

*''(d) CONSTRUCTION.—Nothing in this section shall be construed to prevent a State from adopting, or to override a State law, regulation, or policy that provides, greater or additional protections to prohibit any individual who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee who engaged in sexual misconduct regarding a minor or student in violation of the law in obtaining a new job.''.*

***SEC. 8039. SENSE OF CONGRESS ON RESTORATION OF STATE SOVEREIGNTY OVER PUBLIC EDUCATION.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8547. SENSE OF CONGRESS ON RESTORATION OF STATE SOVEREIGNTY OVER PUBLIC EDUCATION.***

*''It is the Sense of Congress that State and local officials should be consulted and made aware of the requirements that accompany participation in activities authorized under this Act prior to a State or local educational agency's request to participate in such activities.''.*

***SEC. 8040. PRIVACY.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8548. PRIVACY.***

*''The Secretary shall require an assurance that each grantee receiving funds under this Act understands the importance of privacy protections for students and is aware of the responsibilities of the grantee under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Education Rights and Privacy Act of 1974').''.*

***SEC. 8041. ANALYSIS AND PERIODIC REVIEW; SENSE OF CONGRESS; TECHNICAL ASSISTANCE.***

*Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:*

***''SEC. 8549. ANALYSIS AND PERIODIC REVIEW OF DEPARTMENTAL GUIDANCE.***

*''The Secretary shall develop procedures for the approval and periodic review of significant guidance documents that include—*

*''(1) appropriate approval processes within the Department;*

*''(2) appropriate identification of the agency or office issuing the documents, the activities to which and the persons to whom the documents apply, and the date of issuance;*

*''(3) a publicly available list to identify those significant guidance documents that were issued, revised, or withdrawn within the past year; and*

*''(4) an opportunity for the public to request that an agency modify or rescind an existing significant guidance document.*

***''SEC. 8549A SENSE OF CONGRESS.***

*''(a) FINDINGS.—The Congress finds as follows:*

''(1) This Act prohibits the Federal Government from mandating, directing, or controlling a State, local educational agency, or school's curriculum, program of instruction, or allocation of State and local resources, and from mandating a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

''(2) This Act prohibits the Federal Government from funding the development, pilot testing, field testing, implementation, administration, or distribution of any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law.

''(b) SENSE OF CONGRESS.—It is the sense of the Congress that States and local educational agencies retain the rights and responsibilities of determining educational curriculum, programs of instruction, and assessments for elementary and secondary education.

**''SEC. 8549B. SENSE OF CONGRESS ON EARLY LEARNING AND CHILD CARE.**

''It is the Sense of the Congress that a State retains the right to make decisions, free from Federal intrusion, concerning its system of early learning and child care, and whether or not to use funding under this Act to offer early childhood education programs. Such systems should continue to include robust choice for parents through a mixed delivery system of services so parents can determine the right early learning and child care option for their children. States, while protecting the rights of early learning and child care providers, retain the right to make decisions that shall include the age at which to set compulsory attendance in school, the content of a State's early learning guidelines, and how to determine quality in programs.

**''SEC. 8549C. TECHNICAL ASSISTANCE.**

''If requested by a State or local educational agency, a regional educational laboratory under part D of the Education Sciences Reform Act of 2002 (20 U.S.C. 9561 et seq.) shall provide technical assistance to such State or local educational agency in meeting the requirements of section 8101(21).''.

**SEC. 8042. EVALUATIONS.**

Section 8601, as redesignated by section 8001 of this Act, is amended to read as follows:

**''SEC. 8601. EVALUATIONS.**

''(a) RESERVATION OF FUNDS.—Except as provided in subsection (b) and (e), the Secretary, in consultation with the Director of the Institute of Education Sciences, may reserve not more than 0.5 percent of the amount appropriated for each program authorized under this Act to carry out activities under this section. If the Secretary elects to make a reservation under this subsection, the reserved amounts—

''(1) shall first be used by the Secretary, acting through the Director of the Institute of Education Sciences, to—

''(A) conduct comprehensive, high-quality evaluations of the programs that—

''(i) are consistent with the evaluation plan under subsection (d); and

''(ii) primarily include impact evaluations that use experimental or quasi-experimental designs, where practicable and appropriate, and other rigorous methodologies that permit the strongest possible causal inferences;

''(B) conduct studies of the effectiveness of the programs and the administrative impact of the programs on schools and local educational agencies; and

''(C) widely disseminate evaluation findings under this section related to programs authorized under this Act—

''(i) in a timely fashion;

''(ii) in forms that are understandable, easily accessible, usable, and adaptable for use in the improvement of educational practice;

''(iii) through electronic transfer and other means, such as posting, as available, to the websites of State educational agencies, local educational agencies, the Institute of Education Sciences, or the Department, or in another relevant place; and

''(iv) in a manner that promotes the utilization of such findings; and

''(2) may be used by the Secretary, acting through the Director of the Institute of Education Sciences—

''(A) to evaluate the aggregate short- and long-term effects and cost efficiencies across—

''(i) Federal programs assisted or authorized under this Act; and

''(ii) related Federal early childhood education programs, preschool programs, elementary school programs, and secondary school programs, under any other Federal law;

''(B) to increase the usefulness of the evaluations conducted under this section by improving the quality, timeliness, efficiency, and use of information relating to performance to promote continuous improvement of programs assisted or authorized under this Act; and

''(C) to assist recipients of grants under such programs in collecting and analyzing data and other activities related to conducting high-quality evaluations under paragraph (1).

''(b) TITLE I.—The Secretary, acting through the Director of the Institute of Education Sciences, shall use funds authorized under section 1002(e) to carry out evaluation activities under this section related to title I, and shall not reserve any other money from such title for evaluation.

''(c) CONSOLIDATION.—Notwithstanding any other provision of this section or section 1002(e), the Secretary, in consultation with the Director of the Institute of Education Sciences—

''(1) may consolidate the funds reserved under subsections (a) and (b) for purposes of carrying out the activities under subsection (a)(1); and

''(2) shall not be required to evaluate under subsection (a)(1) each program authorized under this Act each year.

''(d) EVALUATION PLAN.—The Director of the Institute of Education Sciences, shall, on a biennial basis, develop, submit to Congress, and make publicly available an evaluation plan, that—

''(1) describes the specific activities that will be carried out under subsection (a) for the 2-year period applicable to the plan, and the timelines of such activities;

''(2) contains the results of the activities carried out under subsection (a) for the most recent 2-year period; and

''(3) describes how programs authorized under this Act will be regularly evaluated.

''(e) EVALUATION ACTIVITIES AUTHORIZED ELSEWHERE.—If, under any other provision of this Act, funds are authorized to be reserved or used for evaluation activities with respect to a program, the Secretary may not reserve additional funds under this section for the evaluation of that program.''.

## TITLE IX—EDUCATION FOR THE HOMELESS AND OTHER LAWS

### PART A—HOMELESS CHILDREN AND YOUTHS

**SEC. 9101. STATEMENT OF POLICY.**

Section 721 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) is amended—

(1) in paragraph (2), by striking ''In any State'' and all that follows through ''will review'' and inserting ''In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or the enrollment, attendance, or success in school of, homeless children and youths, the State educational agency and local educational agencies in the State will review'';

(2) in paragraph (3), by striking ''alone''; and

(3) in paragraph (4), by striking ''challenging State student academic achievement standards'' and inserting ''challenging State academic standards''.

**SEC. 9102. GRANTS FOR STATE AND LOCAL ACTIVITIES.**

Section 722 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) GRANTS FROM ALLOTMENTS.—The Secretary shall make the grants to States from the allotments made under subsection (c)(1).'';

(2) in subsection (d)—

(A) in paragraph (2)—

(i) by striking ''To provide'' and all that follows through ''that enable'' and inserting ''To provide services and activities to improve the identification of homeless children and youths (including preschool-aged homeless children) and enable''; and

(ii) by striking ''or, if'' and inserting ''including, if'';

(B) in paragraph (3), by striking ''designate'' and all that follows and inserting ''designate in the State educational agency an Office of the Coordinator for Education of Homeless Children and Youths that can sufficiently carry out the duties described for the Office in this subtitle in accordance with subsection (f).''; and

(C) by striking paragraph (5) and inserting the following:

''(5) To develop and implement professional development programs for liaisons designated under subsection (g)(1)(J)(ii) and other local educational agency personnel—

''(A) to improve their identification of homeless children and youths; and

''(B) to heighten the awareness of the liaisons and personnel of, and their capacity to respond to, specific needs in the education of homeless children and youths.'';

(3) in subsection (e)—

(A) in paragraph (1), by inserting ''a State through grants under subsection (a) to'' after ''each year to'';

(B) in paragraph (2), by striking ''funds made available for State use under this subtitle'' and inserting ''the grant funds remaining after the State educational agency distributes subgrants under paragraph (1)''; and

(C) in paragraph (3)—

(i) in subparagraph (C)(iv)(II), by striking ''sections 1111 and 1116'' and inserting ''section 1111'';

(ii) in subparagraph (E)(ii)(II), by striking ''subsection (g)(6)(A)(v)'' and inserting ''subsection (g)(6)(A)(vi)''; and

(iii) in subparagraph (F)—

(I) in clause (i)—

(aa) by striking ''and'' at the end of subclause (II);

(bb) by striking the period at the end of subclause (III) and inserting ''; and''; and

(cc) by adding at the end the following:

''(IV) the progress the separate schools are making in helping all students meet the challenging State academic standards.''; and

(II) in clause (iii), by striking ''Not later than 2 years after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, the'' and inserting ''The'';

(4) by striking subsection (f) and inserting the following:

''(f) FUNCTIONS OF THE OFFICE OF THE COORDINATOR.—The Coordinator for Education of Homeless Children and Youths established in each State shall—

''(1) gather and make publicly available reliable, valid, and comprehensive information on—

''(A) the number of homeless children and youths identified in the State, which shall be posted annually on the State educational agency's website;

''(B) the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools;

''(C) the difficulties in identifying the special needs and barriers to the participation and achievement of such children and youths;

''(D) any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and

''(E) the success of the programs under this subtitle in identifying homeless children and youths and allowing such children and youths to enroll in, attend, and succeed in, school;

''(2) develop and carry out the State plan described in subsection (g);

''(3) collect data for and transmit to the Secretary, at such time and in such manner as the Secretary may reasonably require, a report containing information necessary to assess the educational needs of homeless children and youths within the State, including data necessary for the Secretary to fulfill the responsibilities under section 724(h);

''(4) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate activities and collaborate with—

''(A) educators, including teachers, special education personnel, administrators, and child development and preschool program personnel;

''(B) providers of services to homeless children and youths and their families, including public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

''(C) providers of emergency, transitional, and permanent housing to homeless children and youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths;

''(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

''(E) community organizations and groups representing homeless children and youths and their families;

''(5) provide technical assistance to and conduct monitoring of local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of subsection (e)(3) and paragraphs (3) through (7) of subsection (g);

''(6) provide professional development opportunities for local educational agency personnel and the local educational agency liaison designated under subsection (g)(1)(J)(ii) to assist such personnel and liaison in identifying and meeting the needs of homeless children and youths, and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the liaison; and

''(7) respond to inquiries from parents and guardians of homeless children and youths, and (in the case of unaccompanied youths) such youths, to ensure that each child or youth who is the subject of such an inquiry receives the full protections and services provided by this subtitle.'';

(5) by striking subsection (g) and inserting the following:

''(g) STATE PLAN.—

''(1) IN GENERAL.—For any State desiring to receive a grant under this subtitle, the State educational agency shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following:

''(A) A description of how such children and youths are (or will be) given the opportunity to meet the same challenging State academic standards as all students are expected to meet.

''(B) A description of the procedures the State educational agency will use to identify such children and youths in the State and to assess their needs.

''(C) A description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths.

''(D) A description of programs for school personnel (including liaisons designated under subparagraph (J)(ii), principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of such school personnel of the specific needs of homeless children and youths, including such children and youths who are runaway and homeless youths.

''(E) A description of procedures that ensure that homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local nutrition programs.

''(F) A description of procedures that ensure that—

''(i) homeless children have access to public preschool programs, administered by the State educational agency or local educational agency, as provided to other children in the State;

''(ii) youths described in section 725(2) and youths separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youths described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies; and

''(iii) homeless children and youths who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels.

''(G) Strategies to address problems identified in the report provided to the Secretary under subsection (f)(3).

''(H) Strategies to address other problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by—

''(i) requirements of immunization and other required health records;

''(ii) residency requirements;

''(iii) lack of birth certificates, school records, or other documentation;

''(iv) guardianship issues; or

''(v) uniform or dress code requirements.

''(I) A demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the identification of homeless children and youths, and the enrollment and retention of homeless children and youths in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

''(J) Assurances that the following will be carried out:

''(i) The State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.

''(ii) The local educational agencies will designate an appropriate staff person, able to carry out the duties described in paragraph (6)(A), who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths.

''(iii) The State and the local educational agencies in the State will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin (as determined under paragraph (3)), in accordance with the following, as applicable:

''(I) If the child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.

''(II) If the child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing the child's or youth's education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

''(iv) The State and the local educational agencies in the State will adopt policies and practices to ensure participation by liaisons described in clause (ii) in professional development and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), as determined appropriate by the Office of the Coordinator.

''(K) A description of how youths described in section 725(2) will receive assistance from counselors to advise such youths, and prepare and improve the readiness of such youths for college.

''(2) COMPLIANCE.—

''(A) IN GENERAL.—Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (7).

''(B) COORDINATION.—Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local educational agency liaisons designated under paragraph (1)(J)(ii).

''(3) LOCAL EDUCATIONAL AGENCY REQUIREMENTS.—

''(A) IN GENERAL.—The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest—

''(i) continue the child's or youth's education in the school of origin for the duration of homelessness—

''(I) in any case in which a family becomes homeless between academic years or during an academic year; and

''(II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

''(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

''(B) SCHOOL STABILITY.—In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

''(i) presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;

''(ii) consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth;

''(iii) if, after conducting the best interest determination based on consideration of the presumption in clause (i) and the student-centered factors in clause (ii), the local educational agency determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal under subparagraph (E); and

''(iv) in the case of an unaccompanied youth, ensure that the local educational agency liaison

*designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).*

*''(C) IMMEDIATE ENROLLMENT.—*

*''(i) IN GENERAL.—The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth—*

*''(I) is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or*

*''(II) has missed application or enrollment deadlines during any period of homelessness.*

*''(ii) RELEVANT ACADEMIC RECORDS.—The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.*

*''(iii) RELEVANT HEALTH RECORDS.—If the child or youth needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent or guardian of the child or youth, or (in the case of an unaccompanied youth) the youth, to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations or screenings, or immunization or other required health records, in accordance with subparagraph (D).*

*''(D) RECORDS.—Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained—*

*''(i) so that the records involved are available, in a timely fashion, when a child or youth enters a new school or school district; and*

*''(ii) in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).*

*''(E) ENROLLMENT DISPUTES.—If a dispute arises over eligibility, or school selection or enrollment in a school—*

*''(i) the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;*

*''(ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions;*

*''(iii) the parent, guardian, or unaccompanied youth shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and*

*''(iv) in the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of such dispute.*

*''(F) PLACEMENT CHOICE.—The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.*

*''(G) PRIVACY.—Information about a homeless child's or youth's living situation shall be treated as a student education record, and shall not be deemed to be directory information, under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).*

*''(H) CONTACT INFORMATION.—Nothing in this subtitle shall prohibit a local educational agency from requiring a parent or guardian of a homeless child or youth to submit contact information.*

*''(I) SCHOOL OF ORIGIN DEFINED.—In this paragraph:*

*''(i) IN GENERAL.—The term 'school of origin' means the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool.*

*''(ii) RECEIVING SCHOOL.—When the child or youth completes the final grade level served by the school of origin, as described in clause (i), the term ''school of origin'' shall include the designated receiving school at the next grade level for all feeder schools.*

*''(4) COMPARABLE SERVICES.—Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including the following:*

*''(A) Transportation services.*

*''(B) Educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) or similar State or local programs, educational programs for children with disabilities, and educational programs for English learners.*

*''(C) Programs in career and technical education.*

*''(D) Programs for gifted and talented students.*

*''(E) School nutrition programs.*

*''(5) COORDINATION.—*

*''(A) IN GENERAL.—Each local educational agency serving homeless children and youths that receives assistance under this subtitle shall coordinate—*

*''(i) the provision of services under this subtitle with local social services agencies and other agencies or entities providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and*

*''(ii) transportation, transfer of school records, and other interdistrict activities, with other local educational agencies.*

*''(B) HOUSING ASSISTANCE.—If applicable, each State educational agency and local educational agency that receives assistance under this subtitle shall coordinate with State and local housing agencies responsible for developing the comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) to minimize educational disruption for children and youths who become homeless.*

*''(C) COORDINATION PURPOSE.—The coordination required under subparagraphs (A) and (B) shall be designed to—*

*''(i) ensure that all homeless children and youths are promptly identified;*

*''(ii) ensure that all homeless children and youths have access to, and are in reasonable proximity to, available education and related support services; and*

*''(iii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.*

*''(D) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES.—For children and youths who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), each local educational agency shall coordinate the provision of services under this subtitle with the provision of programs for children with disabilities served by that local educational agency and other involved local educational agencies.*

*''(6) LOCAL EDUCATIONAL AGENCY LIAISON.—*

*''(A) DUTIES.—Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J)(ii), shall ensure that—*

*''(i) homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies;*

*''(ii) homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency;*

*''(iii) homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act (42 U.S.C. 9831 et seq.), early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and other preschool programs administered by the local educational agency;*

*''(iv) homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;*

*''(v) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;*

*''(vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;*

*''(vii) enrollment disputes are mediated in accordance with paragraph (3)(E);*

*''(viii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A);*

*''(ix) school personnel providing services under this subtitle receive professional development and other support; and*

*''(x) unaccompanied youths—*

*''(I) are enrolled in school;*

*''(II) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of the procedures under paragraph (1)(F)(ii); and*

*''(III) are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and that the youths may obtain assistance from the local educational agency liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).*

*''(B) NOTICE.—State Coordinators established under subsection (d)(3) and local educational agencies shall inform school personnel, service providers, advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths of the duties of the local educational agency liaisons, and publish an annually updated list of the liaisons on the State educational agency's website.*

*''(C) LOCAL AND STATE COORDINATION.—Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State Coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).*

''(D) HOMELESS STATUS.—A local educational agency liaison designated under paragraph (1)(J)(ii) who receives training described in subsection (f)(6) may affirm, without further agency action by the Department of Housing and Urban Development, that a child or youth who is eligible for and participating in a program provided by the local educational agency, or the immediate family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, is eligible for such program or service.

''(7) REVIEW AND REVISIONS.—

''(A) IN GENERAL.—Each State educational agency and local educational agency that receives assistance under this subtitle shall review and revise any policies that may act as barriers to the identification of homeless children and youths or the enrollment of homeless children and youths in schools that are selected under paragraph (3).

''(B) CONSIDERATION.—In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.

''(C) SPECIAL ATTENTION.—Special attention shall be given to ensuring the identification, enrollment, and attendance of homeless children and youths who are not currently attending school.''; and

(6) by striking subsection (h).

**SEC. 9103. LOCAL EDUCATIONAL AGENCY SUBGRANTS.**

Section 723 of such Act (42 U.S.C. 11433) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''facilitating the enrollment,'' and inserting ''facilitating the identification, enrollment,'';

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''the related'' before ''schools''; and

(C) by adding at the end the following:

''(4) DURATION OF GRANTS.—Subgrants made under this section shall be for terms of not to exceed 3 years.'';

(2) in subsection (b), by adding at the end the following:

''(6) An assurance that the local educational agency will collect and promptly provide data requested by the State Coordinator pursuant to paragraphs (1) and (3) of section 722(f).

''(7) An assurance that the local educational agency will meet the requirements of section 722(g)(3).'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''preschool, elementary, and secondary schools'' and inserting ''early childhood education and other preschool programs, elementary schools, and secondary schools,'';

(ii) in subparagraph (A), by inserting ''identification,'' before ''enrollment,'';

(iii) in subparagraph (B), by striking ''application—'' and all that follows and inserting ''application reflects coordination with other local and State agencies that serve homeless children and youths.''; and

(iv) in subparagraph (C), by inserting ''(as of the date of submission of the application)'' after ''practice'';

(B) in paragraph (3)—

(i) in subparagraph (C), by inserting ''extent to which the applicant will promote meaningful'' after ''The'';

(ii) in subparagraph (D), by striking ''within'' and inserting ''into'';

(iii) by redesignating subparagraph (G) as subparagraph (I);

(iv) by inserting after subparagraph (F) the following:

''(G) The extent to which the local educational agency will use the subgrant to leverage resources, including by maximizing nonsubgrant funding for the position of the liaison described in section 722(g)(1)(J)(ii) and the provision of transportation.

''(H) How the local educational agency will use funds to serve homeless children and youths under section 1113(c)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(c)(3)).''; and

(v) in subparagraph (I), as redesignated by clause (iii), by striking ''Such'' and inserting ''The extent to which the applicant's program meets such''; and

(C) by striking paragraph (4); and

(4) in subsection (d)—

(A) in paragraph (1), by striking ''the same challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''the same challenging State academic standards as'';

(B) in paragraph (2)—

(i) by striking ''students with limited English proficiency'' and inserting ''English learners''; and

(ii) by striking ''vocational'' and inserting ''career'';

(C) in paragraph (3), by striking ''pupil services'' and inserting ''specialized instructional support'';

(D) in paragraph (7), by striking ''and unaccompanied youths,'' and inserting ''particularly homeless children and youths who are not enrolled in school,'';

(E) in paragraph (9) by striking ''medical'' and inserting ''other required health'';

(F) in paragraph (10)—

(i) by striking ''parents'' and inserting ''parents and guardians''; and

(ii) by inserting before the period at the end '', and other activities designed to increase the meaningful involvement of parents and guardians of homeless children or youths in the education of such children or youths'';

(G) in paragraph (12), by striking ''pupil services'' and inserting ''specialized instructional support services'';

(H) in paragraph (13), by inserting before the period at the end ''and parental mental health or substance abuse problems''; and

(I) in paragraph (16), by inserting before the period at the end ''and participate fully in school activities''.

**SEC. 9104. SECRETARIAL RESPONSIBILITIES.**

Section 724 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) NOTICE.—

''(1) IN GENERAL.—The Secretary shall, before the next school year that begins after the date of enactment of the Every Student Succeeds Act, update and disseminate nationwide the public notice described in this subsection (as in effect prior to such date) of the educational rights of homeless children and youths.

''(2) DISSEMINATION.—The Secretary shall disseminate the notice nationwide to all Federal agencies, and grant recipients, serving homeless families or homeless children and youths.'';

(2) by striking subsection (d) and inserting the following:

''(d) EVALUATION, DISSEMINATION, AND TECHNICAL ASSISTANCE.—The Secretary shall conduct evaluation, dissemination, and technical assistance activities for programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.'';

(3) in subsection (e)—

(A) by striking ''60-day'' and inserting ''120-day''; and

(B) by striking ''120-day'' and inserting ''180-day'';

(4) in subsection (f), by adding at the end the following: ''The Secretary shall provide support and technical assistance to State educational agencies, concerning areas in which documented barriers to a free appropriate public education persist.'';

(5) by striking subsection (g) and inserting the following:

''(g) GUIDELINES.—The Secretary shall develop, issue, and publish in the Federal Register, not later than 60 days after the date of enactment of the Every Student Succeeds Act, guidelines concerning ways in which a State—

''(1) may assist local educational agencies to implement the provisions related to homeless children and youths amended by that Act; and

''(2) may review and revise State policies and procedures that may present barriers to the identification of homeless children and youths, and the enrollment, attendance, and success of homeless children and youths in school.'';

(6) in subsection (h)(1)(A)—

(A) by striking ''location'' and inserting ''primary nighttime residence''; and

(B) by inserting ''in all areas served by local educational agencies'' before the semicolon at the end; and

(7) in subsection (i), by striking ''McKinney-Vento Homeless Education Assistance Improvements Act of 2001'' and inserting ''Every Student Succeeds Act''.

**SEC. 9105. DEFINITIONS.**

(a) AMENDMENTS.—Section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a) is amended—

(1) in paragraph (2)(B)(i)—

(A) by inserting ''or'' before ''are abandoned''; and

(B) by striking ''or are awaiting foster care placement;'';

(2) in paragraph (3), by striking ''9101'' and inserting ''8101''; and

(3) in paragraph (6), by striking ''youth not'' and inserting ''homeless child or youth not''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—In the case of a State that is not a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) COVERED STATE.—In the case of a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) COVERED STATE.—For purposes of this section the term ''covered State'' means a State that has a statutory law that defines or describes the phrase ''awaiting foster care placement'', for purposes of a program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

**SEC. 9106. AUTHORIZATION OF APPROPRIATIONS.**

Section 726 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11435) is amended to read as follows:

**''SEC. 726. AUTHORIZATION OF APPROPRIATIONS.**

''There are authorized to be appropriated to carry out this subtitle $85,000,000 for each of fiscal years 2017 through 2020.''.

**SEC. 9107. EFFECTIVE DATE.**

Except as provided in section 9105(b) or as otherwise provided in this Act, this title and the amendments made by this title take effect on October 1, 2016.

**PART B—MISCELLANEOUS; OTHER LAWS**

**SEC. 9201. FINDINGS AND SENSE OF CONGRESS ON SEXUAL MISCONDUCT.**

(a) FINDINGS.—Congress finds the following:

(1) There are significant anecdotal reports that some schools and local educational agencies have failed to properly report allegations of sexual misconduct by employees, contractors, or agents.

(2) Instead of reporting alleged sexual misconduct to the appropriate authorities, such as the police or child welfare services, reports suggest that some schools or local educational agencies have kept information on allegations of sexual misconduct private or have entered into confidentiality agreements with the suspected employee, contractor, or agent who agrees to terminate employment with or discontinue work for the school or local educational agency.

(3) The practice of withholding information on allegations of sexual misconduct can facili-

*tate the exposure of other students in other jurisdictions to sexual misconduct.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) confidentiality agreements between local educational agencies or schools and child predators should be prohibited;*

*(2) local educational agencies or schools should not facilitate the transfer of child predators to other local educational agencies or schools; and*

*(3) States should require local educational agencies and schools to report any and all information regarding allegations of sexual misconduct to law enforcement and other appropriate authorities.*

***SEC. 9202. SENSE OF CONGRESS ON FIRST AMENDMENT RIGHTS.***

*It is the sense of Congress that a student, teacher, school administrator, or other school employee of an elementary school or secondary school retains the individual's rights under the First Amendment to the Constitution of the United States during the school day or while on the grounds of an elementary school or secondary school.*

***SEC. 9203. PREVENTING IMPROPER USE OF TAXPAYER FUNDS.***

*To address the misuse of taxpayer funds, the Secretary of Education shall—*

*(1) require that each recipient of a grant or subgrant under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) display, in a public place, the hotline contact information of the Office of Inspector General of the Department of Education so that any individual who observes, detects, or suspects improper use of taxpayer funds can easily report such improper use;*

*(2) annually notify employees of the Department of Education of their responsibility to report fraud; and*

*(3) require any applicant—*

*(A) for a grant under such Act to provide an assurance to the Secretary that any information submitted when applying for such grant and responding to monitoring and compliance reviews is truthful and accurate; and*

*(B) for a subgrant under such Act to provide the assurance described in subparagraph (A) to the entity awarding the subgrant.*

***SEC. 9204. ACCOUNTABILITY TO TAXPAYERS THROUGH MONITORING AND OVERSIGHT.***

*To improve monitoring and oversight of taxpayer funds authorized for appropriation under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and to deter and prohibit waste, fraud, and abuse with respect to such funds, the Secretary of Education shall—*

*(1) notify each recipient of a grant under such Act (and, if applicable, require the grantee to inform each subgrantee) of its responsibility to—*

*(A) comply with all monitoring requirements under the applicable program or programs; and*

*(B) monitor properly any subgrantee under the applicable program or programs;*

*(2) review and analyze the results of monitoring and compliance reviews—*

*(A) to understand trends and identify common issues; and*

*(B) to issue guidance to help grantees address such issues before the loss or misuse of taxpayer funding occurs;*

*(3) publicly report the work undertaken by the Secretary to prevent fraud, waste, and abuse with respect to such taxpayer funds; and*

*(4) work with the Office of Inspector General of the Department of Education, as needed, to help ensure that employees of the Department understand how to adequately monitor grantees and to help grantees adequately monitor any subgrantees.*

***SEC. 9205. REPORT ON DEPARTMENT ACTIONS TO ADDRESS OFFICE OF INSPECTOR GENERAL REPORTS.***

*(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary of Education shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the public through the website of the Department of Education, a report containing an update on the Department's implementation of recommendations contained in reports from the Office of Inspector General of the Department of Education.*

*(b) CONTENTS.—The report under subsection (a) shall include—*

*(1) a general review of the work of the Department of Education to implement or address findings contained in reports from the Office of Inspector General of the Department of Education to improve monitoring and oversight of Federal programs, including—*

*(A) the March 9, 2010, final management information report of the Office of Inspector General of the Department of Education addressing oversight by local educational agencies and authorized public chartering agencies; and*

*(B) the September 2012 report of the Office of Inspector General of the Department of Education entitled ''The Office of Innovation and Improvement's Oversight and Monitoring of the Charter Schools Program's Planning and Implementation Grants Final Audit Report''; and*

*(2) a description of the actions the Department of Education has taken to address the concerns described in reports of the Office of Inspector General of the Department of Education, including the reports described in paragraph (1).*

***SEC. 9206. POSTHUMOUS PARDON.***

*(a) FINDINGS.—Congress finds the following:*

*(1) John Arthur ''Jack'' Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases.*

*(2) Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves.*

*(3) Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights.*

*(4) After being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White title-holder, Tommy Burns.*

*(5) Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World.*

*(6) The victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the ''great white hope''.*

*(7) In 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada.*

*(8) Jim Jeffries lost to Jack Johnson in what was deemed the ''Battle of the Century''.*

*(9) The defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially-motivated murder of African-Americans throughout the United States.*

*(10) The relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites.*

*(11) Between 1901 and 1910, 754 African-Americans were lynched, some simply for being ''too familiar'' with White women.*

*(12) In 1910, Congress passed the Act of June 25, 1910 (commonly known as the ''White Slave Traffic Act'' or the ''Mann Act'') (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce ''for the purpose of prostitution or debauchery, or for any other immoral purpose''.*

*(13) In October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter.*

*(14) Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an ''immoral purpose'' in violation of the Mann Act.*

*(15) The Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson.*

*(16) Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of ''prostitution and debauchery''.*

*(17) In 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison.*

*(18) Jack Johnson fled the United States to Canada and various European and South American countries.*

*(19) Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915.*

*(20) Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary in Leavenworth, Kansas.*

*(21) Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title.*

*(22) Jack Johnson served the United States during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause.*

*(23) Jack Johnson died in an automobile accident in 1946.*

*(24) In 1954, Jack Johnson was inducted into the Boxing Hall of Fame.*

*(25) Senate Concurrent Resolution 29, 111th Congress, agreed to July 29, 2009, expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially-motivated 1913 conviction.*

*(b) RECOMMENDATIONS.—It remains the sense of Congress that Jack Johnson should receive a posthumous pardon—*

*(1) to expunge a racially-motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and*

*(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.*

***SEC. 9207. EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999 REAUTHORIZATION.***

*(a) DEFINITIONS.—Section 3(1) of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891a(1)) is amended—*

*(1) in the paragraph heading, by striking ''LOCAL'' and inserting ''EDUCATIONAL SERVICE AGENCY; LOCAL'';*

*(2) by striking ''The terms'' and inserting ''The terms 'educational service agency','; and*

*(3) by striking ''section 9101'' and inserting ''section 8101''.*

*(b) GENERAL PROVISIONS.—Section 4 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b) is amended to read as follows:*

***''SEC. 4. EDUCATIONAL FLEXIBILITY PROGRAM.***

*''(a) EDUCATIONAL FLEXIBILITY PROGRAM.—*

*''(1) PROGRAM AUTHORIZED.—*

*''(A) IN GENERAL.—The Secretary may carry out an educational flexibility program under which the Secretary authorizes a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to one or more programs described in subsection (b), other than requirements described in subsection (c), for any local educational agency, educational service agency, or school within the State.*

*''(B) DESIGNATION.—Each eligible State participating in the program described in subparagraph (A) shall be known as an 'Ed-Flex Partnership State'.*

*''(2) ELIGIBLE STATE.—For the purpose of this section, the term 'eligible State' means a State that—*

*''(A) has—*

*''(i) developed and implemented the challenging State academic standards, and aligned*

*assessments, described in paragraphs (1) and (2) of section 1111(b) of the Elementary and Secondary Education Act of 1965, and is producing the report cards required by section 1111(h) of such Act; or*

*''(ii) if the State has adopted new challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as a result of the amendments made to such Act by the Every Student Succeeds Act, made substantial progress (as determined by the Secretary) toward developing and implementing such standards and toward producing the report cards required under section 1111(h) of such Act;*

*''(B) will hold local educational agencies, educational service agencies, and schools accountable for meeting the educational goals described in the local applications submitted under paragraph (4) and for engaging in technical assistance and, as applicable and appropriate, implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965; and*

*''(C) waives State statutory or regulatory requirements relating to education while holding local educational agencies, educational service agencies, or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.*

*''(3) STATE APPLICATION.—*

*''(A) IN GENERAL.—Each State educational agency desiring to participate in the educational flexibility program under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—*

*''(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies, educational service agencies, or schools requesting waivers of—*

*''(I) Federal statutory or regulatory requirements as described in paragraph (1)(A); and*

*''(II) State statutory or regulatory requirements relating to education;*

*''(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive;*

*''(iii) a description of clear educational objectives the State intends to meet under the educational flexibility plan, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;*

*''(iv) a description of how the educational flexibility plan is coordinated with activities described in subsections (b), (c), and (d) of section 1111 of the Elementary and Secondary Education Act of 1965;*

*''(v) a description of how the State educational agency will evaluate (consistent with the requirements of title I of the Elementary and Secondary Education Act of 1965) the performance of students in the schools, educational service agencies, and local educational agencies affected by the waivers; and*

*''(vi) a description of how the State educational agency will meet the requirements of paragraph (7).*

*''(B) APPROVAL AND CONSIDERATIONS.—*

*''(i) IN GENERAL.—By not later than 90 days after the date on which a State has submitted an application described in subparagraph (A), the Secretary shall issue a written decision that explains why such application has been approved or disapproved, and the process for revising and resubmitting the application for reconsideration.*

*''(ii) APPROVAL.—The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies, educational service agencies, and schools within the State in carrying out comprehensive educational reform, after considering—*

*''(I) the eligibility of the State as described in paragraph (2);*

*''(II) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);*

*''(III) the ability of the educational flexibility plan to ensure accountability for the activities and goals described in such plan;*

*''(IV) the degree to which the State's objectives described in subparagraph (A)(iii)—*

*''(aa) are clear and have the ability to be assessed; and*

*''(bb) take into account the performance of local educational agencies, educational service agencies, or schools, and students, particularly those affected by waivers;*

*''(V) the significance of the State statutory or regulatory requirements relating to education that will be waived; and*

*''(VI) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and for monitoring and evaluating the results of such waivers.*

*''(4) LOCAL APPLICATION.—*

*''(A) IN GENERAL.—Each local educational agency, educational service agency, or school requesting a waiver of a Federal statutory or regulatory requirement as described in paragraph (1)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—*

*''(i) indicate each Federal program affected and each statutory or regulatory requirement that will be waived;*

*''(ii) describe the purposes and overall expected results of waiving each such requirement, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;*

*''(iii) describe, for each school year, specific, measurable, educational goals for each local educational agency, educational service agency, or school affected by the proposed waiver, and for the students served by the local educational agency, educational service agency, or school who are affected by the waiver;*

*''(iv) explain why the waiver will assist the local educational agency, educational service agency, or school in reaching such goals; and*

*''(v) in the case of an application from a local educational agency or educational service agency, describe how the agency will meet the requirements of paragraph (7).*

*''(B) EVALUATION OF APPLICATIONS.—A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's educational flexibility plan described in paragraph (3)(A).*

*''(C) APPROVAL.—A State educational agency shall not approve an application for a waiver under this paragraph unless—*

*''(i) the local educational agency, educational service agency, or school requesting such waiver has developed a local reform plan that—*

*''(I) is applicable to such agency or school, respectively; and*

*''(II) may include innovative methods to leverage resources to improve program efficiencies that benefit students;*

*''(ii) the waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) will assist the local educational agency, educational service agency, or school in reaching its educational goals, particularly goals with respect to school and student performance; and*

*''(iii) the State educational agency is satisfied that the underlying purposes of the statutory requirements of each program for which a waiver is granted will continue to be met.*

*''(D) TERMINATION.—The State educational agency shall annually review the performance of any local educational agency, educational service agency, or school granted a waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) in accordance with the evaluation requirement described in paragraph (3)(A)(v), and shall terminate or temporarily suspend any waiver granted to the local educational agency, educational service agency, or school if the State educational agency determines, after notice and an opportunity for a hearing, that—*

*''(i) there is compelling evidence of systematic waste, fraud, or abuse;*

*''(ii) the performance of the local educational agency, educational service agency, or school with respect to meeting the accountability requirement described in paragraph (2)(C) and the goals described in subparagraph (A)(iii) has been inadequate to justify continuation of such waiver;*

*''(iii) student achievement in the local educational agency, educational service agency, or school has decreased; or*

*''(iv) substantial progress has not been made toward meeting the long-term goals and measurements of interim progress established by the State under section 1111(c)(4)(A)(i) of the Elementary and Secondary Education Act of 1965.*

*''(5) OVERSIGHT AND REPORTING.—*

*''(A) OVERSIGHT.—Each State educational agency participating in the educational flexibility program under this section shall annually monitor the activities of local educational agencies, educational service agencies, and schools receiving waivers under this section.*

*''(B) STATE REPORTS.—*

*''(i) ANNUAL REPORTS.—The State educational agency shall submit to the Secretary an annual report on the results of such oversight and the impact of the waivers on school and student performance.*

*''(ii) PERFORMANCE DATA.—Not later than 2 years after the date a State is designated an Ed-Flex Partnership State, each such State shall include, as part of the State's annual report submitted under clause (i), data demonstrating the degree to which progress has been made toward meeting the State's educational objectives. The data, when applicable, shall include—*

*''(I) information on the total number of waivers granted for Federal and State statutory and regulatory requirements under this section, including the number of waivers granted for each type of waiver;*

*''(II) information describing the effect of the waivers on the implementation of State and local educational reforms pertaining to school and student performance;*

*''(III) information describing the relationship of the waivers to the performance of schools and students affected by the waivers; and*

*''(IV) an assurance from State program managers that the data reported under this section are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data as defined by the State.*

*''(C) SECRETARY'S REPORTS.—The Secretary shall annually—*

*''(i) make each State report submitted under subparagraph (B) available to Congress and the public; and*

*''(ii) submit to Congress a report that summarizes the State reports and describes the effects that the educational flexibility program under this section had on the implementation of State and local educational reforms and on the performance of students affected by the waivers.*

*''(6) DURATION OF FEDERAL WAIVERS.—*

*''(A) IN GENERAL.—*

*''(i) DURATION.—The Secretary shall approve the application of a State educational agency under paragraph (3) for a period of not more than 5 years.*

*''(ii) AUTOMATIC EXTENSION DURING REVIEW.—The Secretary shall automatically extend the*

*authority of a State to continue as an Ed-Flex Partnership State until the Secretary has—*

*''(I) completed the performance review of the State educational agency's educational flexibility plan as described in subparagraph (B); and*

*''(II) issued a final decision on any pending request for renewal that was submitted by the State educational agency.*

*''(iii) EXTENSION OF APPROVAL.—The Secretary may extend the authority of a State to continue as an Ed-Flex Partnership State if the Secretary determines that the authority of the State educational agency to grant waivers—*

*''(I) has been effective in enabling such State or affected local educational agencies, educational service agencies, or schools to carry out their State or local reform plans and to continue to meet the accountability requirement described in paragraph (2)(C); and*

*''(II) has improved student performance.*

*''(B) PERFORMANCE REVIEW.—*

*''(i) IN GENERAL.—Following the expiration of an approved educational flexibility program for a State that is designated an Ed-Flex Partnership State, the Secretary shall have not more than 180 days to complete a review of the performance of the State educational agency in granting waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) to determine if the State educational agency—*

*''(I) has achieved, or is making substantial progress towards achieving, the objectives described in the application submitted pursuant to paragraph (3)(A)(iii) and the specific long-term goals and measurements of interim progress established under section 1111(c)(4)(A)(i) of the Elementary and Secondary Education Act of 1965; and*

*''(II) demonstrates that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have achieved, or are making progress toward achieving, the desired goals described in the application submitted pursuant to paragraph (4)(A)(iii).*

*''(ii) TERMINATION OF AUTHORITY.—The Secretary shall terminate the authority of a State educational agency to grant waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) if the Secretary determines, after providing the State educational agency with notice and an opportunity for a hearing, that such agency's performance has been inadequate to justify continuation of such authority based on such agency's performance against the specific long-term goals and measurements of interim progress established under section 1111(c)(4)(A)(i) of the Elementary and Secondary Education Act of 1965.*

*''(C) RENEWAL.—*

*''(i) IN GENERAL.—Each State educational agency desiring to renew an approved educational flexibility program under this section shall submit a request for renewal to the Secretary not later than the date of expiration of the approved educational flexibility program.*

*''(ii) TIMING FOR RENEWAL.—The Secretary shall either approve or deny the request for renewal by not later than 90 days after completing the performance review of the State described in subparagraph (B).*

*''(iii) DETERMINATION.—In deciding whether to extend a request of a State educational agency for the authority to issue waivers under this section, the Secretary shall review the progress of the State educational agency to determine if the State educational agency—*

*''(I) has made progress toward achieving the objectives described in the State application submitted pursuant to paragraph (3)(A)(iii); and*

*''(II) demonstrates in the request that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have made progress toward achieving the desired goals described in the local application submitted pursuant to paragraph (4)(A)(iii).*

*''(D) TERMINATION.—*

*''(i) IN GENERAL.—The Secretary shall terminate or temporarily suspend the authority of a State educational agency to grant waivers under this section if the Secretary determines that—*

*''(I) there is compelling evidence of systematic waste, fraud or abuse; or*

*''(II) after notice and an opportunity for a hearing, such agency's performance (including performance with respect to meeting the objectives described in paragraph (3)(A)(iii)) has been inadequate to justify continuation of such authority.*

*''(ii) LIMITED COMPLIANCE PERIOD.—A State whose authority to grant such waivers has been terminated shall have not more than 1 additional fiscal year to come into compliance in order to seek renewal of the authority to grant waivers under this section.*

*''(7) PUBLIC NOTICE AND COMMENT.—Each State educational agency seeking waiver authority under this section and each local educational agency, educational service agency, or school seeking a waiver under this section—*

*''(A) shall provide the public with adequate and efficient notice of the proposed waiver authority or waiver, consisting of a description of the agency's application for the proposed waiver authority or waiver on each agency's website, including a description of any improved student performance that is expected to result from the waiver authority or waiver;*

*''(B) shall provide the opportunity for parents, educators, school administrators, and all other interested members of the community to comment regarding the proposed waiver authority or waiver;*

*''(C) shall provide the opportunity described in subparagraph (B) in accordance with any applicable State law specifying how the comments may be received, and how the comments may be reviewed by any member of the public; and*

*''(D) shall submit the comments received with the application of the agency or school to the Secretary or the State educational agency, as appropriate.*

*''(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements referred to in subsection (a)(1)(A) are any such requirements for programs that are authorized under the following provisions and under which the Secretary provides funds to State educational agencies on the basis of a formula:*

*''(1) The following provisions of the Elementary and Secondary Education Act of 1965:*

*''(A) Part A of title I (other than section 1111).*

*''(B) Part C of title I.*

*''(C) Part D of title I.*

*''(D) Part A of title II.*

*''(E) Part A of title IV.*

*''(2) The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).*

*''(c) WAIVERS NOT AUTHORIZED.—The Secretary and the State educational agency may not waive under subsection (a)(1)(A) any statutory or regulatory requirement—*

*''(1) relating to—*

*''(A) maintenance of effort;*

*''(B) comparability of services;*

*''(C) equitable participation of students and professional staff in private schools;*

*''(D) parental participation and involvement;*

*''(E) distribution of funds to States or to local educational agencies;*

*''(F) serving eligible school attendance areas in rank order in accordance with section 1113(a)(3) of the Elementary and Secondary Education Act of 1965;*

*''(G) the selection of a school attendance area or school under subsections (a) and (b) of section 1113 of the Elementary and Secondary Education Act of 1965, except that a State educational agency may grant a waiver to allow a school attendance area or school to participate in activities under part A of title I of such Act if the percentage of children from low-income families in the school attendance area of such school or who attend such school is not less than 10 percentage points below the lowest percentage of such children for any school attendance area or school of the local educational agency that meets the requirements of such subsections;*

*''(H) use of Federal funds to supplement, not supplant, non-Federal funds; and*

*''(I) applicable civil rights requirements; and*

*''(2) unless the State educational agency can demonstrate that the underlying purposes of the statutory requirements of the program for which a waiver is granted continue to be met to the satisfaction of the Secretary.*

*''(d) TREATMENT OF EXISTING ED-FLEX PARTNERSHIP STATES.—*

*''(1) IN GENERAL.—Any designation of a State as an Ed-Flex Partnership State that was in effect on the date of enactment of the Every Student Succeeds Act shall be immediately extended for a period of not more than 5 years, if the Secretary makes the determination described in paragraph (2).*

*''(2) DETERMINATION.—The determination referred to in paragraph (1) is a determination that the performance of the State educational agency, in carrying out the programs for which the State has received a waiver under the educational flexibility program, justifies the extension of the designation.*

*''(e) PUBLICATION.—A notice of the Secretary's decision to authorize State educational agencies to issue waivers under this section, including a description of the rationale the Secretary used to approve applications under subsection (a)(3)(B), shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties (including educators, parents, students, and advocacy and civil rights organizations), and the public.''.*

***SEC. 9208. REPORT ON THE REDUCTION OF THE NUMBER AND PERCENTAGE OF STUDENTS WHO DROP OUT OF SCHOOL.***

*Not later than 5 years after the date of enactment of this Act, the Director of the Institute of Education Sciences shall evaluate the impact of section 1111(g)(1)(D) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)(1)(D)) on reducing the number and percentage of students who drop out of school.*

***SEC. 9209. REPORT ON SUBGROUP SAMPLE SIZE.***

*(a) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director of the Institute of Education Sciences shall publish a report on—*

*(1) best practices for determining valid, reliable, and statistically significant minimum numbers of students for each of the subgroups of students, as defined in section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)), as amended by this Act, for the purposes of inclusion as subgroups of students in an accountability system described in section 1111(c) of such Act (20 U.S.C. 6311(c)), as amended by this Act; and*

*(2) how such minimum number that is determined will not reveal personally identifiable information about students.*

*(b) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall work with the Department of Education's technical assistance providers and dissemination networks to ensure that such report is widely disseminated—*

*(1) to the public, State educational agencies, local educational agencies, and schools; and*

*(2) through electronic transfer and other means, such as posting the report on the website of the Institute of Education Sciences or in another relevant place.*

*(c) PROHIBITION AGAINST RECOMMENDATION.—In carrying out this section, the Director of the Institute of Education Sciences shall not recommend any specific minimum number of students for each of the subgroups of students, as defined in section 1111(c)(2) of the Elementary*

*and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)), as amended by this Act.*

***SEC. 9210. REPORT ON STUDENT HOME ACCESS TO DIGITAL LEARNING RESOURCES.***

*(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences shall complete a study on the educational impact of access to digital learning resources outside of the classroom.*

*(b) CONTENTS.—The study described in subsection (a) shall include—*

*(1) an analysis of student habits related to digital learning resources outside of the classroom, including the location and types of devices and technologies that students use for educational purposes;*

*(2) an identification of the barriers students face in accessing digital learning resources outside of the classroom;*

*(3) a description of the challenges students who lack home Internet access face, including challenges related to—*

*(A) student participation and engagement in the classroom; and*

*(B) homework completion;*

*(4) an analysis of how the barriers and challenges such students face impact the instructional practice of educators; and*

*(5) a description of the ways in which State educational agencies, local educational agencies, schools, and other entities, including partnerships of such entities, have developed effective means to address the barriers and challenges students face in accessing digital learning resources outside of the classroom.*

*(c) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study described in subsection (a)—*

*(1) in a timely fashion to the public and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate; and*

*(2) through electronic transfer and other means, such as posting, as available, to the website of the Institute of Education Sciences or the Department of Education.*

***SEC. 9211. STUDY ON THE TITLE I FORMULA.***

*(a) FINDINGS.—Congress finds the following:*

*(1) Part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) provides funding to local educational agencies through four separate formulas that have been added to the law over time, and which have ''distinct allocation patterns, providing varying shares of allocated funds to different types of local educational agencies or States,'' according to a 2015 report from the Congressional Research Service.*

*(2) Minimal effort has been made by the Federal Government to determine if the four formulas are adequately delivering funds to local educational agencies with the highest districtwide poverty averages.*

*(3) The formulas for distributing Targeted Grants and Education Finance Incentive grants use two weighting systems, one based on the percentage of children included in the determination of grants to local educational agencies (percentage weighting), and another based on the absolute number of such children (number weighting). Both weighting systems have five quintiles with a roughly equal number of children in each quintile. Whichever of these weighting systems results in the highest total weighted formula child count for a local educational agency is the weighting system used for that agency in the final allocation of Targeted and Education Finance Incentive Grant funds.*

*(4) The Congressional Research Service has also said the number weighting alternative is generally more favorable to large local educational agencies with much larger geographic boundaries and larger counts of eligible children than smaller local educational agencies with smaller counts, but potentially higher percentages, of eligible children, because large local educational agencies have many more children in the higher weighted quintiles.*

*(5) In local educational agencies that are classified by the National Center for Education Statistics as ''Large City'', 47 percent of all students attend schools with 75 percent or higher poverty.*

*(b) STUDY.—*

*(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences shall complete a study on the effectiveness of the four part A of title I formulas, described in subsection (a), to deliver funds to the most economically disadvantaged communities.*

*(2) CONTENTS.—The study described in paragraph (1) shall include—*

*(A) an analysis of the distribution of part A of title I funds under the four formulas;*

*(B) an analysis of how part A of title I funds are distributed among local educational agencies in each of the 12 locale types classified by the National Center on Education Statistics.*

*(C) the extent to which the four formulas unduly benefit or unduly disadvantage any of the local educational agencies described in subparagraph (B);*

*(D) the extent to which the four formulas unduly benefit or unduly disadvantage high-poverty eligible school attendance areas in the local educational agencies described in subparagraph (B);*

*(E) the extent to which the four formulas unduly benefit or unduly disadvantage lower population local educational agencies with relatively high percentages of districtwide poverty;*

*(F) the impact of number weighting and percentage weighting in the formulas for distributing Targeted Grants and Education Finance Incentive Grants on each of the local educational agencies described in subparagraph (B);*

*(G) the impact of number weighting and percentage weighting on targeting part A of title I funds to eligible school attendance areas with the highest concentrations of poverty in local educational agencies described in subparagraph (B), and local educational agencies described in subparagraph (B) with higher percentages of districtwide poverty;*

*(H) an analysis of other studies and reports produced by public and non-public entities examining the distribution of part A of title I funds under the four formulas; and*

*(I) recommendations, as appropriate, for amending or consolidating the formulas to better target part A of title I funds to the most economically disadvantaged communities and most economically disadvantaged eligible school attendance areas.*

*(3) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study conducted under this section—*

*(A) in a timely fashion;*

*(B) to—*

*(i) the public; and*

*(ii) the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate; and*

*(C) through electronic transfer and other means, such as posting to the website of the Institute of Education Sciences or the Department of Education.*

***SEC. 9212. PRESCHOOL DEVELOPMENT GRANTS.***

*(a) PURPOSES.—The purposes of this section are—*

*(1) to assist States to develop, update, or implement a strategic plan that facilitates collaboration and coordination among existing programs of early childhood care and education in a mixed delivery system across the State designed to prepare low-income and disadvantaged children to enter kindergarten and to improve transitions from such system into the local educational agency or elementary school that enrolls such children, by—*

*(A) more efficiently using existing Federal, State, local, and non-governmental resources to align and strengthen the delivery of existing programs;*

*(B) coordinating the delivery models and funding streams existing in the State's mixed delivery system; and*

*(C) developing recommendations to better use existing resources in order to improve—*

*(i) the overall participation of children in a mixed delivery system of Federal, State, and local early childhood education programs;*

*(ii) program quality while maintaining availability of services;*

*(iii) parental choice among existing programs; and*

*(iv) school readiness for children from low-income and disadvantaged families, including during such children's transition into elementary school;*

*(2) to encourage partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, private entities (including faith- and community-based entities), and local educational agencies, to improve coordination, program quality, and delivery of services; and*

*(3) to maximize parental choice among a mixed delivery system of early childhood education program providers.*

*(b) DEFINITIONS.—In this section:*

*(1) ESEA DEFINITIONS.—The terms ''elementary school'', ''local educational agency'', and ''State'' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965.*

*(2) CENTER OF EXCELLENCE IN EARLY CHILDHOOD.—The term ''Center of Excellence in Early Childhood'' means a Center of Excellence in Early Childhood designated under section 657B(b) of the Head Start Act (42 U.S.C. 9852b(b)).*

*(3) EARLY CHILDHOOD EDUCATION PROGRAM.—The term ''early childhood education program'' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).*

*(4) EXISTING PROGRAM.—The term ''existing program'' means a Federal, State, local, or privately-funded early childhood education program that—*

*(A) was operating in the State on the day before the date of enactment of this Act; or*

*(B) began operating in the State at any time on or after the date of enactment of this Act through funds that were not provided by a grant under this section.*

*(5) MIXED DELIVERY SYSTEM.—The term ''mixed delivery system'' means a system—*

*(A) of early childhood education services that are delivered through a combination of programs, providers, and settings (such as Head Start, licensed family and center-based child care programs, public schools, and community-based organizations); and*

*(B) that is supported with a combination of public funds and private funds.*

*(6) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.*

*(7) STATE ADVISORY COUNCIL.—The term ''State Advisory Council'' means a State Advisory Council on Early Childhood Education and Care designated or established under section 642B(b)(1)(A) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)).*

*(c) GRANTS AUTHORIZED.—*

*(1) IN GENERAL.—From amounts made available under subsection (k), the Secretary, jointly with the Secretary of Education, shall award grants to States to enable the States to carry out the activities described in subsection (f).*

*(2) AWARD BASIS.—Grants under this subsection shall be awarded—*

*(A) on a competitive basis; and*

*(B) with priority for States that meet the requirements of subsection (e)(3).*

*(3) DURATION OF GRANTS.—A grant awarded under paragraph (1) shall be for a period of not more than 1 year and may be renewed by the*

*Secretary, jointly with the Secretary of Education, under subsection (g).*

*(4) MATCHING REQUIREMENT.—Each State that receives a grant under this section shall provide funds from non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, in an amount equal to not less than 30 percent of the amount of such grant.*

*(d) INITIAL APPLICATION.—A State desiring a grant under subsection (c)(1) shall submit an application at such time and in such manner as the Secretary may reasonably require. The application shall contain—*

*(1) an identification of the State entity that the Governor of the State has appointed to be responsible for duties under this section;*

*(2) a description of how such State entity proposes to accomplish the activities described in subsection (f) and meet the purposes of this section described in subsection (a), including—*

*(A) a timeline for strategic planning activities; and*

*(B) a description of how the strategic planning activities and the proposed activities described in subsection (f) will increase participation of children from low-income and disadvantaged families in high-quality early childhood education and preschool programs as a result of the grant;*

*(3) a description of the Federal, State, and local existing programs in the State for which such State entity proposes to facilitate activities described in subsection (f), including—*

*(A) programs carried out under the Head Start Act (42 U.S.C. 9801 et seq.), including the Early Head Start programs carried out under such Act;*

*(B) child care programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618); and*

*(C) other Federal, State, and local programs of early learning and development, early childhood education, and child care, operating in the State (including programs operated by Indian tribes and tribal organizations and private entities, including faith- and community-based entities), as of the date of the application for the grant;*

*(4) a description of how the State entity, in collaboration with Centers of Excellence in Early Childhood, if appropriate, will provide technical assistance and disseminate best practices;*

*(5) a description of how the State plans to sustain the activities described in, and carried out in accordance with, subsection (f) with non-Federal sources after grant funds under this section are no longer available, if the State plans to continue such activities after such time; and*

*(6) a description of how the State entity will work with the State Advisory Council and Head Start collaboration offices.*

*(e) REVIEW PROCESS.—The Secretary shall review the applications submitted under subsection (d) to—*

*(1) determine which applications satisfy the requirements of such subsection;*

*(2) confirm that each State submitting an application has, as of the date of the application, a mixed delivery system in place; and*

*(3) determine if a priority is merited in accordance with subsection (c)(2)(B) because the State has never received—*

*(A) a grant under subsection (c); or*

*(B) a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act.*

*(f) USE OF FUNDS.—A State, acting through the State entity appointed under subsection (d)(1), that receives a grant under subsection (c)(1) shall use the grant funds for all of the following activities:*

*(1) Conducting a periodic statewide needs assessment of—*

*(A) the availability and quality of existing programs in the State, including such programs serving the most vulnerable or underserved populations and children in rural areas;*

*(B) to the extent practicable, the unduplicated number of children being served in existing programs; and*

*(C) to the extent practicable, the unduplicated number of children awaiting service in such programs.*

*(2) Developing a strategic plan that recommends collaboration, coordination, and quality improvement activities (including activities to improve children's transition from early childhood education programs into elementary schools) among existing programs in the State and local educational agencies. Such plan shall include information that—*

*(A) identifies opportunities for, and barriers to, collaboration and coordination among existing programs in the State, including among State, local, and tribal (if applicable) agencies responsible for administering such programs;*

*(B) recommends partnership opportunities among Head Start providers, local educational agencies, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community-based entities) that would improve coordination, program quality, and delivery of services;*

*(C) builds on existing plans and goals with respect to early childhood education programs, including improving coordination and collaboration among such programs, of the State Advisory Council while incorporating new or updated Federal, State, and local statutory requirements, including—*

*(i) the requirements of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.); and*

*(ii) when appropriate, information found in the report required under section 13 of the Child Care and Development Block Grant Act of 2014 (Public Law 113–186; 128 Stat. 2002); and*

*(D) describes how accomplishing the activities described in subparagraphs (A) through (C) will better serve children and families in existing programs and how such activities will increase the overall participation of children in the State.*

*(3) Maximizing parental choice and knowledge about the State's mixed delivery system of existing programs and providers by—*

*(A) ensuring that parents are provided information about the variety of early childhood education programs for children from birth to kindergarten entry in the State's mixed delivery system; and*

*(B) promoting and increasing involvement by parents and family members, including families of low-income and disadvantaged children, in the development of their children and the transition of such children from an early childhood education program into an elementary school.*

*(4) Sharing best practices among early childhood education program providers in the State to increase collaboration and efficiency of services, including to improve transitions from such programs to elementary school.*

*(5) After activities described in paragraphs (1) and (2) have been completed, improving the overall quality of early childhood education programs in the State, including by developing and implementing evidence-based practices that meet the requirements of section 8101(21)(A)(i) of the Elementary and Secondary Education Act of 1965, to improve professional development for early childhood education providers and educational opportunities for children.*

*(g) RENEWAL GRANTS.—*

*(1) IN GENERAL.—The Secretary, jointly with the Secretary of Education, may use funds available under subsection (k) to award renewal grants to States described in paragraph (2) to enable such States to continue activities described in subsection (f) and to carry out additional activities described in paragraph (6).*

*(2) ELIGIBLE STATES.—A State shall be eligible for a grant under paragraph (1) if—*

*(A) the State has received a grant under subsection (c)(1) and the grant period has concluded; or*

*(B)(i) the State has received a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act, and the grant period for such grant has concluded; and*

*(ii) the Secretary allows such State to apply directly for a renewal grant under this subsection, rather than an initial grant under subsection (c)(1), and the State submits with its application the needs assessment completed under the preschool development grant (updated as necessary to reflect the needs of the State as of the time of the application) in place of the activity described in subsection (f)(1).*

*(3) DURATION OF GRANTS.—A grant awarded under this subsection shall be for a period of not more than 3 years and shall not be renewed.*

*(4) MATCHING REQUIREMENT.—Each State that receives a grant under this subsection shall provide funds from non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, in an amount equal to not less than 30 percent of the amount of the grant.*

*(5) APPLICATION.—A State described in paragraph (2) that desires a grant under this subsection shall submit an application for renewal at such time and in such manner as the Secretary may reasonably require. The application shall contain—*

*(A) applicable information required in the application described in subsection (d), and in the case of a State described in paragraph (2)(A), updated as the State determines necessary;*

*(B) in the case of a State described in paragraph (2)(A), a description of how funds were used for the activities described in subsection (f) in the initial grant period and the extent to which such activities will continue to be supported in the renewal period;*

*(C) in the case of a State described in paragraph (2)(B), how a needs assessment completed prior to the date of the application, such as the needs assessment completed under the preschool development grant program (as such program existed prior to the date of enactment of this Act), and updated as necessary in accordance with paragraph (2)(B)(ii), will be sufficient information to inform the use of funds under this subsection, and a copy of such needs assessment;*

*(D) a description of how funds will be used for the activities described in paragraph (6) during the renewal grant period, if the State proposes to use grant funds for such activities; and*

*(E) in the case of a State that proposes to carry out activities described in paragraph (6) and to continue such activities after grant funds under this subsection are no longer available, a description of how such activities will be sustained with non-Federal sources after such time.*

*(6) ADDITIONAL ACTIVITIES.—*

*(A) IN GENERAL.—Each State that receives a grant under this subsection may use grant funds to award subgrants to programs in a mixed delivery system across the State designed to benefit low-income and disadvantaged children prior to entering kindergarten, to—*

*(i)(I) enable programs to implement activities addressing areas in need of improvement as determined by the State, through the use of funds for the activities described in paragraph (5)(C) or subsection (f), as applicable; and*

*(II) as determined through the activities described in paragraph (5)(C) or subsection (f), as applicable, expand access to such existing programs; or*

*(ii) develop new programs to address the needs of children and families eligible for, but not served by, such programs, if the State ensures that—*

*(I) the distribution of subgrants under this subparagraph supports a mixed delivery system; and*

*(II) funds made available under this subparagraph will be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this section.*

*(B) PRIORITY.—In awarding subgrants under subparagraph (A), a State shall prioritize activities to improve areas in which there are State-identified needs that would improve services for low-income and disadvantaged children living in rural areas.*

*(C) SPECIAL RULE.—A State receiving a renewal grant under this subsection that elects to award subgrants under subparagraph (A) shall not—*

*(i) for the first year of the renewal grant, use more than 60 percent of the grant funds available for such year to award such subgrants; and*

*(ii) for each of the second and third years of the renewal grant, use more than 75 percent of the grant funds available for such year to award such subgrants.*

*(h) STATE REPORTING.—*

*(1) INITIAL GRANTS.—A State that receives an initial grant under subsection (c)(1) shall submit a final report to the Secretary not later than 6 months after the end of the grant period. The report shall include a description of—*

*(A) how, and to what extent, the grant funds were utilized for activities described in subsection (f), and any other activities through which funds were used to meet the purposes of this section, as described in subsection (a);*

*(B) strategies undertaken at the State level and, if applicable, local or program level, to implement recommendations in the strategic plan developed under subsection (f)(2);*

*(C)(i) any new partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community-based entities); and*

*(ii) how these partnerships improve coordination and delivery of services;*

*(D) if applicable, the degree to which the State used information from the report required under section 13 of the Child Care and Development Block Grant Act of 2014 to inform activities under this section, and how this information was useful in coordinating, and collaborating among, programs and funding sources;*

*(E) the extent to which activities funded by the initial grant led to the blending or braiding of other public and private funding;*

*(F) how information about available existing programs for children from birth to kindergarten entry was disseminated to parents and families, and how involvement by parents and family was improved; and*

*(G) other State-determined and voluntarily provided information to share best practices regarding early childhood education programs and the coordination of such programs.*

*(2) RENEWAL GRANTS.—A State receiving a renewal grant under subsection (g) shall submit a follow-up report to the Secretary not later than 6 months after the end of the grant period that includes—*

*(A) information described in subparagraphs (A) through (G) of paragraph (1), as applicable and updated for the period covered by the renewal grant; and*

*(B) if applicable, information on how the State was better able to serve children through the distribution of funds in accordance with subsection (g)(5), through—*

*(i) a description of the activities conducted through the use of subgrant funds, including, where appropriate, measurable areas of program improvement and better use of existing resources; and*

*(ii) best practices from the use of subgrant funds, including how to better serve the most vulnerable, underserved, and rural populations.*

*(i) RULES OF CONSTRUCTION.—*

*(1) LIMITATIONS ON FEDERAL INTERFERENCE.—Nothing in this section shall be construed to authorize the Secretary or the Secretary of Education to establish any criterion for grants made under this section that specifies, defines, or prescribes—*

*(A) early learning and development guidelines, standards, or specific assessments, including the standards or measures that States use to develop, implement, or improve such guidelines, standards, or assessments;*

*(B) specific measures or indicators of quality early learning and care, including—*

*(i) the systems that States use to assess the quality of early childhood education programs and providers, school readiness, and achievement; and*

*(ii) the term ''high-quality'' as it relates to early learning, development, or care;*

*(C) early learning or preschool curriculum, programs of instruction, or instructional content;*

*(D) teacher and staff qualifications and salaries;*

*(E) class sizes and ratios of children to instructional staff;*

*(F) any new requirement that an early childhood education program is required to meet that is not explicitly authorized in this section;*

*(G) the scope of programs, including length of program day and length of program year; and*

*(H) any aspect or parameter of a teacher, principal, other school leader, or staff evaluation system within a State, local educational agency, or early childhood education program.*

*(2) LIMITATION ON GOVERNMENTAL REQUIREMENTS.—Nothing in this section shall be construed to authorize the Secretary, Secretary of Education, the State, or any other governmental agency to alter requirements for existing programs for which coordination and alignment activities are recommended under this section, or to force programs to adhere to any recommendations developed through this program. The Secretary, Secretary of Education, State, or other governmental agency may only take an action described in the preceding sentence as otherwise authorized under Federal, State, or local law.*

*(3) SECRETARY OF EDUCATION.—Nothing in this section shall be construed to authorize the Secretary of Education to have sole decision-making or regulatory authority in carrying out the program authorized under this section.*

*(j) PLANNING AND TRANSITION.—*

*(1) IN GENERAL.—The recipient of an award for a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act may continue to receive funds in accordance with the terms of such existing award.*

*(2) TRANSITION.—The Secretary, jointly with the Secretary of Education, shall take such steps as are necessary to ensure an orderly transition to, and implementation of, the program under this section from the preschool development grants for development or expansion program as such program was operating prior to the date of enactment of this Act, in accordance with subsection (k).*

*(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Health and Human Services to carry out this section $250,000,000 for each of fiscal years 2017 through 2020.*

***SEC. 9213. REVIEW OF FEDERAL EARLY CHILDHOOD EDUCATION PROGRAMS.***

*(a) IN GENERAL.—The Secretary of Health and Human Services, in consultation with the heads of all Federal agencies that administer Federal early childhood education programs, shall conduct an interdepartmental review of all early childhood education programs for children less than 6 years of age in order to—*

*(1) develop a plan for the elimination of overlapping programs, as identified by the Government Accountability Office's 2012 annual report (GAO–12–342SP);*

*(2) determine if the activities conducted by States using grant funds from preschool development grants under section 9212 have led to better utilization of resources; and*

*(3) make recommendations to Congress for streamlining all such programs.*

*(b) REPORT AND UPDATES.—The Secretary of Health and Human Services, in consultation with the heads of all Federal agencies that administer Federal early childhood education programs, shall—*

*(1) not later than 2 years after the date of enactment of this Act, prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a detailed report that—*

*(A) outlines the efficiencies that can be achieved by, and specific recommendations for, eliminating overlap and fragmentation among all Federal early childhood education programs;*

*(B) explains how the use by States of preschool development grant funds under section 9212 has led to the better utilization of resources; and*

*(C) builds upon the review of Federal early learning and care programs required under section 13 of the Child Care and Development Block Grant Act of 2014 (Public Law 113–186; 128 Stat. 2002); and*

*(2) annually prepare and submit to such Committees a detailed update of the report described in paragraph (1).*

***SEC. 9214. USE OF THE TERM "HIGHLY QUALIFIED" IN OTHER LAWS.***

*(a) REFERENCES.—Beginning on the date of enactment of this Act—*

*(1) any reference in sections 420N, 428J, 428K, and 460 of the Higher Education Act of 1965 (20 U.S.C. 1070g–2, 1078–10, 1078–11, and 1087j) to the term ''highly qualified'' as defined in section 9101 of the Elementary and Secondary Education Act of 1965 shall be treated as a reference to such term under such section 9101 as in effect on the day before the date of enactment of this Act; and*

*(2) any reference in section 6112 of the America COMPETES Act (20 U.S.C. 9812), section 553 of the America COMPETES Reauthorization Act of 2010 (20 U.S.C. 9903), and section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n), to ''highly qualified'', as defined in section 9101 of the Elementary and Secondary Education Act of 1965, with respect to a teacher, means that the teacher meets applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification.*

*(b) EDUCATION SCIENCES REFORM ACT OF 2002.—Section 153(a)(1)(F)(ii) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543(a)(1)(F)(ii)) is amended by striking ''teachers who are highly qualified (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))'' and inserting ''teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(14)(C).''.*

*(c) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—*

*(1) in section 200—*

*(A) by striking paragraph (13);*

*(B) in paragraph (17)(B)(ii), by striking ''to become highly qualified'' and inserting ''who meets the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act''; and*

*(C) in paragraph (22)(D)(i), by striking ''becomes highly qualified'' and inserting '', with respect to special education teachers, meets the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act'';*

*(2) in section 201(3), by striking ''highly qualified teachers'' and inserting ''teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes*

*to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act'';*

*(3) in section 202—*

*(A) in subsection (b)(6)(H), by striking ''highly qualified teachers'' and inserting ''teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act,'';*

*(B) subsection (d)—*

*(i) in paragraph (1)—*

*(I) in subparagraph (A)(i)(I), by striking ''be highly qualified (including teachers in rural school districts who may teach multiple subjects, special educators, and teachers of students who are limited English proficient who may teach multiple subjects)'' and inserting ''meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act (including teachers in rural school districts, special educators, and teachers of students who are limited English proficient)''; and*

*(II) in subparagraph (B)(iii), by striking ''become highly qualified, which may include training in multiple subjects to teach multiple grade levels as may be needed for individuals preparing to teach in rural communities and for individuals preparing to teach students with disabilities as described in section 602(10)(D) of the Individuals with Disabilities Education Act'' and inserting ''meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act, which may include training in multiple subjects to teach multiple grade levels as may be needed for individuals preparing to teach in rural communities and for individuals preparing to teach students with disabilities''; and*

*(ii) in paragraph (5), by striking ''become highly qualified teachers'' and inserting ''become teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act'';* and

*(C) in subsection (e)(2)(C)(iii), by striking subclause (IV) and inserting the following:*

*''(IV) meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act, when the applicant begins to fulfill the service obligation under this clause; and'';*

*(4) in section 204, by striking ''highly qualified teachers'' each place it appears and inserting ''teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(14)(C)),'';*

*(5) in section 205(b)(1)(I), by striking ''highly qualified teachers'' and inserting ''teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act'';*

*(6) in section 207(a)(1), by striking ''highly qualified teachers'' and inserting ''teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act,'';*

*(7) in section 208(b)—*

*(A) , by striking ''are highly qualified, as required under section 1119 of the Elementary and Secondary Education Act of 1965,'' and inserting ''meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification,''; and*

*(B) by striking ''is highly qualified by the deadline, as required under section 612(a)(14)(C) of the Individuals with Disabilities Education Act'' and inserting ''meets the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act'';*

*(8) in section 242(b)—*

*(A) in the matter preceding paragraph (1), by striking ''are highly qualified'' and inserting ''meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act,'';*

*(B) in paragraph (1), by striking ''are highly qualified,'' and inserting ''meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act,''; and*

*(C) in paragraph (3), by striking ''highly qualified teachers and principals'' and inserting ''teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act, and highly qualified principals'';*

*(9) in section 251(b)(1)(A)(iii), by striking ''are highly qualified'' and inserting ''meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act'';*

*(10) in section 255(k)—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) meets the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act;''; and*

*(B) in paragraph (3), by striking ''teacher who meets the requirements of section 9101(23) of such Act'' and inserting ''teacher who meets the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act'';*

*(11) in section 258(d)(1)—*

*(A) by striking ''highly qualified''; and*

*(B) by inserting '', who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act'' before the period at the end; and*

*(12) section 806—*

*(A) in subsection (a), by striking paragraph (2); and*

*(B) in subsection (c)(1), by striking ''highly qualified teachers'' and inserting ''teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act,''.*

*(d) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—The Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) is amended—*

*(1) in section 602, by striking paragraph (10);*

*(2) in section 612(a)(14)—*

*(A) in subparagraph (C), by striking ''secondary school is highly qualified by the deadline established in section 1119(a)(2) of the Elementary and Secondary Education Act of 1965'' and inserting ''secondary school—*

*''(i) has obtained full State certification as a special education teacher (including participating in an alternate route to certification as a special educator, if such alternate route meets minimum requirements described in section 2005.56(a)(2)(ii) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except with respect to any teacher teaching in a public charter school who shall meet the requirements set forth in the State's public charter school law;*

*''(ii) has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and*

*''(iii) holds at least a bachelor's degree.'';*

*(B) in subparagraph (D), by striking ''highly qualified personnel'' and inserting ''personnel who meet the applicable requirements described in this paragraph''; and*

*(C) in subparagraph (E), by striking ''staff person to be highly qualified'' and inserting ''staff person to meet the applicable requirements described in this paragraph'';*

*(3) in section 653(b)—*

*(A) in paragraph (7), by striking ''highly qualified teachers'' and inserting ''teachers who meet the qualifications described in section 612(a)(14)(C)''; and*

*(B) in paragraph (8), by striking ''teachers who are not highly qualified'' and inserting ''teachers who do not meet the qualifications described in section 612(a)(14)(C)''; and*

*(4) in section 654—*

*(A) in subsection (a)(4), in the matter preceding subparagraph (A), by striking ''highly qualified special education teachers, particularly initiatives that have been proven effective in recruiting and retaining highly qualified teachers'' and inserting ''special education teachers who meet the qualifications described in section 612(a)(14)(C), particularly initiatives that have been proven effective in recruiting and retaining teachers''; and*

*(B) in subsection (b)—*

*(i) in paragraph (2), by striking ''certification of special education teachers for highly qualified individuals with a baccalaureate or master's degree'' and inserting ''certification of special education teachers for individuals with a baccalaureate or master's degree who meet the qualifications described in section 612(a)(14)(C)''; and*

*(ii) in paragraph (4), by striking ''highly qualified special education teachers'' and inserting ''special education teachers who meet the qualifications described in section 612(a)(14)(C)''; and*

*(C) in section 662—*

*(i) in subsection (a)—*

*(I) in paragraph (1), by striking ''highly qualified personnel, as defined in section 651(b)'' and inserting ''personnel, as defined in section 651(b), who meet the applicable requirements described in section 612(a)(14)''; and*

*(II) in paragraph (5), by striking ''special education teachers are highly qualified'' and inserting ''special education teachers meet the qualifications described in section 612(a)(14)(C)'';*

*(ii) in subsection (b)(2)(B), by striking ''highly qualified teachers'' and inserting ''special education teachers who meet the qualifications described in section 612(a)(14)(C)''; and*

*(iii) in subsection (c)(4)(B), by striking ''highly qualified personnel'' and inserting ''personnel who meet the applicable requirements described in section 612(a)(14)''.*

*(e) INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004.—Section 302(a) of the Individuals with Disabilities Education Improvement Act of 2004 (20 U.S.C. 1400 note) is amended—*

*(1) by striking ''PART D.—'' through ''parts A'' and inserting ''PART D.—Parts A'' ; and*

*(2) by striking paragraph (2).*

***SEC. 9215. ADDITIONAL CONFORMING AMENDMENTS TO OTHER LAWS.***

*(a) ACT OF APRIL 16, 1934 (POPULARLY KNOWN AS THE JOHNSON-O'MALLEY ACT).—Section 5(a) of the Act of April 16, 1934 (popularly known as the Johnson-O'Malley Act) (25 U.S.C. 456(a)) is amended by striking ''section 7114(c)(4) of the Elementary and Secondary Education Act of 1965'' and inserting ''section 6114(c)(4) of the Elementary and Secondary Education Act of 1965''.*

*(b) ADAM WALSH CHILD PROTECTION AND SAFETY ACT OF 2006.—Section 153(h) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16962(h)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(c) ADULT EDUCATION AND LITERACY ACT.—Paragraph (8) of section 203 of the Adult Education and Literacy Act (29 U.S.C. 3272) is amended to read as follows:*

*''(8) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term 'essential components of reading instruction' means explicit and systematic instruction in—*

*''(A) phonemic awareness;*

*''(B) phonics;*

*''(C) vocabulary development;*

*''(D) reading fluency, including oral reading skills; and*

*''(E) reading comprehension strategies.''.*

*(d) AGE DISCRIMINATION ACT OF 1975.—Section 309(4)(B)(ii) of the Age Discrimination Act of 1975 (42 U.S.C. 6107(4)(B)(ii)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(e) AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.—Section 4(l)(1)(B)(i)(I) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(l)(1)(B)(i)(I)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(f) AGRICULTURAL ACT OF 2014.—Section 7606(a) of the Agricultural Act of 2014 (7 U.S.C. 5940(a)) is amended by striking ''the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.),''.*

*(g) AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998.—Section 413(b)(4) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7633(b)(4)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(h) ALBERT EINSTEIN DISTINGUISHED EDUCATOR FELLOWSHIP ACT OF 1994.—Each of paragraphs (1), (2), and (3) of section 514 of the Albert Einstein Distinguished Educator Fellowship Act of 1994 (42 U.S.C. 7838b) are amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(i) AMERICA COMPETES ACT.—The America COMPETES Act (Public Law 110–69) is amended as follows:*

*(1) Section 6002(a) (20 U.S.C. 9802(a)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965.''.*

*(2) Section 6122 (20 U.S.C. 9832) is amended—*

*(A) in paragraph (3), by striking ''The term 'low-income student' has the meaning given the term 'low-income individual' in section 1707(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537(3)).'' and inserting ''The term 'low-income student' means an individual who is determined by a State educational agency or local educational agency to be a child ages 5 through 19, from a low-income family, on the basis of data used by the Secretary to determine allocations under section 1124 of the Elementary and Secondary Education Act of 1965, data on children eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act, data on children in families receiving assistance under part A of title IV of the Social Security Act, or data on children eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act, or through an alternate method that combines or extrapolates from those data.''; and*

*(B) in paragraph (4), by striking ''The term 'high concentration of low-income students' has the meaning given the term in section 1707(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537(2)).'' and inserting ''The term 'high concentration of low-income students', used with respect to a school, means a school that serves a student population 40 percent or more of who are low-income students.''.*

*(3) Section 6123 (20 U.S.C. 9833) is amended—*

*(A) in subsection (c), by striking ''the activities carried out under section 1705 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6535).'' and inserting the following: ''any activities carried out under section 4104 or 4107 of the Elementary and Secondary Education Act of 1965 that provide students access to accelerated learning programs that provide—*

*''(1) postsecondary level courses accepted for credit at institutions of higher education, including dual or concurrent enrollment programs, and early college high schools; or*

*''(2) postsecondary level instruction and examinations that are accepted for credit at institutions of higher education, including Advanced Placement and International Baccalaureate programs.''; and*

*(B) in subsection (j)(2)(B), by striking ''section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(i))'' and inserting ''section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi))''.*

*(4) Section 6401(e)(2)(D)(ii)(I) (20 U.S.C. 9871(e)(2)(D)(ii)(I)) is amended by striking ''yearly test records of individual students with respect to assessments under section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b))'' and inserting ''yearly test records of individual students with respect to assessments under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2))''.*

*(5) Section 7001 (42 U.S.C. 1862o note) is amended—*

*(A) in paragraph (4), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(B) in paragraph (7), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(j) AMERICAN HISTORY AND CIVICS EDUCATION ACT OF 2004.—Section 2(d) of the American History and Civics Education Act of 2004 (20 U.S.C. 6713 note) is amended by striking ''to carry out part D of title V of the Elementary and Secondary Education Act of 1965'' and inserting ''to carry out section 2232 of the Elementary and Secondary Education Act of 1965''.*

*(k) ANTI-DRUG ABUSE ACT OF 1988.—Section 3521(d)(8)(A) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11841(d)(8)(A)) is amended by striking ''education and instruction consistent with title IV of the Elementary and Secondary Education Act of 1965'' and inserting ''education and instruction consistent with part A of title IV of the Elementary and Secondary Education Act of 1965''.*

*(l) ASSETS FOR INDEPENDENCE ACT.—Section 404(11) of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking ''section 7207 of the Native Hawaiian Education Act'' and inserting ''section 6207 of the Native Hawaiian Education Act''.*

*(m) ASSISTIVE TECHNOLOGY ACT OF 1998.—Section 4(c)(2)(B)(i)(V) of the Assistive Technology Act of 1998 (29 U.S.C. 3003(c)(2)(B)(i)(V)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(n) CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006.—The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) is amended as follows:*

*(1) Section 3 (20 U.S.C. 2302) is amended—*

*(A) in paragraph (8), by striking ''section 5210 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 4310 of the Elementary and Secondary Education Act of 1965'';*

*(B) in paragraph (11), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(C) in paragraph (19), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(D) in paragraph (27), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 8(e) (20 U.S.C. 2306a(e)) is amended by striking ''section 1111(b)(1)(D) of the Elementary and Secondary Education Act of 1965'' and inserting ''section 1111(b)(1) of the Elementary and Secondary Education Act of 1965''.*

*(3) Section 113(b) (20 U.S.C. 2323(b)) is amended—*

*(A) in paragraph (2)(A)—*

*(i) by striking clause (i) and inserting the following:*

*''(i) Student attainment of the challenging State academic standards, as adopted by a State in accordance with section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and measured by the State determined levels of achievement on the academic assessments described in section 1111(b)(2) of such Act.''; and*

*(ii) in clause (iv), by striking ''(as described in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965)'' and inserting ''(as described in section 1111(c)(4)(A)(i)(I)(bb) of the Elementary and Secondary Education Act of 1965)''; and*

*(B) in paragraph (4)(C)(ii)(I), by striking ''categories'' and inserting ''subgroups''.*

*(4) Section 114(d)(4)(A)(iii)(I)(aa) (20 U.S.C. 2324(d)(4)(A)(iii)(I)(aa)) is amended by striking*

''integrating those programs with academic content standards and student academic achievement standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965;'' and inserting the following: ''integrating those programs with challenging State academic standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965;''.

(5) Section 116(a)(5) (20 U.S.C. 2326(a)(5)) is amended by striking ''section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)'' and inserting ''section 6207 of the Native Hawaiian Education Act''.

(6) Section 122(c)(20 U.S.C. 2342(c)) is amended—

(A) in paragraph (1)(I)(i), by striking ''aligned with rigorous and challenging academic content standards and student academic achievement standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965'' and inserting ''aligned with challenging State academic standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965''; and

(B) in paragraph (7)(A)(i), by striking ''the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.

(7) Section 124(b)(4)(A) (20 U.S.C. 2344(b)(4)(A)) is amended in paragraph (4)(A), by striking ''the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.

(8) Section 134(b)(3) (20 U.S.C. 2354(b)(3)) is amended—

(A) in subparagraph (B)(i), by striking ''the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''; and

(B) in subparagraph (E), by striking ''in core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''in order to provide a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.

(9) Section 135(b)(1)(A) (20 U.S.C. 2355(b)(1)(A)) is amended by striking ''the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.

(10) Section 203(c)(2)(D) (20 U.S.C. 2373(c)(2)(D)) is amended by striking ''in core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''as part of a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.

(o) CHILD ABUSE PREVENTION AND TREATMENT ACT.—Section 111(3) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106g(3)) is amended by striking ''section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517);'' and inserting ''section 6207 of the Elementary and Secondary Education Act of 1965;''.

(p) CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 1990.—The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is amended as follows:

(1) Section 658E(c)(2)(G)(ii)(V)(dd) (42 U.S.C. 9858c(c)(2)(G)(ii)(V)(dd)) is amended by striking ''(as defined in section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517))'' and inserting ''(as defined in section 6207 of the Elementary and Secondary Education Act of 1965)''.

(2) Section 658P(5) (42 U.S.C. 9858n(5)) is amended by striking ''an individual who is limited English proficient, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) or section 637 of the Head Start Act (42 U.S.C. 9832)'' and inserting ''an individual who is an English learner, as defined in section 8101 of the Elementary and Secondary Education Act of 1965, or who is limited English proficient, as defined in section 637 of the Head Start Act (42 U.S.C. 9832)''.

(q) CHILDREN'S INTERNET PROTECTION ACT.—Section 1721(g) of the Children's Internet Protection Act (20 U.S.C. 9134 note; 114 Stat. 2763A-350), as enacted into law by section 1(a)(4) of the Consolidated Appropriations Act, 2001 (Public Law 106–554; 114 Stat. 2763), is amended by striking ''Notwithstanding any other provision of law, funds available under section 3134 or part A of title VI of the Elementary and Secondary Education Act of 1965, or under section 231 of the Library Services and Technology Act, may be used for the purchase or acquisition of technology protection measures that are necessary to meet the requirements of this title and the amendments made by this title.'' and inserting ''Notwithstanding any other provision of law, funds available under part B of title I of the Elementary and Secondary Education Act of 1965, or under section 231 of the Library Services and Technology Act, may be used for the purchase or acquisition of technology protection measures that are necessary to meet the requirements of this title and the amendments made by this title.''.

(r) CIVIL RIGHTS ACT OF 1964.—Section 606(2)(B) of the Civil Rights Act of 1964 (42 U.S.C. 2000d–4a(2)(B)) is amended by striking ''a local educational agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965),'' and inserting ''a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965),''.

(s) COMMUNICATIONS ACT OF 1934.—Section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) is amended—

(1) in paragraph (5)(A)(iii), by striking ''an elementary or secondary school as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)'' and inserting ''an elementary school or a secondary school as defined in section 8101 of the Elementary and Secondary Education Act of 1965''; and

(2) in paragraph (7)(A), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.

(t) COMMUNITY SERVICES BLOCK GRANT ACT.—Section 682(b)(4) of the Community Services Block Grant Act (42 U.S.C. 9923(b)(4)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965)''.

(u) CONGRESSIONAL AWARD ACT.—Section 203(3)(A) of the Congressional Award Act (2 U.S.C. 812(3)(A)) is amended by striking ''section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.

(v) DEPARTMENT OF EDUCATION ORGANIZATION ACT.—Section 215(b)(2)(A) of the Department of Education Organization Act (20 U.S.C. 3423c) is amended by striking ''be responsible for administering this title'' and inserting ''be responsible for administering part A of title VI of the Elementary and Secondary Education Act of 1965''.

(w) DEPARTMENT OF ENERGY SCIENCE EDUCATION ENHANCEMENT ACT.—Section 3181(a)(1) of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381l(a)(1)) is amended by striking ''with a high concentration of low-income individuals (as defined in section 1707 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537))'' and inserting ''in which 40 percent or more of the students attending the school are children from low-income families''.

(x) DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001.—Section 303 of the Department of Transportation and Related Agencies Appropriations Act, 2001, (49 U.S.C. 106 note; 114 Stat. 1356A-23), as enacted into law by section 101(a) of the Act entitled ''An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September, 30, 2001, and for other purposes'', approved October 23, 2000 (Public Law 106-346; 114 Stat. 1356), is amended by striking ''except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents;'' and inserting ''except as otherwise authorized by title VII of the Elementary and Secondary Education Act of 1965, for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents;''.

(y) DISTRICT OF COLUMBIA COLLEGE ACCESS ACT OF 1999.—Section 3(c)(5) of the District of Columbia College Access Act of 1999 (sec. 38-2702(c)(5), D.C. Official Code) is amended by striking ''section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.

(z) DISTRICT OF COLUMBIA SCHOOL REFORM ACT OF 1995.—Section 2210(a) of the District of Columbia School Reform Act of 1995 (sec. 38–1802.10(a), D.C. Official Code) is amended by striking paragraph (6) and inserting the following:

''(6) INAPPLICABILITY OF CERTAIN ESEA PROVISIONS.—The following provisions of the Elementary and Secondary Education Act of 1965 shall not apply to a public charter school:

''(A) Paragraph (4) of section 1112(b) and paragraph (1) of section 1112(c).

''(B) Section 1113.

''(C) Subsections (d) and (e) of section 1116.

''(D) Section 1117.

''(E) Subsections (c) and (e) of section 1118.''.

(aa) EARTHQUAKE HAZARDS.—Section 2(c)(1)(A) of the Act entitled ''An Act to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes'', approved October 1, 1997 (42 U.S.C. 7704 note) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.

(bb) EDUCATION AMENDMENTS OF 1972.—Section 908(2)(B) of the Education Amendments of 1972 (20 U.S.C. 1687(2)(B)) is amended by striking ''9101 of the Elementary and Secondary Education Act of 1965), system of vocational education, or other school system;'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965), system of vocational education, or other school system;''.

(cc) EDUCATION AMENDMENTS OF 1978.—Part B of title XI of the Education Amendments of 1978 (25 U.S.C. 2000 et seq.) is amended as follows:

(1) Section 1139(e) (25 U.S.C. 2019(e)) is amended by striking ''part B of title I of the Ele-

*mentary and Secondary Education Act of 1965'' and inserting ''subpart 2 of part B of title II of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 1141(9) (25 U.S.C. 2021(9)) is amended by striking ''the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)'' and inserting ''the Elementary and Secondary Education Act of 1965''.*

*(dd) EDUCATION FOR ECONOMIC SECURITY ACT.—The Education for Economic Security Act (20 U.S.C. 3901 et seq.) is amended as follows:*

*(1) Section 3 (20 U.S.C. 3902) is amended—*

*(A) in paragraph (3), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965.'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965.'';*

*(B) in paragraph (7), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(C) in paragraph (8), by striking ''section 198(a)(7) of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(D) in paragraph (12), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965.'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965.''.*

*(2) Section 511 (20 U.S.C. 4020) is amended—*

*(A) by striking subparagraph (A) of paragraph (4) and inserting the following:*

*''(A) any local educational agency as defined in section 8101 of the Elementary and Secondary Education Act of 1965; and''; and*

*(B) by striking subparagraph (A) of paragraph (5) and inserting the following:*

*''(A) any elementary school or secondary school as defined in section 8101 of the Elementary and Secondary Education Act of 1965 owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and''.*

*(ee) EDUCATION OF THE DEAF ACT OF 1986.—Section 104(b)(5) of the Education of the Deaf Act of 1986 (20 U.S.C. 4304(b)(5)) is amended—*

*(1) in subparagraph (A)—*

*(A) in clause (i), by striking ''select challenging academic content standards, challenging student academic achievement standards, and academic assessments of a State, adopted and implemented, as appropriate, pursuant to paragraphs (1) and (3) of section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1) and (3))'' and inserting ''select challenging State academic content standards, aligned academic achievement standards, and State academic assessments of a State, adopted and implemented, as appropriate, pursuant to paragraphs (1) and (2) of section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1) and (2))''; and*

*(B) in clause (ii), by striking ''2009–2010 academic year'' and inserting ''2016–2017 academic year'';*

*(2) by striking subparagraph (B) and inserting the following:*

*''(B) adopt the accountability system, consistent with section 1111(c) of such Act, of the State from which standards and assessments are selected under subparagraph (A)(i); and''; and*

*(3) in subparagraph (C), by striking ''whether the programs at the Clerc Center are making adequate yearly progress'' and inserting ''the results of the annual evaluation of the programs at the Clerc Center''.*

*(ff) EDUCATION SCIENCES REFORM ACT OF 2002.—The Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.) is amended as follows:*

*(1) Paragraph (1) of section 102 (20 U.S.C. 9501) is amended to read as follows:*

*''(1)(A) IN GENERAL.—The terms 'elementary school', 'secondary school', 'local educational agency', and 'State educational agency' have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965.*

*''(B) OUTLYING AREAS.—The term 'outlying areas' has the meaning given such term in section 1121(c) of such Act.*

*''(C) FREELY ASSOCIATED STATES.—The term 'freely associated states' means the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.''.*

*(2) Section 173(b) (20 U.S.C. 9563(b)) is amended by striking ''part E of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491 et seq.)'' and inserting ''section 8601 of the Elementary and Secondary Education Act of 1965''.*

*(gg) EDUCATIONAL TECHNICAL ASSISTANCE ACT OF 2002.—The Educational Technical Assistance Act of 2002 (20 U.S.C. 9601 et seq.) is amended as follows:*

*(1) Section 202 (20 U.S.C. 9601) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 203 (20 U.S.C. 9602) is amended—*

*(A) in subsection (a)(2)(B), by striking ''the number of schools identified for school improvement (as described in section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b))'' and inserting ''the number of schools implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965'';*

*(B) in subsection (e)(3), by striking ''schools in the region that have been identified for school improvement under section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b))'' and inserting ''schools in the region that are implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965''; and*

*(C) in subsection (f)(1)(B), by striking ''and encouraging and sustaining school improvement (as described in section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b)))'' and inserting '', and particularly assisting those schools implementing comprehensive support and improvement and targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965,''.*

*(hh) FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section 108(a)(1)(A) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2618(a)(1)(A)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(ii) FAMILY VIOLENCE PREVENTION AND SERVICES ACT.—Section 302(6) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(6)) is amended by striking ''section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).'' and inserting ''section 6207 of the Elementary and Secondary Education Act of 1965.''.*

*(jj) FDA FOOD SAFETY MODERNIZATION ACT.—Section 112(a)(2) of the FDA Food Safety Modernization Act (21 U.S.C. 2205(a)(2)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 ( 20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(kk) FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001.—Section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (20 U.S.C. 7703a) is amended—*

*(1) in subsection (a), by striking ''subparagraph (A)(ii), (B), (D)(i) or (D)(ii) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1))'' and inserting ''subparagraph (A)(ii) or (B), or clause (i) or (ii) of subparagraph (D), of section 7003(a)(1)''; and*

*(2) in subsection (g), by striking ''section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).'' and inserting ''section 7013 of the Elementary and Secondary Education Act of 1965.''.*

*(ll) FOOD AND AGRICULTURE ACT OF 1977.—Section 1417(j)(1)(B) of the Food and Agriculture Act of 1977 (7 U.S.C. 3152(j)(1)(B)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(mm) GENERAL EDUCATION PROVISIONS ACT.—The General Education Provisions Act (20 U.S.C. 1221 et seq.) is amended as follows:*

*(1) Section 425(6) (20 U.S.C. 1226c(6)) is amended by striking ''section 9601 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8601 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 426 (20 U.S.C. 1228) is amended by striking ''title VIII of the Elementary and Secondary Education Act of 1965, but not including any portion of such funds as are attributable to children counted under section 8003(d) of such Act or residing on property described in section 8013(10) of such Act.'' and inserting ''title VII of the Elementary and Secondary Education Act of 1965, but not including any portion of such funds as are attributable to children counted under section 7003(d) of such Act or residing on property described in section 7013(10) of such Act.''.*

*(3) Section 429(d)(2)(B)(i) (20 U.S.C. 1228c(d)(2)(B)(i)) is amended by striking ''an elementary or secondary school as defined by the Elementary and Secondary Education Act of 1965'' and inserting ''an elementary or secondary school (as defined by the terms 'elementary school' and 'secondary school' in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(4) Section 441(a) (20 U.S.C. 1232d(a)) is amended by striking ''part C of title V of the Elementary and Secondary Education Act of 1965) to the Secretary a general application'' and inserting ''part D of title IV of the Elementary and Secondary Education Act of 1965) to the Secretary a general application''.*

*(5) Section 445(c)(5)(D) (20 U.S.C. 1232h(c)(5)(D)) is amended by striking ''part A of title V'' and inserting ''part A of title IV''.*

*(nn) HEAD START ACT.—The Head Start Act (42 U.S.C. 9831 et seq.) is amended as follows:*

*(1) Section 637 (42 U.S.C. 9832) is amended—*

*(A) in the paragraph relating to a delegate agency, by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(B) in subparagraph (A)(ii)(I) of the paragraph relating to limited English proficient, by striking ''(as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), an Alaska Native, or a native resident of an outlying area (as defined in such section 9101);'' and inserting ''(as defined in section 8101 of the Elementary and Secondary Education Act of 1965), an Alaska Native, or a native resident of an outlying area (as defined in such section 8101);''.*

*(2) Section 641(d)(2) (42 U.S.C. 9836(d)(2)) is amended—*

*(A) in subparagraph (H)—*

*(i) by striking clause (i);*

*(ii) by redesignating clauses (ii) through (vii) as clauses (i) through (vi), respectively; and*

*(iii) in clause (i) (as so redesignated)—*

*(I) by striking ''other''; and*

*(II) by striking ''that Act'' and inserting ''the Elementary and Secondary Education Act of 1965''; and*

*(B) in subparagraph (J)(iii), by striking '', such as entities carrying out Even Start pro-*

*grams under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.)''.*

*(3) Section 642 (42 U.S.C. 9837) is amended—*

*(A) in subsection (b)(4), by striking '', such as entities carrying out Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.)''; and*

*(B) in subsection (e)(3), by striking ''Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.),''.*

*(4) Section 642A(a) (42 U.S.C. 9837a(a)) is amended—*

*(A) in paragraph (7)(B), by striking ''the information provided to parents of limited English proficient children under section 3302 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7012)'' and inserting ''the information provided to parents of English learners under section 1112(e)(3) of the Elementary and Secondary Education Act of the 1965''; and*

*(B) in paragraph (8), by striking ''parental involvement efforts under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.)'' and inserting ''parent and family engagement efforts under title I of the Elementary and Secondary Education Act of 1965''.*

*(5) Section 648(a)(3)(A)(iii) (42 U.S.C. 9843(a)(3)(A)(iii)) is amended by striking '', and for activities described in section 1222(d) of the Elementary and Secondary Education Act of 1965),''.*

*(6) Section 657B(c)(1)(B)(vi) (42 U.S.C. 9852b(c)(1)(B)(vi)) is amended—*

*(A) by striking subclause (III);*

*(B) by redesignating subclauses (IV) through (VII) as subclauses (III) through (VI), respectively; and*

*(C) in subclause (III) (as so redesignated)—*

*(i) by striking ''other''; and*

*(ii) by striking ''that Act'' and inserting ''the Elementary and Secondary Education Act of 1965''.*

*(oo) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended as follows:*

*(1) Section 103 (20 U.S.C. 1003) is amended—*

*(A) in paragraph (9), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(B) in paragraph (10), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(C) in paragraph (11), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(D) in paragraph (16), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(E) in paragraph (21), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 200 (20 U.S.C. 1021) is amended—*

*(A) in paragraph (3), by striking ''The term 'core academic subjects' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''The term 'core academic subjects' means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography'';*

*(B) in paragraph (5), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(C) in paragraph (6)(B), by striking ''section 5210 of the Elementary and Secondary Education Act of 1965)'' and inserting ''section 4310 of the Elementary and Secondary Education Act of 1965)'';*

*(D) by striking paragraph (7) and inserting the following:*

*''(7) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term 'essential components of reading instruction' has the meaning given the term in section 1208 of the Elementary and Secondary Education Act of 1965 as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act.'';*

*(E) by striking paragraph (8) and inserting the following:*

*''(8) EXEMPLARY TEACHER.—The term 'exemplary teacher' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act.'';*

*(F) in paragraph (10)(A)—*

*(i) in clause (iii), by striking ''section 6211(b) of the Elementary and Secondary Education Act of 1965'' and inserting ''section 5211(b) of the Elementary and Secondary Education Act of 1965''; and*

*(ii) in clause (iv), by striking ''section 6221(b) of the Elementary and Secondary Education Act of 1965'' and inserting ''section 5221(b) of the Elementary and Secondary Education Act of 1965'';*

*(G) in paragraph (15), by striking ''The term 'limited English proficient' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.'' and inserting ''The term 'limited English proficient' has the meaning given the term 'English learner' in section 8101 of the Elementary and Secondary Education Act of 1965.'';*

*(H) in paragraph (16), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(I) in paragraph (19), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965.'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965.''.*

*(3) Section 202 (20 U.S.C. 1022a) is amended in subsection (b)(6)(E)(ii), by striking ''student academic achievement standards and academic content standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965,'' and inserting ''challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965,''.*

*(4) Section 205(b)(1)(C) (20 U.S.C. 1022d(b)(1)(C)) is amended by striking ''are aligned with the State's challenging academic content standards required under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965'' and inserting ''are aligned with the challenging State academic standards required under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965''.*

*(5) Section 241 (20 U.S.C. 1033)) is amended by striking paragraph (2) and inserting the following:*

*''(2) SCIENTIFICALLY BASED READING RESEARCH.—The term 'scientifically based reading research'—*

*''(A) means research that applies rigorous, systemic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties; and*

*''(B) includes research that—*

*''(i) employs systemic, empirical methods that draw on observation or experiment;*

*''(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;*

*''(iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and*

*''(iv) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.''.*

*(6) Section 317(b) (20 U.S.C. 1059d(b)) is amended—*

*(A) in paragraph (1), by striking ''section 7306 of the Elementary and Secondary Education Act of 1965;'' and inserting ''section 6306 of the Elementary and Secondary Education Act of 1965;''; and*

*(B) in paragraph (3), by striking ''section 7207 of the Elementary and Secondary Education Act of 1965; and'' and inserting ''section 6207 of the Elementary and Secondary Education Act of 1965; and''.*

*(7) Section 402E(d)(2) (20 U.S.C. 1070a–15(d)(2)) is amended—*

*(A) in subparagraph (A), by striking ''Alaska Natives, as defined in section 7306 of the Elementary and Secondary Education Act of 1965;'' and inserting ''Alaska Natives, as defined in section 6306 of the Elementary and Secondary Education Act of 1965;''; and*

*(B) in subparagraph (B), by striking ''Native Hawaiians, as defined in section 7207 of such Act'' and inserting ''Native Hawaiians, as defined in section 6207 of such Act''.*

*(8) Section 428K (20 U.S.C. 1078–11) is amended in subsection (b)—*

*(A) in paragraph (5)(B)(iv), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(B) by striking paragraph (8) and inserting the following:*

*''(8) SCHOOL COUNSELORS.—The individual—*

*''(A) is employed full-time as a school counselor who has documented competence in counseling children and adolescents in a school setting and who—*

*''(i) is licensed by the State or certified by an independent professional regulatory authority;*

*''(ii) in the absence of such State licensure or certification, possesses national certification in school counseling or a specialty of counseling granted by an independent professional organization; or*

*''(iii) holds a minimum of a master's degree in school counseling from a program accredited by the Council for Accreditation of Counseling and Related Educational Programs or the equivalent; and*

*''(B) is so employed in a school that qualifies under section 465(a)(2)(A) for loan cancellation for Perkins loan recipients who teach in such a school.''.*

*(9) Section 469(a) (20 U.S.C. 1087ii(a)) is amended by striking ''eligible to be counted under title I of the Elementary and Secondary Education Act of 1965'' and inserting ''eligible to be counted under section 1124(c) of the Elementary and Secondary Education Act of 1965''.*

*(10) Section 481(f) (20 U.S.C. 1088(f)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(11) Section 819(b) (20 U.S.C. 1161j) is amended—*

*(A) in paragraph (1), by striking ''section 7306 of the Elementary and Secondary Education Act of 1965.'' and inserting ''section 6306 of the Elementary and Secondary Education Act of 1965.''; and*

*(B) in paragraph (4), by striking ''section 7207 of the Elementary and Secondary Education Act of 1965.'' and inserting ''section 6207 of the Elementary and Secondary Education Act of 1965.''.*

*(12) Section 861(c)(2)(A) (20 U.S.C. 1161q(c)(2)(A)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(pp) IMPACT AID IMPROVEMENT ACT OF 2012.—Section 563(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1748; 20 U.S.C. 7702 note) as*

*amended by section 7001(a), is further amended by striking ''Notwithstanding section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)), subsection (b)(1), and the amendments made by subsection (b)(1), shall take effect with respect to applications submitted under section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) for fiscal year 2010.'' and inserting ''With respect to applications submitted under section 8002 of the Elementary and Secondary Education Act of 1965, as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act, for fiscal year 2010, title VIII of the Elementary and Secondary Education Act of 1965 (including the amendments made by subsection (b)(1)), as in effect on such date, and subsection (b)(1) shall take effect with respect to such applications, notwithstanding section 8005(d) of such Act, as in effect on such date.''.*

*(qq) INDIAN HEALTH CARE IMPROVEMENT ACT.—Section 726(b)(3)(D)(iii) of the Indian Health Care Improvement Act (25 U.S.C. 1667e(b)(3)(D)(iii)) is amended by striking ''a school receiving payments under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702, 7703).'' and inserting ''a school receiving payments under section 7002 or 7003 of the Elementary and Secondary Education Act of 1965.''.*

*(rr) INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—Section 209 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458e) is amended by striking ''assistance provided under title IX of the Elementary and Secondary Education Act of 1965.'' and inserting ''assistance provided under title VI of the Elementary and Secondary Education Act of 1965.''.*

*(ss) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—The Individuals with Disabilities Education Act is amended as follows:*

*(1) Section 602 (20 U.S.C. 1401) is amended—*

*(A) by striking paragraph (4);*

*(B) in paragraph (8)(a)(3), by striking ''under parts A and B of title III of that Act'' and inserting ''under part A of title III of that Act''; and*

*(C) by striking paragraph (18) and inserting the following:*

*''(18) LIMITED ENGLISH PROFICIENT.—The term 'limited English proficient' has the meaning given the term 'English learner' in section 8101 of the Elementary and Secondary Education Act of 1965.''.*

*(2) Section 611(e) (20 U.S.C. 1411(e)) is amended—*

*(A) in paragraph (2)(C)—*

*(i) in clause (x), by striking ''6111 of the Elementary and Secondary Education Act of 1965'' and inserting ''1201 of the Elementary and Secondary Education Act of 1965''; and*

*(ii) in clause (xi)—*

*(I) by striking ''including supplemental educational services as defined in 1116(e) of the Elementary and Secondary Education Act of 1965 to children with disabilities, in schools or local educational agencies identified for improvement under section 1116 of the Elementary and Secondary Education Act of 1965 on the sole basis of the assessment results of the disaggregated subgroup of children with disabilities'' and inserting ''including direct student services described in section 1003A(c)(3) of the Elementary and Secondary Education Act of 1965 to children with disabilities, to schools or local educational agencies implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965 on the basis of consistent underperformance of the disaggregated subgroup of children with disabilities''; and*

*(II) by striking ''to meet or exceed the objectives established by the State under section 1111(b)(2)(G) the Elementary and Secondary Education Act of 1965'' and inserting ''based on the challenging academic standards described in section 1111(b)(1) of such Act''; and*

*(B) in paragraph (3)(C)(ii)(I)(bb), by striking ''section 9101'' and inserting ''section 8101''.*

*(3) Section 612(a) (20 U.S.C. 1412(a)) is amended—*

*(A) in paragraph (15)—*

*(i) in subparagraph (A), by striking clause (ii) and inserting the following:*

*''(ii) are the same as the State's long-term goals and measurements of interim progress for children with disabilities under section 1111(c)(4)(A)(i) of the Elementary and Secondary Education Act of 1965;'';*

*(ii) in subparagraph (B), by striking ''including measurable annual objectives for progress by children with disabilities under section 1111(b)(2)(C)(v)(II)'' and inserting ''including measurements of interim progress for children with disabilities under section 1111(c)(4)(A)(i)''; and*

*(B) in paragraph (16)(C)(ii)—*

*(i) in subclause (I), by striking ''State's challenging academic content standards and challenging student academic achievement standards'' and inserting ''challenging State academic content standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and alternate academic achievement standards under section 1111(b)(1)(E) of such Act''; and*

*(ii) in subclause (II), by striking ''the regulations promulgated to carry out section 1111(b)(1) of the Elementary and Secondary Education Act of 1965,'' and inserting ''section 1111(b)(1)(E) of the Elementary and Secondary Education Act of 1965,''.*

*(4) Section 613(a) (20 U.S.C. 1413(a)) is amended in paragraph (3), by striking ''subject to the requirements of section 612(a)(14) and section 2122 of the Elementary and Secondary Education Act of 1965'' and inserting ''subject to the requirements of section 612(a)(14) and section 2102(b) of the Elementary and Secondary Education Act of 1965''.*

*(5) Section 614(b)(5)(A) (20 U.S.C. 1414(b)(5)(A)) is amended by inserting '', as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act'' after ''1965''.*

*(6) Section 651(c)(5)(E) (20 U.S.C. 1451(c)(5)(E)) is amended by striking ''and 2112,'' and inserting ''and 2101(d)''.*

*(7) Section 653(b)(3) (20 U.S.C. 1453(b)(3)) is amended by striking ''and 2112,'' and inserting ''and 2101(d),''.*

*(8) Section 654 (20 U.S.C. 1454) is amended—*

*(A) in subsection (a)—*

*(i) in paragraph (1)(B), by striking ''challenging State student academic achievement and functional standards and with the requirements for professional development, as defined in section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''challenging State academic achievement standards and with the requirements for professional development, as defined in section 8101 of such Act''; and*

*(ii) in paragraph (5)(A), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(B) in subsection (b)(10), by inserting ''(as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act)'' after ''1965''.*

*(9) Section 662(b)(2)(A)(viii) (20 U.S.C. 1462(b)(2)(A)(viii)) is amended by striking ''section 7113(d)(1)(A)(ii)'' and inserting ''section 6113(d)(1)(A)(ii)''.*

*(10) Section 663(b)(2) (20 U.S.C. 1463(b)(2)) is amended by striking and inserting the following:*

*''(2) improving the alignment, compatibility, and development of valid and reliable assessments and alternate assessments for assessing student academic achievement, as described under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965;''.*

*(11) Section 681(d)(3)(K) (20 U.S.C. 1481(d)(3)(K)) is amended by striking ''payments under title VIII of the Elementary and Secondary Education Act of 1965;'' and inserting ''payments under title VII of the Elementary and Secondary Education Act of 1965;''.*

*(tt) NATIONAL SECURITY ACT OF 1947.—Section 1015(2)(A) of the National Security Act of 1947 (50 U.S.C. 441j-4(2)(A)) is amended by striking ''section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26)));'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965);''.*

*(uu) INTERNAL REVENUE CODE OF 1986.—The Internal Revenue Code of 1986 is amended as follows:*

*(1) Section 54E(d)(2) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 457(e)(11)(D)(ii)(I) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(3) Section 1397E(d)(4)(B) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(vv) JAMES MADISON MEMORIAL FELLOWSHIP ACT.—Section 815(4) of the James Madison Memorial Fellowship Act (20 U.S.C. 4514(4)) is amended by striking ''9101'' and inserting ''8101''.*

*(ww) JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007.—Section 572(c) of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2226) is amended by striking ''section 8013(9) of the Elementary and Secondary Education Act of 1965 ( 20 U.S.C. 7713(9))'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(xx) LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1987.—Section 104(3)(B)(ii) of the Legislative Branch Appropriations Act, 1987 (as incorporated by reference in section 101(j) of Public Law 99–500 and Public Law 99–591) (2 U.S.C. 5540(3)(B)(ii)) is amended by striking ''given such terms in section 9101'' and inserting ''given the terms elementary school and secondary school in section 8101''.*

*(yy) LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1997.—Section 5(d)(1) of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. 66319(d)(1)) is amended by striking ''public elementary or secondary school as such terms are defined in section 9101'' and inserting ''elementary school or secondary school, as such terms are defined in section 8101''.*

*(zz) MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.—Section 725(3) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(3)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(aaa) MUSEUM AND LIBRARY SERVICES ACT.—The Museum and Library Services Act (20 U.S.C. 9161 et seq.) is amended as follows:*

*(1) Section 204(f) (20 U.S.C. 9103(f)) is amended by striking paragraph (1) and inserting the following:*

*''(1) activities under section 2226 of the Elementary and Secondary Education Act of 1965;''.*

*(2) Section 224(b)(6)(A) (20 U.S.C. 9134(b)(6)(A)) is amended by striking ''including coordination with the activities within the State that are supported by a grant under section 1251 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6383)'' and inserting ''including coordination with the activities within the State that are supported by a grant under section 2226 of the Elementary and Secondary Education Act of 1965''.*

*(3) Section 261 (20 U.S.C. 9161) is amended by striking ''represent Native Hawaiians (as the*

*term is defined in section 7207 of the Native Hawaiian Education Act'' and inserting ''represent Native Hawaiians (as the term is defined in section 6207 of the Native Hawaiian Education Act)''.*

*(4) Section 274(d) (20 U.S.C. 9173(d)) is amended by striking ''represent Native Hawaiians (as defined in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)),'' and inserting ''represent Native Hawaiians (as defined in section 6207 of the Native Hawaiian Education Act),''.*

*(bbb) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended as follows:*

*(1) Section 101 (42 U.S.C. 12511) is amended—*

*(A) in paragraph (15), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(B) in paragraph (24), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(C) in paragraph (39), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(D) in paragraph (45), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 112(a)(1)(F) (42 U.S.C. 12523(a)(1)(F)) is amended by striking ''not making adequate yearly progress for two or more consecutive years under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.)'' and inserting ''implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965''.*

*(3) Section 119(a)(2)(A)(ii)(II) (42 U.S.C. 12563) is amended by striking ''the graduation rate (as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education'' and inserting ''the four-year adjusted cohort graduation rate (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(4) Section 122(a)(1) (42 U.S.C. 12572(a)(1)) is amended in subparagraph (C)(iii), by striking ''secondary school graduation rates as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education'' and inserting ''four-year adjusted cohort graduation rate (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(ccc) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006.—Section 572 of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b) is amended—*

*(1) in subsection (a)(2), by striking ''section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)).'' and inserting ''section 7003(a)(1) of the Elementary and Secondary Education Act of 1965.''; and*

*(2) in subsection (e)(2), by striking ''section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).'' and inserting ''section 7013(9) of the Elementary and Secondary Education Act of 1965.''.*

*(ddd) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Section 532(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) (10 U.S.C. 503 note; 125 Stat. 1403(a)(1)) is amended by striking ''(as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)).'' and inserting ''(as defined in section 8101 of the Elementary and Secondary Education Act of 1965).''.*

*(eee) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—Section 573 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) (10 U.S.C. 503 note; 127 Stat. 772) is amended—*

*(1) in subsection (a)(1), by striking ''(as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)),'' and inserting ''(as defined in section 8101 of the Elementary and Secondary Education Act of 1965),''; and*

*(2) in subsection (b), by striking ''(as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38))'' and inserting ''(as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(fff) NATIONAL ENVIRONMENTAL EDUCATION ACT.—Section 3(5) of the National Environmental Education Act (20 U.S.C. 5502(5)) is amended by striking '' 'local educational agency' means any education agency as defined in section 9101 of the Elementary and Secondary Education Act of 1965 and shall include any tribal education agency;'' and inserting '' 'local educational agency' means any education agency as defined in section 8101 of the Elementary and Secondary Education Act of 1965 and shall include any tribal education agency;''.*

*(ggg) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2002.—The National Science Foundation Authorization Act of 2002 (Public Law 107–368; 116 Stat. 3034) is amended as follows:*

*(1) Section 4 (42 U.S.C. 1862n note) is amended—*

*(A) in paragraph (3), by striking ''The term 'community college' has the meaning given such term in section 3301(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7011(3))'' and inserting ''The term 'community college' means an institution of higher education as defined in section 101 of the Higher Education Act of 1965 that provides not less than a 2-year degree that is acceptable for full credit toward a bachelor's degree, including institutions of higher education receiving assistance under the Tribally Controlled College or University Assistance Act of 1978'';*

*(B) in paragraph (5), by striking ''section 9101(18) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(18))'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(C) in paragraph (10), by striking ''section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26))'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(D) in paragraph (13), by striking ''section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38))'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(E) in paragraph (15), by striking ''section 9101(41) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(41))'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 9 (42 U.S.C. 1862n) is amended—*

*(A) in subsection (a)(10)(A)(iii) in subclause (III), by striking ''(as described in section 1114(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(a)(1))'' and inserting ''(as described in section 1114(a)(1)(A))''; and*

*(B) in subsection (c)(4), by striking ''the program authorized under part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.)'' and inserting ''other programs with similar purposes''.*

*(hhh) NATIONAL SECURITY ACT OF 1947.—Section 1015(2)(A) of the National Security Act of 1947 (50 U.S.C. 3205(2)(A)) is amended by striking ''(as that term is defined in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26)))'' and inserting ''(as that term is defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(iii) NATIVE AMERICAN LANGUAGES ACT.—Section 103 of the Native American Languages Act (25 U.S.C. 2902) is amended—*

*(1) in paragraph (2), by striking ''section 7151(3) of the Elementary and Secondary Education Act of 1965'' and inserting ''section 6151(3) of the Elementary and Secondary Education Act of 1965''; and*

*(2) in paragraph (3), by striking ''section 7207 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 6207 of the Elementary and Secondary Education Act of 1965''.*

*(jjj) NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT ACT.—Section 6(c)(4) of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11705(c)(4)) is amended by striking ''private educational organization identified in section 7202(16) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7512(16)) to continue to offer its educational programs and services to Native Hawaiians (as defined in section 7207 of that Act (20 U.S.C. 7517)) first and to others'' and inserting ''private educational organization identified in section 7202(16) of the Elementary and Secondary Education Act of 1965 (as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act) to continue to offer its educational programs and services to Native Hawaiians (as defined in section 6207 of the Elementary and Secondary Education Act of 1965) first and to others''.*

*(kkk) PUBLIC HEALTH SERVICE ACT.—The Public Health Service Act is amended as follows:*

*(1) Section 319C–1(b)(2)(A)(vii) (42 U.S.C. 247d–3a(b)(2)(A)(vii)) is amended by striking ''including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965)'' and inserting ''including State educational agencies (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(2) Section 399L(d)(3)(A) (42 U.S.C. 280g(d)(3)(A)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(3) Section 520E(l)(2) (42 U.S.C. 290bb–36(l)(2)) is amended by striking ''elementary or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(lll) REFUGEE EDUCATION ASSISTANCE ACT OF 1980.—Section 101(1) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note) is amended by striking ''such terms under section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''such terms under section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(mmm) REHABILITATION ACT OF 1973.—The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended as follows:*

*(1) Section 202(b)(4)(A)(i) (29 U.S.C. 762(b)(4)(A)(i)) is amended by striking ''(as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and'' and inserting ''(as defined in section 8101 of the Elementary and Secondary Education Act of 1965); and''.*

*(2) Section 206 (29 U.S.C. 766) is amended by striking ''(as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))'' and inserting ''(as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(3) Section 504(b)(2)(B) (29 U.S.C. 794(b)(2)(B)) is amended by striking ''(as defined in section 9101 of the Elementary and Secondary Edu-*

*cation Act of 1965)'' and inserting ''(as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(4)(A) Section 511(b)(2) (29 U.S.C. 794g(b)(2)), as added by section 458 of the Workforce Innovation and Opportunity Act (Public Law 113–128; 128 Stat. 1676), is amended by striking ''local educational agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or a State educational agency (as defined in such section)'' and inserting ''local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965) or a State educational agency (as defined in such section)''.*

*(B) The amendment made by subparagraph (A) shall take effect on the same date as section 458(a) of the Workforce Innovation and Opportunity Act (Public Law 113–128; 128 Stat. 1676) takes effect, and as if enacted as part of such section.*

*(nnn) RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.—The Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) is amended in section 12(d)(4) (42 U.S.C. 1769a(d)(4)) by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(ooo) SAFE DRINKING WATER ACT.—Section 1461 of the Safe Drinking Water Act (42 U.S.C. 300j–21(3)) is amended—*

*(1) in paragraph (3), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(2) in paragraph (6), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(ppp) SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT.—The Scholarships for Opportunity and Results Act (division C of Public Law 112–10; sec. 38–1853.01 et seq., D.C. Official Code) is amended as follows:*

*(1) In section 3003 (sec. 38–1853.03, D.C. Official Code), by striking ''identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)'' and inserting ''implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965''.*

*(2) In section 3006(1)(A) (sec. 38–1853.06(1)(A), D.C. Official Code), by striking ''identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)'' and inserting ''implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965''.*

*(3) In section 3007 (sec. 38–1853.07, D.C. Official Code)—*

*(A) in subsection (a)(4)(F), by striking ''ensures that, with respect to core academic subjects (as such term is defined in section 9101(11) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(11))'' and inserting ''ensures that, with respect to core academic subjects (as such term was defined in section 9101(11) of the Elementary and Secondary Act of 1965 (20 U.S.C. 7801(11)) on the day before the date of enactment of the Every Student Succeeds Act)''; and*

*(B) in subsection (d), by striking ''identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)'' and inserting ''implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965''.*

*(4) In section 3013 (sec. D.C. Code 38–1853.13, D.C. Official Code)—*

*(A) in paragraph (5), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(B) in paragraph (8), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(qqq) SOCIAL SECURITY ACT.—The Social Security Act (42 U.S.C. 301 et seq.) is amended as follows:*

*(1) Section 475(1)(G)(ii)(I) (42 U.S.C. 675(1)(G)(ii)(I)) is amended by striking ''local educational agencies (as defined under section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''local educational agencies (as defined under section 8101 of the Elementary and Secondary Education Act of 1965)''.*

*(2) Section 2110(c)(9)(B)(v) (42 U.S.C. 1397jj(c)(9)(B)(v)) is amended by striking ''as defined under section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''as defined under section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(rrr) STATE DEPENDENT CARE DEVELOPMENT GRANTS ACT.—Section 670G(6) of the State Dependent Care Development Grants Act (42 U.S.C. 9877(6)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(sss) STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.—Section 5(c)(8) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3704(c)(8)) is amended—*

*(1) in subparagraph (D), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(2) in subparagraph (G), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(3) in subparagraph (H), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(ttt) TELECOMMUNICATIONS ACT OF 1996.—Section 706(d)(2) of the Telecommunications Act of 1996 (47 U.S.C. 1302(d)(2)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(uuu) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:*

*(1) Section 503 of title 10, United States Code, is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 1154(a) of title 10, United States Code, is amended—*

*(A) in paragraph (1), by striking ''section 5210(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i(1))'' and inserting ''section 4310 of the Elementary and Secondary Education Act of 1965'';*

*(B) in paragraph (3)(C), by striking ''section 6211(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7345(b))'' and inserting ''section 5211(b) of the Elementary and Secondary Education Act of 1965''; and*

*(C) in paragraph (8), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(3) Section 2008 of title 10, United States Code, is amended by striking ''section 8013(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(3)), or to carry out section 8008 of such Act (20 U.S.C. 7708)'' and inserting ''section 7013(3) of the Elementary and Secondary Education Act of 1965, or to carry out section 7008 of such Act''.*

*(4) Section 2194(f)(2) of title 10, United States Code, is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(vvv) TITLE 23, UNITED STATES CODE.—Section 504(d)(4) of title 23, United States Code, is amended—*

*(1) in subparagraph (B), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(2) in subparagraph (C), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(www) TITLE 40, UNITED STATES CODE.—Section 502(c)(3)(C) of title 40, United States Code, is amended by striking ''section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713)'' and inserting ''section 7013 of the Elementary and Secondary Education Act of 1965''.*

*(xxx) TOXIC SUBSTANCES CONTROL ACT.—The Toxic Substances Control Act (15 U.S.C. 2601 et seq.) is amended as follows:*

*(1) Section 202 (15 U.S.C. 2642) is amended—*

*(A) in paragraph (7), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965'';*

*(B) in paragraph (9), by striking ''any elementary or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' and inserting ''any elementary school or secondary school (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)''; and*

*(C) in paragraph (12), by striking ''elementary or secondary school as defined in section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''elementary school or secondary school as defined in section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 302(1) (15 U.S.C. 2662(1)) is amended by striking ''section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(yyy) WORKFORCE INNOVATION AND OPPORTUNITY ACT.—The Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) is amended as follows:*

*(1) Section 3 (29 U.S.C. 3102) is amended—*

*(A) in paragraph (34), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''; and*

*(B) in paragraph (55), by striking ''section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)'' and inserting ''section 8101 of the Elementary and Secondary Education Act of 1965''.*

*(2) Section 102(b)(2)(D)(ii)(I) (29 U.S.C. 3112(b)(2)(D)(ii)(I)) is amended by striking ''with State-adopted challenging academic content standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1))'' and inserting ''with challenging State academic standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1))''.*

*(3) Section 129(c)(1)(C) (29 U.S.C. 3164(c)(1)(C)) is amended by striking ''(based on State academic content and student academic*

*achievement standards established under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311))'' and inserting ''(based on challenging State academic standards established under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1))''.*

*(4) Section 166(b)(3) (29 U.S.C. 3221(b)(3)) is amended by striking ''section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517).'' and inserting ''section 6207 of the Native Hawaiian Education Act.''.*

And the House agree to the same.

JOHN KLINE,
VIRGINIA FOXX,
DAVID P. ROE,
GLENN THOMPSON,
BRETT GUTHRIE,
TODD ROKITA,
LUKE MESSER,
GLENN GROTHMAN,
STEVE RUSSELL,
CARLOS CURBELO,
ROBERT C. ''BOBBY'' SCOTT,
SUSAN A. DAVIS,
MARCIA L. FUDGE,
JARED POLIS,
FREDERICA S. WILSON,
SUZANNE BONAMICI,
KATHERINE M. CLARK,
*Managers on the Part of the House.*

LAMAR ALEXANDER,
MICHAEL B. ENZI,
RICHARD BURR,
JOHNNY ISAKSON,
SUSAN M. COLLINS,
LISA MURKOWSKI,
MARK KIRK,
TIM SCOTT,
ORRIN HATCH,
PAT ROBERTS,
BILL CASSIDY,
PATTY MURRAY,
BARBARA A. MIKULSKI,
BERNARD SANDERS,
ROBERT P. CASEY, JR.,
AL FRANKEN,
MICHAEL F. BENNET,
SHELDON WHITEHOUSE,
TAMMY BALDWIN,
CHRISTOPHER MURPHY,
ELIZABETH WARREN,
*Managers on the Part of the Senate.*

After debate,

Pursuant to House Resolution 542, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. DOLD, announced that the ayes had it.

Mr. KLINE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DOLD, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

### ¶147.13 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 22

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 114–360) the resolution (H. Res. 546) providing for consideration of the conference report to accompany the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

### ¶147.14 ENERGY SECURITY AND INFRASTRUCTURE

The SPEAKER pro tempore, Mr. POLIQUIN, pursuant to House Resolution 542 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes.

Mr. DOLD, Acting Chairman, assumed the chair; and after some time spent therein,

### ¶147.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in House Report 114-359, submitted by Mr. UPTON:

Amend the table of contents to read as follows:

Page 25, strike lines 1 though 11 and insert the following:

''(7) DISCLOSURE OF PROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

Beginning on page 36, strike line 21 and all that follows through page 37, line 3 and insert the following:

(e) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure, shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

Beginning on page 38, strike line 20 and all that follows through page 39, line 2 and insert the following:

(c) DISCLOSURE OF INFORMATION.—Any vulnerability reported pursuant to regulations promulgated under subsection (b)(3), the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure (as defined in section 215A of the Federal Power Act), shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

Amend section 1109 to read as follows:

**SEC. 1109. INCREASED ACCOUNTABILITY WITH RESPECT TO CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.**

(a) DOE EVALUATION.—

(1) IN GENERAL.—The Secretary of Energy (in this section referred to as the ''Secretary'') shall, in accordance with this section, annually conduct an evaluation, and make recommendations, with respect to each project conducted by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies (also known as carbon capture and storage and utilization technologies).

(2) SCOPE.—For purposes of this section, a project includes any contract, lease, cooperative agreement, or other similar transaction with a public agency or private organization or person, entered into or performed, or any payment made, by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies.

(b) REQUIREMENTS FOR EVALUATION.—In conducting an evaluation of a project under this section, the Secretary shall—

(1) examine if the project has made advancements toward achieving any specific goal of the project with respect to a carbon capture, utilization, and sequestration technology; and

(2) evaluate and determine if the project has made significant progress in advancing a carbon capture, utilization, and sequestration technology.

(c) RECOMMENDATIONS.—For each evaluation of a project conducted under this section, if the Secretary determines that—

(1) significant progress in advancing a carbon capture, utilization, and sequestration technology has been made, the Secretary shall assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project; or

(2) significant progress in advancing a carbon capture, utilization, and sequestration technology has not been made, the Secretary shall—

(A) assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project;

(B) assess and determine if the project has reached its full potential; and

(C) make a recommendation as to whether the project should continue.

(d) REPORTS.—

(1) REPORT ON EVALUATIONS AND RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall—

(A) issue a report on the evaluations conducted and recommendations made during the previous year pursuant to this section; and

(B) make each such report available on the Internet website of the Department of Energy.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 3 years thereafter, the Secretary shall submit to the Subcommittee on Energy and Power of the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) the evaluations conducted and recommendations made during the previous 3 years pursuant to this section; and

(B) the progress of the Department of Energy in advancing carbon capture, utilization, and sequestration technologies, including progress in achieving the Department of Energy's goal of having an array of advanced carbon capture and sequestration technologies ready by 2020 for large-scale demonstration.

Insert after section 1110 the following:

**SEC. 1111. DESIGNATION OF NATIONAL ENERGY SECURITY CORRIDORS ON FEDERAL LANDS.**

(a) IN GENERAL.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended as follows:

(1) In subsection (b)—

(A) by striking ''(b)(1) For the purposes of this section 'Federal lands' means'' and inserting the following:

''(b)(1) For the purposes of this section 'Federal lands'—

''(A) except as provided in subparagraph (B), means'';

(B) by striking the period at the end of paragraph (1) and inserting ''; and'' and by adding at the end of paragraph (1) the following:

''(B) for purposes of granting an application for a natural gas pipeline right-of-way, means all lands owned by the United States except—

''(i) such lands held in trust for an Indian or Indian tribe; and

''(ii) lands on the Outer Continental Shelf.''.

(2) By redesignating subsection (b), as so amended, as subsection (z), and transferring such subsection to appear after subsection (y) of that section.

(3) By inserting after subsection (a) the following:

''(b) NATIONAL ENERGY SECURITY CORRIDORS.—

''(1) DESIGNATION.—In addition to other authorities under this section, the Secretary shall—

''(A) identify and designate suitable Federal lands as National Energy Security Corridors (in this subsection referred to as a 'Corridor'), which shall be used for construction, operation, and maintenance of natural gas transmission facilities; and

''(B) incorporate such Corridors upon designation into the relevant agency land use and resource management plans or equivalent plans.

''(2) CONSIDERATIONS.—In evaluating Federal lands for designation as a National Energy Security Corridor, the Secretary shall—

''(A) employ the principle of multiple use to ensure route decisions balance national energy security needs with existing land use principles;

''(B) seek input from other Federal counterparts, State, local, and tribal governments, and affected utility and pipeline industries to determine the best suitable, most cost-effective, and commercially viable acreage for natural gas transmission facilities;

''(C) focus on transmission routes that improve domestic energy security through increasing reliability, relieving congestion, reducing natural gas prices, and meeting growing demand for natural gas; and

''(D) take into account technological innovations that reduce the need for surface disturbance.

''(3) PROCEDURES.—The Secretary shall establish procedures to expedite and approve applications for rights-of-way for natural gas pipelines across National Energy Security Corridors, that—

''(A) ensure a transparent process for review of applications for rights-of-way on such corridors;

''(B) require an approval time of not more than 1 year after the date of receipt of an application for a right-of-way; and

''(C) require, upon receipt of such an application, notice to the applicant of a predictable timeline for consideration of the application, that clearly delineates important milestones in the process of such consideration.

''(4) STATE INPUT.—

''(A) REQUESTS AUTHORIZED.—The Governor of a State may submit requests to the Sec-

retary of the Interior to designate Corridors on Federal land in that State.

''(B) CONSIDERATION OF REQUESTS.—After receiving such a request, the Secretary shall respond in writing, within 30 days—

''(i) acknowledging receipt of the request; and

''(ii) setting forth a timeline in which the Secretary shall grant, deny, or modify such request and state the reasons for doing so.

''(5) SPATIAL DISTRIBUTION OF CORRIDORS.—In implementing this subsection, the Secretary shall coordinate with other Federal Departments to—

''(A) minimize the proliferation of duplicative natural gas pipeline rights-of-way on Federal lands where feasible;

''(B) ensure Corridors can connect effectively across Federal lands; and

''(C) utilize input from utility and pipeline industries submitting applications for rights-of-way to site corridors in economically feasible areas that reduce impacts, to the extent practicable, on local communities.

''(6) NOT A MAJOR FEDERAL ACTION.—Designation of a Corridor under this subsection, and incorporation of Corridors into agency plans under paragraph (1)(B), shall not be treated as a major Federal action for purpose of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

''(7) NO LIMIT ON NUMBER OR LENGTH OF CORRIDORS.—Nothing in this subsection limits the number or physical dimensions of Corridors that the Secretary may designate under this subsection.

''(8) OTHER AUTHORITY NOT AFFECTED.—Nothing in this subsection affects the authority of the Secretary to issue rights-of-way on Federal land that is not located in a Corridor designated under this subsection.

''(9) NEPA CLARIFICATION.—All applications for rights-of-way for natural gas transmission facilities across Corridors designated under this subsection shall be subject to the environmental protections outlined in subsection (h).''.

(b) APPLICATIONS RECEIVED BEFORE DESIGNATION OF CORRIDORS.—Any application for a right-of-way under section 28 of the Mineral Leasing Act (30 U.S.C. 185) that is received by the Secretary of the Interior before designation of National Energy Security Corridors under the amendment made by subsection (a) of this section shall be reviewed and acted upon independently by the Secretary without regard to the process for such designation.

(c) DEADLINE.—Within 2 years after the date of the enactment of this Act, the Secretary of the Interior shall designate at least 10 National Energy Security Corridors under the amendment made by subsection (a) in States referred to in section 368(b) of the Energy Policy Act of 2005 (42 U.S.C. 15926(b)).

**SEC. 1112. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE ON FEDERAL LANDS CONTAINING ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES.**

(a) IN GENERAL.—Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.) is amended by adding at the end the following new section:

**''SEC. 512. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS-OF-WAY.**

''(a) GENERAL DIRECTION.—In order to enhance the reliability of the electric grid and reduce the threat of wildfires to and from electric transmission and distribution rights-of-way and related facilities and adjacent property, the Secretary, with respect to public lands and other lands under the jurisdiction of the Secretary, and the Secretary of Agriculture, with respect to National Forest System lands, shall provide direction to ensure that all existing and future rights-of-way, however established (including by grant, special use authorization, and easement), for electric transmission and distribution facilities on such lands include provisions for utility vegetation management, facility inspection, and operation and maintenance activities that, while consistent with applicable law—

''(1) are developed in consultation with the holder of the right-of-way;

''(2) enable the owner or operator of an electric transmission and distribution facility to operate and maintain the facility in good working order and to comply with Federal, State, and local electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation and plans to meet such reliability standards;

''(3) minimize the need for case-by-case or annual approvals for—

''(A) routine vegetation management, facility inspection, and operation and maintenance activities within existing electric transmission and distribution rights-of-way; and

''(B) utility vegetation management activities that are necessary to control hazard trees within or adjacent to electric transmission and distribution rights-of-way; and

''(4) when review is required, provide for expedited review and approval of utility vegetation management, facility inspection, and operation and maintenance activities, especially activities requiring prompt action to avoid an adverse impact on human safety or electric reliability to avoid fire hazards.

''(b) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—

''(1) DEVELOPMENT AND SUBMISSION.—Consistent with subsection (a), the Secretary and the Secretary of Agriculture shall provide owners and operators of electric transmission and distribution facilities located on lands described in such subsection with the option to develop and submit a vegetation management, facility inspection, and operation and maintenance plan, that at each owner or operator's discretion may cover some or all of the owner or operator's electric transmission and distribution rights-of-way on Federal lands, for approval to the Secretary with jurisdiction over the lands. A plan under this paragraph shall enable the owner or operator of an electric transmission and distribution facility, at a minimum, to comply with applicable Federal, State, and local electric system reliability and fire safety requirements, as provided in subsection (a)(2). The Secretaries shall not have the authority to modify those requirements.

''(2) REVIEW AND APPROVAL PROCESS.—The Secretary and the Secretary of Agriculture shall jointly develop a consolidated and coordinated process for review and approval of—

''(A) vegetation management, facility inspection, and operation and maintenance plans submitted under paragraph (1) that—

''(i) assures prompt review and approval not to exceed 90 days;

''(ii) includes timelines and benchmarks for agency comments on submitted plans and final approval of such plans;

''(iii) is consistent with applicable law; and

''(iv) minimizes the costs of the process to the reviewing agency and the entity submitting the plans; and

''(B) amendments to the plans in a prompt manner if changed conditions necessitate a modification to a plan.

''(3) NOTIFICATION.—The review and approval process under paragraph (2) shall—

''(A) include notification by the agency of any changed conditions that warrant a modification to a plan;

''(B) provide an opportunity for the owner or operator to submit a proposed plan amendment to address directly the changed condition; and

''(C) allow the owner or operator to continue to implement those elements of the approved plan that do not directly and adversely affect the condition precipitating the need for modification.

''(4) CATEGORICAL EXCLUSION PROCESS.—The Secretary and the Secretary of Agriculture shall apply his or her categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to plans developed under this subsection on existing electric transmission and distribution rights-of-way under this subsection.

''(5) IMPLEMENTATION.—A plan approved under this subsection shall become part of the authorization governing the covered right-of-way and hazard trees adjacent to the right-of-way. If a vegetation management plan is proposed for an existing electric transmission and distribution facility concurrent with the siting of a new electric transmission or distribution facility, necessary reviews shall be completed as part of the siting process or sooner. Once the plan is approved, the owner or operator shall provide the agency with only a notification of activities anticipated to be undertaken in the coming year, a description of those activities, and certification that the activities are in accordance with the plan.

''(c) RESPONSE TO EMERGENCY CONDITIONS.—If vegetation on Federal lands within, or hazard trees on Federal lands adjacent to, an electric transmission or distribution right-of-way granted by the Secretary or the Secretary of Agriculture has contacted or is in imminent danger of contacting one or more electric transmission or distribution lines, the owner or operator of the electric transmission or distribution lines—

''(1) may prune or remove the vegetation to avoid the disruption of electric service and risk of fire; and

''(2) shall notify the appropriate local agent of the relevant Secretary not later than 24 hours after such removal.

''(d) COMPLIANCE WITH APPLICABLE RELIABILITY AND SAFETY STANDARDS.—If vegetation on Federal lands within or adjacent to an electric transmission or distribution right-of-way under the jurisdiction of each Secretary does not meet clearance requirements under standards established by the North American Electric Reliability Corporation, or by State and local authorities, and the Secretary having jurisdiction over the lands has failed to act to allow an electric transmission or distribution facility owner or operator to conduct vegetation management activities within 3 business days after receiving a request to allow such activities, the owner or operator may, after notifying the Secretary, conduct such vegetation management activities to meet those clearance requirements.

''(e) REPORTING REQUIREMENT.—The Secretary or Secretary of Agriculture shall report requests and actions made under subsections (c) and (d) annually on each Secretary's website.

''(f) LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildfire damage, loss, or injury, including the cost of fire suppression, if—

''(1) the Secretary or the Secretary of Agriculture fails to allow the owner or operator to operate consistently with an approved vegetation management, facility inspection, and operation and maintenance plan on Federal lands under the relevant Secretary's jurisdiction within or adjacent to a right-of-

way to comply with Federal, State, or local electric system reliability and fire safety standards, including standards established by the North American Electric Reliability Corporation; or

''(2) the Secretary or the Secretary of Agriculture fails to allow the owner or operator of the electric transmission or distribution facility to perform appropriate vegetation management activities in response to an identified hazard tree, or a tree in imminent danger of contacting the owner's or operator's electric transmission or distribution facility.

''(g) TRAINING AND GUIDANCE.—In consultation with the electric utility industry, the Secretary and the Secretary of Agriculture are encouraged to develop a program to train personnel of the Department of the Interior and the Forest Service involved in vegetation management decisions relating to electric transmission and distribution facilities to ensure that such personnel—

''(1) understand electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation;

''(2) assist owners and operators of electric transmission and distribution facilities to comply with applicable electric reliability and fire safety requirements; and

''(3) encourage and assist willing owners and operators of electric transmission and distribution facilities to incorporate on a voluntary basis vegetation management practices to enhance habitats and forage for pollinators and for other wildlife so long as the practices are compatible with the integrated vegetation management practices necessary for reliability and safety.

''(h) IMPLEMENTATION.—The Secretary and the Secretary of Agriculture shall—

''(1) not later than one year after the date of the enactment of this section, propose regulations, or amended existing regulations, to implement this section; and

''(2) not later than two years after the date of the enactment of this section, finalize regulations, or amended existing regulations, to implement this section.

''(i) EXISTING VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—Nothing in this section requires an owner or operator to develop and submit a vegetation management, facility inspection, and operation and maintenance plan if one has already been approved by the Secretary or Secretary of Agriculture before the date of the enactment of this section.

''(j) DEFINITIONS.—In this section:

''(1) HAZARD TREE.—The term 'hazard tree' means any tree inside the right-of-way or located outside the right-of-way that has been found by the either the owner or operator of an electric transmission or distribution facility, or the Secretary or the Secretary of Agriculture, to be likely to fail and cause a high risk of injury, damage, or disruption within 10 feet of an electric power line or related structure if it fell.

''(2) OWNER OR OPERATOR.—The terms 'owner' and 'operator' include contractors or other agents engaged by the owner or operator of an electric transmission and distribution facility.

''(3) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLAN.—The term 'vegetation management, facility inspection, and operation and maintenance plan' means a plan that—

''(A) is prepared by the owner or operator of one or more electric transmission or distribution facilities to cover one or more electric transmission and distribution rights-of-way; and

''(B) provides for the long-term, cost-effective, efficient, and timely management of facilities and vegetation within the width of the right-of-way and adjacent Federal lands to enhance electric reliability, promote public safety, and avoid fire hazards.''.

(b) CLERICAL AMENDMENT.—The table of sections for the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.), is amended by inserting after the item relating to section 511 the following new item:

''Sec. 512. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights-of-way.''.

Strike subtitle B of title I and redesignate subtitle C of such title as subtitle B.

Strike section 1301.

Redesignate sections 1302 through 1309 as sections 1201 through 1208, respectively.

Page 88, line 3, strike ''1304'' and insert ''1203''.

Page 90, line 5, strike ''1306'' and insert ''1205''.

Page 92, line 3, strike ''1307'' and insert ''1206''.

Page 100, line 6, strike ''1308'' and insert ''1207''.

Strike title II and redesignate titles III and IV as titles II and III, respectively.

Redesignate sections 3001 through 3004 as sections 2001 through 2004, respectively.

Page 117, line 11, insert '', the Committee on Science, Space, and Technology,'' after ''Energy and Commerce''.

Page 117, line 13, insert '', the Committee on Commerce, Science, and Transportation,'' after ''Energy and Natural Resources'''.

Strike section 3005.

Redesignate section 3006 as section 2005.

Redesignate sections 4111 through 4117 as sections 3111 though 3117, respectively.

Redesignate sections 4121 through 4123 as sections 3121 through 3123, respectively.

Page 157, beginning on line 15, strike '', to be exempted from disclosure under section 552(b)(4) of title 5, United States Code''.

Strike section 4124.

Redesignate sections 4125 through 4127 as sections 3124 though 3126, respectively.

Strike chapter 3 of subtitle A of title III, as redesignated by this amendment, and redesignate chapters 4 through 7 of such subtitle as chapters 3 through 6, respectively.

Redesignate section 4141 as section 3131.

Redesignate sections 4151 and 4152 as sections 3141 and 3142, respectively.

Page 174, line 22, strike ''4116'' and insert ''3116''.

Redesignate sections 4161 and 4162 as sections 3151 and 3152, respectively.

Redesignate sections 4171 and 4172 as sections 3161 and 3162, respectively.

Beginning on page 218, strike line 12 and all that follows through page 219, line 2 and insert the following:

(c) FUNDING.—To carry out this section, the Secretary is authorized to use not more than $15,000,000, to the extent provided in advance in appropriation Acts.

Redesignate section 4211 as section 3211.

Redesignate sections 4221 and 4222 as sections 3221 and 3222, respectively.

Redesignate sections 4231 through 4252 as sections 3231 through 3252, respectively.

Beginning on page 238, strike line 22 and all that follows through page 239, line 2 and insert the following:

**CHAPTER 4—AUTHORIZATION**

**SEC. 3261 AUTHORIZATION.**

There are authorized to be appropriated, out of funds authorized under previously enacted laws, amounts required for carrying out this Act and the amendments made by this Act.

Strike titles V and VI.

It was decided in the affirmative ..... { Ayes ..... 246 / Noes ..... 177

¶147.16 [Roll No. 656]

AYES—246

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

NOES—177

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)

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

NOT VOTING—10

Aguilar
Cuellar
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Stefanik
Takai
Webster (FL)
Williams

So the amendment was agreed to.

¶147.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 114-359, submitted by Mr. TONKO:

Page 4, line 5, through page 10, line 3, strike section 1101.

It was decided in the negative ..... { Ayes ..... 179 Noes ..... 244

¶147.18 [Roll No. 657]

AYES—179

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

NOES—244

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

NOT VOTING—10

Aguilar
Cuellar
Marchant
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

So the amendment was not agreed to.

¶147.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 14, printed in House Report 114-359, submitted by Mr. Gene GREEN of Texas:

At the end of title III, insert the following new section:

**SEC. 3007. AUTHORIZATION OF CROSS-BORDER INFRASTRUCTURE PROJECTS.**

(a) FINDING.—Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of pipelines and electric transmission facilities for the import and export of liquid products, including water and petroleum, and natural gas and the transmission of electricity to and from Canada and Mexico.

(b) AUTHORIZATION OF CERTAIN INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.—

(1) REQUIREMENT.—No person may construct, connect, operate, or maintain a cross-border segment of a pipeline or electric transmission facility for the import or export of liquid products or natural gas, or the transmission of electricity, to or from Canada or Mexico without obtaining a certificate of crossing for such construction, connection, operation, or maintenance under this subsection.

(2) CERTIFICATE OF CROSSING.—

(A) ISSUANCE.—

(i) IN GENERAL.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment described in paragraph (1), the relevant official identified under subparagraph (B), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(ii) NATURAL GAS.—For the purposes of natural gas pipelines, a finding with respect to the public interest under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) shall serve as a finding under clause (i) of this subparagraph.

(B) RELEVANT OFFICIAL.—The relevant official referred to in subparagraph (A) is—

(i) the Secretary of State with respect to liquid pipelines;

(ii) the Federal Energy Regulatory Commission with respect to natural gas pipelines; and

(iii) the Secretary of Energy with respect to electric transmission facilities.

(C) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—The Secretary of Energy shall require, as a condition of issuing a certificate of crossing for an electric transmission facility, that the cross-border segment be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(i) the Electric Reliability Organization and the applicable regional entity; and

(ii) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(3) MODIFICATIONS TO EXISTING PROJECTS.—No certificate of crossing shall be required under this subsection for a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations) with respect to a liquid or natural gas pipeline or electric transmission facility unless such modification would result in a significant impact at the national boundary.

(4) EFFECT OF OTHER LAWS.—Nothing in this subsection shall affect the application of any other Federal statute (including the Natural Gas Act and the Energy Policy and Conservation Act) to a project for which a certificate of crossing is sought under this subsection.

(c) IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: ''In the case of an application for the importation or exportation of natural gas to or from Canada or Mexico, the Commission shall grant the application not later than 30 days after the date of receipt of the complete application.''.

(d) TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.—

(1) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(B) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary''.

(e) EFFECTIVE DATE; RULEMAKING DEADLINES.—

(1) EFFECTIVE DATE.—Subsections (b) through (d), and the amendments made by such subsections, shall take effect on January 20, 2017.

(2) RULEMAKING DEADLINES.—Each relevant official described in subsection (b)(2)(B) shall—

(A) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of subsection (b); and

(B) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of subsection (b).

(f) DEFINITIONS.—In this section—

(1) the term ''cross-border segment'' means the portion of a liquid or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the terms ''Electric Reliability Organization'' and ''regional entity'' have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o);

(3) the terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796);

(4) the term ''liquid'' includes water, petroleum, petroleum product, and any other substance that flows through a pipeline other than natural gas; and

(5) the term ''natural gas'' has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a).

It was decided in the affirmative ..... { Ayes ..... 263 / Noes ..... 158

¶147.20 [Roll No. 658]

AYES—263

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

NOES—158

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

NOT VOTING—12

Aguilar
Costello (PA)
Crenshaw
Cuellar
Joyce
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

So the amendment was agreed to.

¶147.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment numbered 17, printed in House Report 114-359, submitted by Mr. BEYER:

Strike page 147, line 9, through page 149, line 6.

It was decided in the negative ..... { Ayes ..... 172 Noes ..... 246

¶147.22 [Roll No. 659]

AYES—172

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

NOES—246

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

NOT VOTING—15

Aguilar
Capps
Cleaver
Conyers
Cuellar
Green, Gene
Meeks
Payne
Rangel
Ruppersberger
Sanchez, Loretta
Takai
Walorski
Webster (FL)
Williams

So the amendment was not agreed to.

¶147.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 19, printed in House Report 114-359, submitted by Ms. SCHAKOWSKY:

Strike section 4125.

It was decided in the negative ..... { Ayes ..... 183 Noes ..... 239

¶147.24 [Roll No. 660]

AYES—183

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

NOES—239

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar

Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Aguilar
Cole
Cuellar
Meeks
Payne
Royce
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

So the amendment was not agreed to.

¶147.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 22, printed in House Report 114-359, submitted by Mr. TONKO:

In chapter 2 of subtitle A of title IV, add at the end the following new section:

**SEC. 4128. WEATHERIZATION ASSISTANCE AND STATE ENERGY PROGRAMS.**

(a) REAUTHORIZATION OF WEATHERIZATION ASSISTANCE PROGRAM.—Section 422 of the Energy Conservation and Production Act (42 U.S.C. 6872) is amended by striking ''appropriated—'' and all that follows through the period at the end and inserting ''appropriated $450,000,000 for each of fiscal years 2016 through 2020.''.

(b) REAUTHORIZATION OF STATE ENERGY PROGRAMS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended by striking ''$125,000,000 for each of fiscal years 2007 through 2012'' and inserting ''$75,000,000 for each of fiscal years 2016 through 2020''.

It was decided in the negative ..... { Ayes ..... 198 / Noes ..... 224

¶147.26 [Roll No. 661]

AYES—198

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

NOES—224

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

NOT VOTING—11

Aguilar
Cole
Cuellar
Gutiérrez
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

So the amendment was not agreed to.

¶147.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 23, printed in House Report 114-359, submitted by Ms. CASTOR of Florida:

In subtitle A of title IV, add at the end the following new chapter:

**CHAPTER 8—LOCAL ENERGY SUPPLY AND RESILIENCY**

**SEC. 4181. DEFINITIONS.**

In this chapter:

(1) COMBINED HEAT AND POWER SYSTEM.—The term ''combined heat and power system'' means generation of electric energy and heat in a single, integrated system that meets the efficiency criteria in clauses (ii) and (iii) of section 48(c)(3)(A) of the Internal Revenue Code of 1986, under which heat that is conventionally rejected is recovered and used to meet thermal energy requirements.

(2) DEMAND RESPONSE.—The term ''demand response'' means changes in electric usage by electric utility customers from the normal consumption patterns of the customers in response to—

(A) changes in the price of electricity over time; or

(B) incentive payments designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized.

(3) DISTRIBUTED ENERGY.—The term ''distributed energy'' means energy sources and systems that—

(A) produce electric or thermal energy close to the point of use using renewable energy resources or waste thermal energy;

(B) generate electricity using a combined heat and power system;

(C) distribute electricity in microgrids;

(D) store electric or thermal energy; or

(E) distribute thermal energy or transfer thermal energy to building heating and cooling systems through a district energy system.

(4) DISTRICT ENERGY SYSTEM.—The term ''district energy system'' means a system that provides thermal energy to buildings and other energy consumers from 1 or more plants to individual buildings to provide space heating, air conditioning, domestic hot water, industrial process energy, and other end uses.

(5) ISLANDING.—The term ''islanding'' means a distributed generator or energy storage device continuing to power a loca-

tion in the absence of electric power from the primary source.

(6) LOAN.—The term ''loan'' has the meaning given the term ''direct loan'' in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(7) MICROGRID.—The term ''microgrid'' means an integrated energy system consisting of interconnected loads and distributed energy resources, including generators and energy storage devices, within clearly defined electrical boundaries that—

(A) acts as a single controllable entity with respect to the grid; and

(B) can connect and disconnect from the grid to operate in both grid-connected mode and island mode.

(8) RENEWABLE ENERGY SOURCE.—The term ''renewable energy source'' includes—

(A) biomass;

(B) geothermal energy;

(C) hydropower;

(D) landfill gas;

(E) municipal solid waste;

(F) ocean (including tidal, wave, current, and thermal) energy;

(G) organic waste;

(H) photosynthetic processes;

(I) photovoltaic energy;

(J) solar energy; and

(K) wind.

(9) RENEWABLE THERMAL ENERGY.—The term ''renewable thermal energy'' means heating or cooling energy derived from a renewable energy resource.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(11) THERMAL ENERGY.—The term ''thermal energy'' means—

(A) heating energy in the form of hot water or steam that is used to provide space heating, domestic hot water, or process heat; or

(B) cooling energy in the form of chilled water, ice, or other media that is used to provide air conditioning, or process cooling.

(12) WASTE THERMAL ENERGY.—The term ''waste thermal energy'' means energy that—

(A) is contained in—

(i) exhaust gases, exhaust steam, condenser water, jacket cooling heat, or lubricating oil in power generation systems;

(ii) exhaust heat, hot liquids, or flared gas from any industrial process;

(iii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

(iv) a pressure drop in any gas, excluding any pressure drop to a condenser that subsequently vents the resulting heat;

(v) condenser water from chilled water or refrigeration plants; or

(vi) any other form of waste energy, as determined by the Secretary; and

(B)(i) in the case of an existing facility, is not being used; or

(ii) in the case of a new facility, is not conventionally used in comparable systems.

**SEC. 4182. DISTRIBUTED ENERGY LOAN PROGRAM.**

(a) LOAN PROGRAM.—

(1) IN GENERAL.—Subject to the provisions of this subsection and subsections (b) and (c), the Secretary shall establish a program to provide to eligible entities—

(A) loans for the deployment of distributed energy systems in a specific project; and

(B) loans to provide funding for programs to finance the deployment of multiple distributed energy systems through a revolving loan fund, credit enhancement program, or other financial assistance program.

(2) ELIGIBILITY.—Entities eligible to receive a loan under paragraph (1) include—

(A) a State, territory, or possession of the United States;

(B) a State energy office;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

(D) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(E) an electric utility, including—

(i) a rural electric cooperative;

(ii) a municipally owned electric utility; and

(iii) an investor-owned utility.

(3) SELECTION REQUIREMENTS.—In selecting eligible entities to receive loans under this section, the Secretary shall, to the maximum extent practicable, ensure—

(A) regional diversity among eligible entities to receive loans under this section, including participation by rural States and small States; and

(B) that specific projects selected for loans—

(i) expand on the existing technology deployment program of the Department of Energy; and

(ii) are designed to achieve 1 or more of the objectives described in paragraph (4).

(4) OBJECTIVES.—Each deployment selected for a loan under paragraph (1) shall include 1 or more of the following objectives:

(A) Improved security and resiliency of energy supply in the event of disruptions caused by extreme weather events, grid equipment or software failure, or terrorist acts.

(B) Implementation of distributed energy in order to increase use of local renewable energy resources and waste thermal energy sources.

(C) Enhanced feasibility of microgrids, demand response, or islanding;

(D) Enhanced management of peak loads for consumers and the grid.

(E) Enhanced reliability in rural areas, including high energy cost rural areas.

(5) RESTRICTION ON USE OF FUNDS.—Any eligible entity that receives a loan under paragraph (1) may only use the loan to fund programs relating to the deployment of distributed energy systems.

(b) LOAN TERMS AND CONDITIONS.—

(1) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, in providing a loan under this section, the Secretary shall provide the loan on such terms and conditions as the Secretary determines, after consultation with the Secretary of the Treasury, in accordance with this section.

(2) SPECIFIC APPROPRIATION.—No loan shall be made unless an appropriation for the full amount of the loan has been specifically provided for that purpose.

(3) REPAYMENT.—No loan shall be made unless the Secretary determines that there is reasonable prospect of repayment of the principal and interest by the borrower of the loan.

(4) INTEREST RATE.—A loan provided under this section shall bear interest at a fixed rate that is equal or approximately equal, in the determination of the Secretary, to the interest rate for Treasury securities of comparable maturity.

(5) TERM.—The term of the loan shall require full repayment over a period not to exceed the lesser of—

(A) 20 years; or

(B) 90 percent of the projected useful life of the physical asset to be financed by the loan (as determined by the Secretary).

(6) USE OF PAYMENTS.—Payments of principal and interest on the loan shall—

(A) be retained by the Secretary to support energy research and development activities; and

(B) remain available until expended, subject to such conditions as are contained in annual appropriations Acts.

(7) NO PENALTY ON EARLY REPAYMENT.—The Secretary may not assess any penalty for early repayment of a loan provided under this section.

(8) RETURN OF UNUSED PORTION.—In order to receive a loan under this section, an eligible entity shall agree to return to the general fund of the Treasury any portion of the loan amount that is unused by the eligible entity within a reasonable period of time after the date of the disbursement of the loan, as determined by the Secretary.

(9) COMPARABLE WAGE RATES.—Each laborer and mechanic employed by a contractor or subcontractor in performance of construction work financed, in whole or in part, by the loan shall be paid wages at rates not less than the rates prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

(c) RULES AND PROCEDURES; DISBURSEMENT OF LOANS.—

(1) RULES AND PROCEDURES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for carrying out the loan program under subsection (a).

(2) DISBURSEMENT OF LOANS.—Not later than 1 year after the date on which the rules and procedures under paragraph (1) are established, the Secretary shall disburse the initial loans provided under this section.

(d) REPORTS.—Not later than 2 years after the date of receipt of the loan, and annually thereafter for the term of the loan, an eligible entity that receives a loan under this section shall submit to the Secretary a report describing the performance of each program and activity carried out using the loan, including itemized loan performance data.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

**SEC. 4183. TECHNICAL ASSISTANCE AND GRANT PROGRAM.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a technical assistance and grant program (referred to in this section as the ''program'')—

(A) to disseminate information and provide technical assistance directly to eligible entities so the eligible entities can identify, evaluate, plan, and design distributed energy systems; and

(B) to make grants to eligible entities so that the eligible entities may contract to obtain technical assistance to identify, evaluate, plan, and design distributed energy systems.

(2) TECHNICAL ASSISTANCE.—The technical assistance described in paragraph (1) shall include assistance with 1 or more of the following activities relating to distributed energy systems:

(A) Identification of opportunities to use distributed energy systems.

(B) Assessment of technical and economic characteristics.

(C) Utility interconnection.

(D) Permitting and siting issues.

(E) Business planning and financial analysis.

(F) Engineering design.

(3) INFORMATION DISSEMINATION.—The information disseminated under paragraph (1)(A) shall include—

(A) information relating to the topics described in paragraph (2), including case studies of successful examples;

(B) computer software and databases for assessment, design, and operation and maintenance of distributed energy systems; and

(C) public databases that track the operation and deployment of existing and planned distributed energy systems.

(b) ELIGIBILITY.—Any nonprofit or for-profit entity shall be eligible to receive technical assistance and grants under the program.

(c) APPLICATIONS.—

(1) IN GENERAL.—An eligible entity desiring technical assistance or grants under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) APPLICATION PROCESS.—The Secretary shall seek applications for technical assistance and grants under the program—

(A) on a competitive basis; and

(B) on a periodic basis, but not less frequently than once every 12 months.

(3) PRIORITIES.—In selecting eligible entities for technical assistance and grants under the program, the Secretary shall give priority to eligible entities with projects that have the greatest potential for—

(A) facilitating the use of renewable energy resources;

(B) strengthening the reliability and resiliency of energy infrastructure to the impact of extreme weather events, power grid failures, and interruptions in supply of fossil fuels;

(C) improving the feasibility of microgrids or islanding, particularly in rural areas, including high energy cost rural areas;

(D) minimizing environmental impact, including regulated air pollutants and greenhouse gas emissions; and

(E) maximizing local job creation.

(d) GRANTS.—On application by an eligible entity, the Secretary may award grants to the eligible entity to provide funds to cover not more than—

(1) 100 percent of the costs of the initial assessment to identify opportunities;

(2) 75 percent of the cost of feasibility studies to assess the potential for the implementation;

(3) 60 percent of the cost of guidance on overcoming barriers to implementation, including financial, contracting, siting, and permitting issues; and

(4) 45 percent of the cost of detailed engineering.

(e) RULES AND PROCEDURES.—

(1) RULES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for carrying out the program.

(2) GRANTS.—Not later than 120 days after the date of issuance of the rules and procedures for the program, the Secretary shall issue grants under this chapter.

(f) REPORTS.—The Secretary shall submit to Congress and make available to the public—

(1) not less frequently than once every 2 years, a report describing the performance of the program under this section, including a synthesis and analysis of the information provided in the reports submitted to the Secretary under section 4181(c); and

(2) on termination of the program under this section, an assessment of the success of, and education provided by, the measures carried out by eligible entities during the term of the program.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $250,000,000 for the period of fiscal years 2016 through 2020, to remain available until expended.

It was decided in the negative ..... { Ayes ..... 175 / Noes ..... 247 }

¶147.28 [Roll No. 662]

AYES—175

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

NOES—247

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

NOT VOTING—11

| | | |
|---|---|---|
| Aguilar | Payne | Takai |
| Cuellar | Ruppersberger | Webster (FL) |
| Larson (CT) | Sanchez, Loretta | Williams |
| Meeks | Scott, David | |

So the amendment was not agreed to.

¶147.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 24, printed in House Report 114-359, submitted by Mr. POLIS:

In subtitle A of title IV, add at the end the following new chapter:

**CHAPTER 8—SURFACE ESTATE OWNER NOTIFICATION**

**SEC. 4181. SURFACE ESTATE OWNER NOTIFICATION.**

The Secretary of the Interior shall—

(1) notify surface estate owners and all owners of land located within 1 mile of a proposed oil or gas lease tract in writing at least 45 days in advance of lease sales;

(2) within 10 working days after a lease is issued, notify surface estate owners and all owners of land located within 1 mile of a lease tract, regarding the identity of the lessee;

(3) notify surface estate owners and all owners of land located within 1 mile of a lease tract in writing within 10 working days concerning any subsequent decisions regarding the lease, such as modifying or waiving stipulations and approving rights-of-way; and

(4) notify surface estate owners and all owners of land located within 1 mile of a lease tract, within 5 business days after issuance of a drilling permit under a lease.

It was decided in the negative ..... { Ayes ..... 206 / Noes ..... 216 }

¶147.30 [Roll No. 663]

AYES—206

| | | |
|---|---|---|
| Adams | Bass | Bera |
| Amash | Beatty | Beyer |
| Ashford | Becerra | Bishop (GA) |

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

NOES—216

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

NOT VOTING—11

Aguilar
Cole
Cuellar
Joyce
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

So the amendment was not agreed to.

¶147.31 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 25, printed in House Report 114-359, submitted by Mr. BARTON:

At the end of the bill, add the following:

**TITLE VII—CHANGING CRUDE OIL MARKET CONDITIONS**

**SEC. 7001. FINDINGS.**

The Congress finds the following:

(1) The United States has enjoyed a renaissance in energy production, establishing the United States as the world's leading oil producer.

(2) By authorizing crude oil exports, the Congress can spur domestic energy production, create and preserve jobs, help maintain and strengthen our independent shipping fleet that is essential to national defense, and generate State and Federal revenues.

(3) An energy-secure United States that is a net exporter of energy has the potential to transform the security environment around the world, notably in Europe and the Middle East.

(4) For our European allies and Israel, the presence of more United States oil in the market will offer more secure supply options, which will strengthen United States strategic alliances and help curtail the use of energy as a political weapon.

(5) The 60-ship Maritime Security Fleet is a vital element of our military's strategic sealift and global response capability. It assures United States-flag ships and United States crews will be available to support the United States military when it needs to mobilize to protect our allies, and is the most prudent and economical solution to meet current and projected sealift requirements for the United States.

(6) The Maritime Security Fleet program provides a labor base of skilled American mariners who are available to crew the United States Government-owned strategic sealift fleet, as well as the United States commercial fleet, in both peace and war.

(7) The United States has reduced its oil consumption over the past decade, and increasing investment in clean energy technology and energy efficiency will lower energy prices, reduce greenhouse gas emissions, and increase national security.

**SEC. 7002. REPEAL.**

Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) and the item relating thereto in the table of contents of that Act are repealed.

**SEC. 7003. NATIONAL POLICY ON OIL EXPORT RESTRICTIONS.**

Notwithstanding any other provision of law, to promote the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including fossil fuels, no official of the Federal Government shall impose or enforce any restriction on the export of crude oil.

**SEC. 7004. STUDIES.**

(a) GREENHOUSE GAS EMISSIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall conduct, and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of, a study on the net greenhouse gas emissions that will result from the repeal of the crude oil export ban under section 7002.

(b) CRUDE OIL EXPORT STUDY.—

(1) IN GENERAL.—The Department of Commerce, in consultation with the Department of Energy, and other departments as appropriate, shall conduct a study of the State and national implications of lifting the crude oil export ban with respect to consumers and the economy.

(2) CONTENTS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the economic impact that exporting crude oil will have on the economy of the United States;

(B) the economic impact that exporting crude oil will have on consumers, taking into account impacts on energy prices;

(C) the economic impact that exporting crude oil will have on domestic manufacturing, taking into account impacts on employment; and

(D) the economic impact that exporting crude oil will have on the refining sector, taking into account impacts on employment.

(3) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Bureau of Industry and Security shall submit to Congress a report containing the results of the study conducted under paragraph (1).

**SEC. 7005. SAVINGS CLAUSE.**

Nothing in this title limits the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the Enemy Act (50 U.S.C. App. 1 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a foreign government that is designated as a state sponsor of terrorism, to prohibit exports.

**SEC. 7006. PARTNERSHIPS WITH MINORITY SERVING INSTITUTIONS.**

(a) IN GENERAL.—The Department of Energy shall continue to develop and broaden

partnerships with minority serving institutions, including Hispanic Serving Institutions (HSI) and Historically Black Colleges and Universities (HBCUs) in the areas of oil and gas exploration, production, midstream, and refining.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—The Department of Energy shall encourage public-private partnerships between the energy sector and minority serving institutions, including Hispanic Serving Institutions and Historically Black Colleges and Universities.

**SEC. 7007. REPORT.**

Not later than 10 years after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report that reviews the impact of lifting the oil export ban under this title as it relates to promoting United States energy and national security.

**SEC. 7008. REPORT TO CONGRESS.**

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report analyzing how lifting the ban on crude oil exports will help create opportunities for veterans and women in the United States, while promoting energy and national security.

**SEC. 7009. PROHIBITION ON EXPORTS OF CRUDE OIL, REFINED PETROLEUM PRODUCTS, AND PETROCHEMICAL PRODUCTS TO THE ISLAMIC REPUBLIC OF IRAN.**

Nothing in this title shall be construed to authorize the export of crude oil, refined petroleum products, and petrochemical products by or through any entity or person, wherever located, subject to the jurisdiction of the United States to any entity or person located in, subject to the jurisdiction of, or sponsored by the Islamic Republic of Iran.

It was decided in the affirmative ..... { Ayes ..... 255 / Noes ..... 168

¶147.32 [Roll No. 664]

AYES—255

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

NOES—168

| | | |
|---|---|---|
| Adams | Fitzpatrick | McGovern |
| Bass | Foster | Meehan |
| Beatty | Frankel (FL) | Meng |
| Becerra | Fudge | Moore |
| Bera | Gabbard | Moulton |
| Beyer | Gallego | Murphy (FL) |
| Blumenauer | Garamendi | Nadler |
| Bonamici | Grayson | Napolitano |
| Boyle, Brendan F. | Green, Al | Neal |
| Brady (PA) | Green, Gene | Nolan |
| Brown (FL) | Grijalva | Norcross |
| Brownley (CA) | Gutiérrez | Pallone |
| Bustos | Hahn | Pascrell |
| Butterfield | Hastings | Pelosi |
| Capps | Heck (WA) | Peters |
| Capuano | Higgins | Pingree |
| Carney | Honda | Pocan |
| Carson (IN) | Hoyer | Polis |
| Cartwright | Huffman | Price (NC) |
| Castor (FL) | Israel | Quigley |
| Castro (TX) | Jackson Lee | Rangel |
| Chu, Judy | Jeffries | Rice (NY) |
| Cicilline | Johnson (GA) | Rice (SC) |
| Clark (MA) | Johnson, E. B. | Roybal-Allard |
| Clarke (NY) | Jones | Ruiz |
| Clay | Kaptur | Rush |
| Cleaver | Keating | Sánchez, Linda T. |
| Clyburn | Kelly (IL) | Sanford |
| Cohen | Kennedy | Sarbanes |
| Connolly | Kildee | Schakowsky |
| Conyers | Kilmer | Schiff |
| Courtney | Kind | Scott (VA) |
| Crowley | Kirkpatrick | Scott, David |
| Cummings | Kuster | Serrano |
| Davis (CA) | Langevin | Sewell (AL) |
| Davis, Danny | Larsen (WA) | Sherman |
| DeFazio | Larson (CT) | Slaughter |
| DeGette | Lawrence | Smith (NJ) |
| Delaney | Lee | Smith (WA) |
| DeLauro | Levin | Speier |
| DelBene | Lewis | Swalwell (CA) |
| DeSaulnier | Lieu, Ted | Takano |
| Deutch | LoBiondo | Thompson (CA) |
| Dingell | Loebsack | Thompson (MS) |
| Doggett | Lofgren | Titus |
| Doyle, Michael F. | Lowenthal | Tonko |
| Duckworth | Lowey | Torres |
| Edwards | Luján, Ben Ray (NM) | Tsongas |
| Ellison | Lynch | Van Hollen |
| Engel | Maloney, Carolyn | Vargas |
| Eshoo | Maloney, Sean | Veasey |
| Esty | Matsui | Velázquez |
| Farr | McCollum | Visclosky |
| Fattah | McDermott | Walz |
| Wasserman Schultz | Watson Coleman | Yarmuth |
| Waters, Maxine | Welch | |
| | Wilson (FL) | |

NOT VOTING—10

| | | |
|---|---|---|
| Aguilar | Payne | Webster (FL) |
| Cole | Ruppersberger | Williams |
| Cuellar | Sanchez, Loretta | |
| Meeks | Takai | |

So the amendment was agreed to.

The SPEAKER pro tempore, Mrs. BLACK, assumed the Chair.

When Mr. FLEISCHMANN, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶147.33 CONFERENCE REPORT TO S. 1177—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BLACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the question of agreeing to said conference report to the bill of the Senate (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

The question being put,

Will the House agree to said conference report?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 359 / Nays ..... 64

¶147.34 [Roll No. 665]

YEAS—359

| | | |
|---|---|---|
| Abraham | Clay | Farr |
| Adams | Cleaver | Fattah |
| Aderholt | Clyburn | Fincher |
| Allen | Coffman | Fitzpatrick |
| Amodei | Cohen | Fleischmann |
| Ashford | Cole | Flores |
| Barletta | Collins (GA) | Forbes |
| Barr | Collins (NY) | Fortenberry |
| Barton | Comstock | Foster |
| Bass | Conaway | Foxx |
| Beatty | Connolly | Frankel (FL) |
| Becerra | Conyers | Frelinghuysen |
| Benishek | Cook | Fudge |
| Bera | Cooper | Gabbard |
| Beyer | Costa | Gallego |
| Bilirakis | Costello (PA) | Garamendi |
| Bishop (GA) | Courtney | Gibbs |
| Bishop (MI) | Cramer | Gibson |
| Black | Crawford | Goodlatte |
| Blum | Crenshaw | Graham |
| Blumenauer | Crowley | Granger |
| Bonamici | Cummings | Graves (GA) |
| Bost | Curbelo (FL) | Graves (MO) |
| Boustany | Davis (CA) | Grayson |
| Boyle, Brendan F. | Davis, Danny | Green, Al |
| Brady (PA) | Davis, Rodney | Green, Gene |
| Brady (TX) | DeFazio | Griffith |
| Brooks (IN) | DeGette | Grijalva |
| Brown (FL) | Delaney | Grothman |
| Brownley (CA) | DeLauro | Guthrie |
| Buchanan | DelBene | Gutiérrez |
| Bucshon | Denham | Hahn |
| Burgess | Dent | Hanna |
| Bustos | DeSaulnier | Hardy |
| Butterfield | Deutch | Hartzler |
| Byrne | Diaz-Balart | Hastings |
| Calvert | Dingell | Heck (NV) |
| Capps | Doggett | Heck (WA) |
| Capuano | Dold | Hensarling |
| Cárdenas | Donovan | Herrera Beutler |
| Carney | Doyle, Michael F. | Higgins |
| Carson (IN) | Duckworth | Hill |
| Carter (GA) | Duffy | Himes |
| Carter (TX) | Duncan (TN) | Hinojosa |
| Cartwright | Edwards | Honda |
| Castor (FL) | Ellison | Hoyer |
| Castro (TX) | Ellmers (NC) | Hudson |
| Chu, Judy | Emmer (MN) | Huffman |
| Cicilline | Engel | Huizenga (MI) |
| Clark (MA) | Eshoo | Hultgren |
| Clarke (NY) | Esty | Hunter |
| | | Hurd (TX) |

| | | |
|---|---|---|
| Hurt (VA) | Meehan | Schiff |
| Israel | Meng | Schrader |
| Issa | Messer | Scott (VA) |
| Jackson Lee | Mica | Scott, Austin |
| Jeffries | Miller (MI) | Scott, David |
| Jenkins (KS) | Moolenaar | Sensenbrenner |
| Jenkins (WV) | Moore | Serrano |
| Johnson (GA) | Moulton | Sessions |
| Johnson (OH) | Mullin | Sewell (AL) |
| Johnson, E. B. | Murphy (FL) | Sherman |
| Jolly | Murphy (PA) | Shimkus |
| Joyce | Nadler | Shuster |
| Kaptur | Napolitano | Simpson |
| Katko | Neal | Sinema |
| Keating | Neugebauer | Sires |
| Kelly (IL) | Newhouse | Slaughter |
| Kelly (PA) | Noem | Smith (NJ) |
| Kennedy | Nolan | Smith (TX) |
| Kildee | Norcross | Smith (WA) |
| Kilmer | Nugent | Speier |
| Kind | Nunes | Stefanik |
| King (NY) | O'Rourke | Stivers |
| Kinzinger (IL) | Olson | Swalwell (CA) |
| Kirkpatrick | Pallone | Takano |
| Kline | Pascrell | Thompson (CA) |
| Knight | Paulsen | Thompson (MS) |
| Kuster | Pearce | Thompson (PA) |
| LaHood | Pelosi | Thornberry |
| LaMalfa | Perlmutter | Tiberi |
| Lance | Peters | Tipton |
| Langevin | Peterson | Titus |
| Larsen (WA) | Pingree | Tonko |
| Larson (CT) | Pittenger | Torres |
| Latta | Pitts | Trott |
| Lawrence | Pocan | Tsongas |
| Lee | Poliquin | Turner |
| Levin | Polis | Upton |
| Lewis | Pompeo | Valadao |
| Lieu, Ted | Posey | Van Hollen |
| Lipinski | Price (NC) | Vargas |
| LoBiondo | Price, Tom | Veasey |
| Loebsack | Quigley | Vela |
| Lofgren | Rangel | Velázquez |
| Long | Reed | Visclosky |
| Lowenthal | Reichert | Wagner |
| Lowey | Renacci | Walberg |
| Lucas | Ribble | Walden |
| Luetkemeyer | Rice (NY) | Walorski |
| Lujan Grisham (NM) | Rice (SC) | Walters, Mimi |
| | Richmond | Walz |
| Luján, Ben Ray (NM) | Rigell | Wasserman Schultz |
| | Roby | |
| Lynch | Roe (TN) | Waters, Maxine |
| MacArthur | Rogers (KY) | Watson Coleman |
| Maloney, Carolyn | Rokita | Welch |
| | Rooney (FL) | Westerman |
| Maloney, Sean | Ros-Lehtinen | Westmoreland |
| Marino | Roskam | Whitfield |
| Matsui | Ross | Wilson (FL) |
| McCarthy | Rouzer | Wilson (SC) |
| McCaul | Roybal-Allard | Wittman |
| McClintock | Royce | Womack |
| McCollum | Ruiz | Woodall |
| McDermott | Rush | Yarmuth |
| McGovern | Russell | Young (AK) |
| McHenry | Ryan (OH) | Young (IA) |
| McKinley | Sánchez, Linda T. | Young (IN) |
| McMorris Rodgers | | Zeldin |
| | Sarbanes | Zinke |
| McNerney | Scalise | |
| McSally | Schakowsky | |

NAYS—64

| | | |
|---|---|---|
| Amash | Guinta | Palazzo |
| Babin | Harper | Palmer |
| Bishop (UT) | Harris | Perry |
| Blackburn | Hice, Jody B. | Poe (TX) |
| Brat | Holding | Ratcliffe |
| Bridenstine | Huelskamp | Rogers (AL) |
| Brooks (AL) | Johnson, Sam | Rohrabacher |
| Buck | Jones | Rothfus |
| Chabot | Jordan | Salmon |
| Chaffetz | Kelly (MS) | Sanford |
| Clawson (FL) | King (IA) | Schweikert |
| Culberson | Labrador | Smith (MO) |
| DeSantis | Lamborn | Smith (NE) |
| DesJarlais | Loudermilk | Stewart |
| Duncan (SC) | Love | Stutzman |
| Farenthold | Lummis | Walker |
| Fleming | Marchant | Weber (TX) |
| Franks (AZ) | Massie | Wenstrup |
| Gohmert | Meadows | Yoder |
| Gosar | Miller (FL) | Yoho |
| Gowdy | Mooney (WV) | |
| Graves (LA) | Mulvaney | |

NOT VOTING—10

| | | |
|---|---|---|
| Aguilar | Payne | Webster (FL) |
| Cuellar | Ruppersberger | Williams |
| Garrett | Sanchez, Loretta | |
| Meeks | Takai | |

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk notify the Senate thereof.

¶147.35 HOUR OF MEETING

On motion of Mr. CRAMER, by unanimous consent,

*Ordered,* That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, December 3, 2015.

¶147.36 ENERGY SECURITY AND INFRASTRUCTURE

The SPEAKER pro tempore, Mr. YOUNG of Iowa, pursuant to House Resolution 542 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes.

Mrs. BLACK, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. ALLEN, assumed the Chair.

When Mr. WOODALL, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶147.37 SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The Speaker announced his signature to an enrolled bill and joint resolutions of the Senate of the following titles:

S. 1170. An Act to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S.J. Res. 23. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

S.J. Res. 24. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

¶147.38 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CUELLAR, for today and December 3; and

To Mr. PAYNE, for today.

And then,

¶147.39 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 9 o'clock and 20 minutes p.m., the House adjourned until 9 a.m. on Thursday, December 3, 2015.

¶147.40 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 546. Resolution providing for consideration of the conference report to accompany the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes (Rept. 114–360). Referred to the House Calendar.

¶147.41 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OLSON (for himself and Mr. CONNOLLY):

H.R. 4152. A bill to amend the Public Health Service Act to clarify liability protections regarding emergency use of automated external defibrillators; to the Committee on Energy and Commerce.

By Mrs. ELLMERS of North Carolina (for herself, Ms. CLARKE of New York, Ms. CASTOR of Florida, Ms. ROS-LEHTINEN, and Mrs. LOWEY):

H.R. 4153. A bill to amend the Public Health Service Act to establish a pilot program to test the impact of early intervention on the prevention, management, and course of eating disorders; to the Committee on Energy and Commerce.

By Mr. SHERMAN (for himself, Mr. ROYCE, Mr. ENGEL, and Mr. SALMON):

H.R. 4154. A bill to direct the President to submit to Congress a time frame for the transfer of certain naval vessels to Taiwan pursuant to section 102(b) of the Naval Vessel Transfer Act of 2013, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. BLACK:

H.R. 4155. A bill to require the Center for Medicare and Medicaid Innovation to test the effect of including telehealth services in Medicare health care delivery reform models; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself, Mr. ELLISON, Mr. VARGAS, Ms. CLARKE of New York, Ms. MENG, Mr. POCAN, Mr. TAKANO, Mr. POLIS, Mrs. TORRES, Mr. CARSON of Indiana, and Mr. LOWENTHAL):

H.R. 4156. A bill to ensure equal access for HUBZone designations to all tax-paying small business owners; to the Committee on Small Business.

By Mr. CÁRDENAS:

H.R. 4157. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to meet the needs of the American manufacturing workforce, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBSON (for himself and Ms. LEE):

H.R. 4158. A bill to amend the Higher Education Act of 1965 to reinstate the ability-to-benefit eligibility; to the Committee on Education and the Workforce.

By Mr. HIGGINS:

H.R. 4159. A bill to limit the fees charged by the National Archives and Records Administration to veterans for military service records, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HUFFMAN (for himself, Mr. THOMPSON of California, and Mr. NOLAN):

H.R. 4160. A bill to amend the Rural Electrification Act of 1936 to increase regional telecommunications development, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES (for himself, Mr. GRIFFITH, Mr. MASSIE, and Ms. GABBARD):

H.R. 4161. A bill to amend the Servicemembers Civil Relief Act to require the consent of parties to contracts for the use of arbitration to resolve controversies arising under the contracts and subject to provisions of such Act and to preserve the rights of servicemembers to bring class actions under such Act, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. LOFGREN (for herself and Ms. MATSUI):

H.R. 4162. A bill to promote the domestic development and deployment of clean energy technologies required for the 21st century; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PIERLUISI (for himself, Ms. BORDALLO, Mr. SABLAN, Ms. PLASKETT, Mrs. RADEWAGEN, Mr. SERRANO, Ms. VELÁZQUEZ, and Mr. RANGEL):

H.R. 4163. A bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEWART (for himself, Mr. CRAMER, Mr. GRAVES of Missouri, Mr. DUNCAN of South Carolina, Mr. RIBBLE, Ms. FOXX, and Mr. AMODEI):

H.R. 4164. A bill to prohibit certain Federal agencies from using or purchasing certain firearms, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FRANKS of Arizona (for himself, Mr. ADERHOLT, Mr. CULBERSON, Mr. WILSON of South Carolina, Mr. GIBBS, Mr. WALBERG, Mr. POSEY, Mr. MULVANEY, Mr. GOSAR, Mr. SALMON, Mr. PITTS, Mrs. BLACKBURN, Mr. CRAMER, and Mr. SMITH of Texas):

H. Res. 545. A resolution calling for an end to the abuse of the Standing Rules of the Senate and to improve the debate and consideration of legislative matters; to the Committee on Rules.

By Mr. FOSTER (for himself, Mr. TAKANO, Mr. CÁRDENAS, Mr. RYAN of Ohio, Mr. STIVERS, Mr. MULVANEY, Mr. RUSH, Mr. HONDA, and Mr. LANGEVIN):

H. Res. 547. A resolution expressing support for designation of December 3, 2015, as the ''National Day of 3D Printing''; to the Committee on Energy and Commerce.

## ¶147.42 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. LABRADOR.
H.R. 86: Mr. BABIN.
H.R. 158: Mr. RUPPERSBERGER and Mr. DENT.
H.R. 188: Mr. CALVERT.
H.R. 258: Mr. SWALWELL of California.
H.R. 358: Mr. KIND and Mr. KILMER.
H.R. 402: Mr. BARLETTA.
H.R. 721: Ms. LORETTA SANCHEZ of California.
H.R. 731: Mr. GOWDY.
H.R. 814: Mr. PALAZZO.
H.R. 879: Mr. GUTHRIE and Mr. FARENTHOLD.
H.R. 911: Ms. FUDGE.
H.R. 953: Mr. KENNEDY.
H.R. 980: Mr. GRAVES of Louisiana.
H.R. 986: Mr. WENSTRUP.
H.R. 1076: Mr. PERLMUTTER, Mr. THOMPSON of California, Mr. BERA, and Mr. MURPHY of Florida.
H.R. 1188: Mr. CALVERT.
H.R. 1192: Mr. RUPPERSBERGER, Mr. MURPHY of Pennsylvania, and Mr. SHUSTER.
H.R. 1197: Mr. DOLD and Mr. YARMUTH.
H.R. 1220: Mrs. DAVIS of California.
H.R. 1283: Mr. HARDY.
H.R. 1284: Mr. AGUILAR.
H.R. 1411: Mr. PAYNE.
H.R. 1421: Mr. ENGEL.
H.R. 1516: Mr. CRAMER.
H.R. 1559: Mr. RICHMOND.
H.R. 1567: Mr. AGUILAR.
H.R. 1635: Mr. ROONEY of Florida.
H.R. 1652: Mr. SERRANO.
H.R. 1671: Mr. HARPER and Mr. FLEMING.
H.R. 1728: Ms. ADAMS.
H.R. 1786: Mr. SCHRADER.
H.R. 1942: Mr. CURBELO of Florida.
H.R. 2032: Mr. FORBES.
H.R. 2043: Mr. REED, Mr. MEEHAN, Mr. COFFMAN, and Mr. MCKINLEY.
H.R. 2148: Mr. HARRIS.
H.R. 2209: Mrs. ELLMERS of North Carolina and Mr. SMITH of Texas.
H.R. 2264: Mr. MASSIE, Mr. LANCE, Mr. DESANTIS, and Mr. JOLLY.
H.R. 2293: Mr. LAMBORN and Mr. FARENTHOLD.
H.R. 2302: Mr. QUIGLEY and Ms. DUCKWORTH.
H.R. 2403: Mr. FORBES and Mr. RANGEL.
H.R. 2555: Mr. CÁRDENAS.
H.R. 2568: Mr. WILLIAMS.
H.R. 2653: Mr. STEWART.
H.R. 2680: Mr. COHEN, Mr. SHERMAN, Mr. TONKO, Mr. GRAYSON, Mr. SARBANES, Mr. ENGEL, Ms. ESTY, Mr. DEUTCH, and Mr. GALLEGO.
H.R. 2713: Mr. DEFAZIO.
H.R. 2715: Ms. SCHAKOWSKY and Ms. CLARK of Massachusetts.
H.R. 2775: Mrs. TORRES.
H.R. 2844: Mr. DAVID SCOTT of Georgia.
H.R. 2866: Mr. HUFFMAN.
H.R. 2880: Ms. SCHAKOWSKY, Mr. YARMUTH, and Mr. BRADY of Pennsylvania.
H.R. 2902: Mr. PIERLUISI, Mr. BUTTERFIELD, Mr. SABLAN, Mr. TED LIEU of California, Mr. AGUILAR, and Mr. NORCROSS.
H.R. 3036: Mr. CÁRDENAS and Mr. VALADAO.
H.R. 3068: Mr. NORCROSS and Mr. FATTAH.
H.R. 3222: Mr. WEBSTER of Florida.
H.R. 3229: Mr. CRAMER, Mr. BUCSHON, Mr. BILIRAKIS, Mr. FLEISCHMANN, and Mr. LUETKEMEYER.
H.R. 3235: Mr. AMODEI.
H.R. 3323: Mr. BABIN.
H.R. 3326: Mr. DOLD.
H.R. 3381: Mr. YARMUTH.
H.R. 3411: Ms. ESTY and Mrs. NAPOLITANO.
H.R. 3516: Mr. WENSTRUP.
H.R. 3652: Ms. TITUS.
H.R. 3690: Mr. VISCLOSKY.
H.R. 3691: Mr. RANGEL.
H.R. 3719: Ms. KAPTUR.
H.R. 3766: Mr. HUELSKAMP, Mr. JEFFRIES, Mr. MCCAUL, Mr. TROTT, Mr. O'ROURKE, and Mr. HANNA.
H.R. 3784: Mrs. CAROLYN B. MALONEY of New York and Miss RICE of New York.
H.R. 3791: Mr. SESSIONS.
H.R. 3799: Mr. SMITH of Missouri, Mr. HUDSON, and Mr. MOONEY of West Virginia.
H.R. 3802: Mr. WENSTRUP.
H.R. 3815: Mrs. CAROLYN B. MALONEY of New York.
H.R. 3832: Miss RICE of New York.
H.R. 3845: Mr. LATTA.
H.R. 3869: Mr. THORNBERRY and Mr. SWALWELL of California.
H.R. 3880: Mr. THOMPSON of Pennsylvania, Mr. CONAWAY, Mr. CRAWFORD, and Mr. BOST.
H.R. 3932: Mr. CRAMER, Mr. AUSTIN SCOTT of Georgia, and Mr. VALADAO.
H.R. 3940: Mr. MEEHAN, Mr. RUPPERSBERGER, Mr. YODER, and Mr. ROSKAM.
H.R. 3952: Mr. SWALWELL of California.
H.R. 3981: Mr. RANGEL.
H.R. 4007: Mr. HARRIS.
H.R. 4012: Mr. COHEN and Mr. CICILLINE.
H.R. 4016: Mr. RENACCI.
H.R. 4018: Mr. TIPTON, Mr. JOLLY, and Ms. WASSERMAN SCHULTZ.
H.R. 4019: Mr. LARSON of Connecticut.
H.R. 4026: Mr. AUSTIN SCOTT of Georgia.
H.R. 4032: Mr. PALMER, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mr. KELLY of Pennsylvania, Mr. GIBBS, and Mr. PITTENGER.
H.R. 4043: Ms. MOORE.
H.R. 4058: Mr. BISHOP of Utah and Mr. MACARTHUR.
H.R. 4075: Mr. FLORES.
H.R. 4086: Mr. ROUZER.
H.R. 4087: Mr. ASHFORD and Mr. HASTINGS.
H.R. 4088: Mr. LANGEVIN, Mr. SIRES, and Mr. TAKAI.
H.R. 4122: Mr. VELA, Mr. FINCHER, and Mr. STIVERS.
H.R. 4126: Mr. ROE of Tennessee, Mr. PITTS, Mr. KELLY of Pennsylvania, Mr. ROKITA, Mr. POSEY, Mr. GIBBS, Mr. BABIN, Mr. CRAMER, Mr. HUIZENGA of Michigan, Mr. FORTENBERRY, Mr. COLE, Mr. STUTZMAN, Mr. PITTENGER, and Mr. WEBER of Texas.
H.R. 4135: Ms. JACKSON LEE and Mr. CONYERS.
H.R. 4141: Mr. MARCHANT.
H.R. 4144: Mr. COURTNEY, Mr. SCOTT of Virginia, Mr. COHEN, and Mr. CICILLINE.
H. Con. Res. 17: Mr. KNIGHT.
H. Con. Res. 75: Mr. PERRY.
H. Con. Res. 97: Mr. SMITH of Missouri, Mr. BARR, Mr. BARTON, Mr. CHABOT, Mr. CONAWAY, Mr. GOODLATTE, Mr. WALKER, Mr. JODY B. HICE of Georgia, Mr. CARTER of Georgia, Mr. COLE, Mr. WESTERMAN, Mr. PEARCE, Mr. ALLEN, Mr. WENSTRUP, Mr. GARRETT, Mr. MCKINLEY, Mr. AUSTIN SCOTT of Georgia, Mr. RICE of South Carolina, Mr. NEWHOUSE, and Mr. YOHO.
H. Con. Res. 98: Mr. TED LIEU of California and Ms. BROWNLEY of California.
H. Res. 112: Mr. RICHMOND and Mr. LOEBSACK.
H. Res. 265: Mr. HASTINGS, Ms. NORTON, Ms. EDWARDS, and Mr. GRIJALVA.
H. Res. 394: Mr. POE of Texas.
H. Res. 467: Mr. HONDA and Ms. EDWARDS.
H. Res. 469: Mr. AUSTIN SCOTT of Georgia and Mr. CONNOLLY.

H. Res. 518: Mr. MACARTHUR.

H. Res. 534: Mrs. COMSTOCK.

H. Res. 544: Mr. BARTON, Mr. ROKITA, Mr. CRAMER, Mr. COLE, Mr. STUTZMAN, Mr. WEBER of Texas, Mr. PITTENGER, Mr. BROOKS of Alabama, Mr. TOM PRICE of Georgia, and Mr. GOHMERT.

**THURSDAY, DECEMBER 3, 2015 (148)**

The House was called to order by the SPEAKER.

¶148.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, December 2, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶148.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3630. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a letter reporting a violation of the Antideficiency Act, Navy case number 14-01, pursuant to 31 U.S.C. 1351; Public Law 97-258, Sec. 1351; (96 Stat. 926); to the Committee on Appropriations.

3631. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's report on the impact of the Credit Card Accountability Responsibility and Disclosure Act of 2009 on the consumer credit card market, pursuant to 15 U.S.C. 1616(d); Public Law 111-24, Sec. 502(d); (123 Stat. 1756); to the Committee on Financial Services.

3632. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's interim final rule — Changes to Accounting Requirements for the Community Development Block Grants (CDBG) Program [Docket No.: FR 5797-I-01] (RIN: 2506-AC39) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3633. A letter from the Chair, Securities and Exchange Commission, transmitting the Commission's 2014 Annual Report of the Securities Investor Protection Corporation, pursuant to 15 U.S.C. 78ggg(c)(2); Public Law 91-598, Sec. 7(c)(2); (84 Stat. 1652); to the Committee on Financial Services.

3634. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — List of Nonconforming Vehicles Decided to be Eligible for Importation [Docket No.: NHTSA-2015-0087] received December 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3635. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's eleventh annual report on Ethanol Market Concentration, pursuant to 42 U.S.C. 7545(o)(10)(B); Public Law 90-148, Sec. 1501(B) (as added by Public Law 109-58, Sec. 1501(a)); (119 Stat. 1074); to the Committee on Energy and Commerce.

3636. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Cyber Security Event Notifications, Regulatory Guide 5.83, received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3637. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Commission's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3638. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's semiannual report to Congress for the period from April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3639. A letter from the Secretary, Department of Agriculture, transmitting the Department's semiannual report to Congress covering the 6-month period that ended September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3640. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3641. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Semiannual Report to Congress for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3642. A letter from the Chairman, Federal Labor Relations Authority, transmitting the Authority's FY 2015 Performance and Accountability Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3643. A letter from the Chairman and Members, Federal Labor Relations Authority, transmitting the Authority's semiannual report for the period April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3644. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's Performance and Accountability Report for fiscal year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3645. A letter from the Chairwoman, Federal Trade Commission, transmitting the Commission's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3646. A letter from the Administrator, General Services Administration, transmitting the Administration's Semiannual Management Report to Congress for the period of April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3647. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting the Board's semiannual report for the period April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3648. A letter from the Chairwoman, U.S. Election Assistance Commission, transmitting the Commission's semiannual report for the period from April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3649. A letter from the Chief, Border Security Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Technical Amendment to List of Field Offices: Expansion of San Ysidro, California Port of Entry to include the Cross Border Xpress User Fee facility [CBP Dec.: 15-17] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3650. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2015-3620; Directorate Identifier 2015-CE-029-AD; Amendment 39-18319; AD 2015-23-03] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3651. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2015-3969; Directorate Identifier 2014-SW-010-AD; Amendment 39-18318; AD 2015-23-02] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3652. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2015-1425; Directorate Identifier 2014-NM-185-AD; Amendment 39-18312; AD 2015-22-07] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3653. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0244; Directorate Identifier 2014-NM-127-AD; Amendment 39-18313; AD 2015-22-08] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3654. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-4211; Directorate Identifier 2015-NM-150-AD; Amendment 39-18311; AD 2015-22-06] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3655. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2015-0593; Directorate Identifier 2015-NE-08-AD; Amendment 39-18254; AD 2015-17-21] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3656. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0649; Directorate Identifier 2014-NM-132-AD; Amendment 39-18314; AD 2015-22-09] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3657. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0454; Directorate Identifier 2013-NM-138-AD; Amendment 39-18298; AD 2015-21-06] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3658. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-2461; Directorate Identifier 2013-NM-202-AD; Amendment 39-18310; AD 2015-22-05] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3659. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Van Nuys, CA [Docket No.: FAA-2015-1138; Airspace Docket No.: 15-AWP-3] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3660. A letter from the Ombudsman, FMCSA, Department of Transportation, transmitting the Department's final rule — Prohibiting Coercion of Commercial Motor Vehicle Drivers [Docket No. FMCSA-2012-0377] (RIN: 2126-AB57) received December 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3661. A letter from the Assistant Administrator, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA FAR Supplement: Safety and Health Measures and Mishap Reporting (RIN: 2700-AE16) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

## ¶148.3 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 22

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 546):

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

When said resolution was considered.

After debate,

Mr. WOODALL moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the ayes had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 243 / Nays ..... 179

¶148.4 [Roll No. 666]

YEAS—243

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

NAYS—179

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

NOT VOTING—11

| | | |
|---|---|---|
| Aguilar | Meeks | Takai |
| Cuellar | Payne | Williams |
| Johnson, Sam | Rokita | |
| Maloney, Carolyn | Ruppersberger | |
| | Sanchez, Loretta | |

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the ayes had it.

Mr. POLIS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 384 / Noes ..... 40

¶148.5 [Roll No. 667]

AYES—384

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Benishek
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McDermott
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Rush
Russell
Ryan (OH)
Salmon
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—40

Becerra
Bera
Cárdenas
Castro (TX)
Clark (MA)
Clarke (NY)
Crowley
Delaney
Edwards
Fudge
Graham
Grijalva
Gutiérrez
Huffman
Jeffries
Kennedy
Lieu, Ted
McCollum
McGovern
McNerney
Moore
Neal
Pallone
Pelosi
Perlmutter
Peters
Pingree
Rangel
Ruiz
Sánchez, Linda T.
Schakowsky
Slaughter
Speier
Thompson (MS)
Tonko
Van Hollen
Veasey
Velázquez
Visclosky
Yarmuth

NOT VOTING—9

Aguilar
Cuellar
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶148.6 ENERGY SECURITY AND INFRASTRUCTURE

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to House Resolution 542 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes.

Mr. Rodney DAVIS of Illinois, Acting Chairman, assumed the chair; and after some time spent therein,

¶148.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 26, printed in House Report 114-359, submitted by Mr. CRAMER:

At the end of the bill, add the following:

**TITLE ___—OTHER MATTERS**

**SEC. _____. VOLUNTARY VEGETATION MANAGEMENT OUTSIDE RIGHTS-OF-WAY.**

(a) AUTHORIZATION.—The Secretary of the Interior or the Secretary of Agriculture may authorize an owner or operator of an electric transmission or distribution facility to manage vegetation selectively within 150 feet of the exterior boundary of the right-of-way near structures for selective thinning and fuel reduction.

(b) STATUS OF REMOVED VEGETATION.—Any vegetation removed pursuant to this section shall be the property of the United States and not available for sale by the owner or operator.

(c) LIMITATION ON LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildlife damage, loss, or injury, including the cost of fire suppression, resulting from activities carried out pursuant to subsection (a) except in the case of harm resulting from the owner or operator's gross negligence or criminal misconduct.

It was decided in the affirmative ..... { Ayes ..... 252 / Noes ..... 170

¶148.8 [Roll No. 668]

AYES—252

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
DeGette
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble

Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—170

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

NOT VOTING—11

Aguilar
Cuellar
Diaz-Balart
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Schakowsky
Takai
Williams

So the amendment was agreed to.

¶148.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 30, printed in House Report 114-359, submitted by Mr. ROUZER:

At the end of the bill, add the following:

**TITLE ___—OTHER MATTERS**

**SEC. _____. REPEAL OF RULE FOR NEW RESIDENTIAL WOOD HEATERS.**

The final rule entitled ''Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces'' published at 80 Fed. Reg. 13672 (March 16, 2015) shall have no force or effect and shall be treated as if such rule had never been issued.

It was decided in the affirmative ..... { Ayes ..... 247 / Noes ..... 177

¶148.10 [Roll No. 669]

AYES—247

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

NOES—177

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

NOT VOTING—9

Aguilar
Cuellar
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

So the amendment was agreed to.

¶148.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 37, printed in House Report 114-359, submitted by Mr. PALLONE:

At the end of the bill, add the following new title:

**TITLE VII—EFFECTIVE DATE**

**SEC. 7001. EFFECTIVE DATE.**

This Act shall not take effect until the Energy Information Administration has analyzed and published a report on the carbon impacts of the provisions of this Act.

It was decided in the negative ..... { Ayes ..... 181 Noes ..... 243

¶148.12 [Roll No. 670]

AYES—181

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

NOES—243

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

NOT VOTING—9

Aguilar
Cuellar
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. WOMACK, assumed the Chair.

When Mr. Rodney DAVIS of Illinois, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 542, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''North American Energy Security and Infrastructure Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

**TITLE I—MODERNIZING AND PROTECTING INFRASTRUCTURE**

**Subtitle A—Energy Delivery, Reliability, and Security**

**SEC. 1101. FERC PROCESS COORDINATION.**

Section 15 of the Natural Gas Act (15 U.S.C. 717n) is amended—

(1) by amending subsection (b)(2) to read as follows:

''(2) OTHER AGENCIES.—

''(A) IN GENERAL.—Each Federal and State agency considering an aspect of an application for Federal authorization shall cooperate with the Commission and comply with the deadlines established by the Commission.

''(B) IDENTIFICATION.—The Commission shall identify, as early as practicable after it is notified by a prospective applicant of a potential project requiring Commission authorization, any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for that Federal authorization.

''(C) NOTIFICATION.—

''(i) IN GENERAL.—The Commission shall notify any agency identified under subparagraph (B) of the opportunity to cooperate or participate in the review process.

''(ii) DEADLINE.—A notification issued under clause (i) shall establish a deadline by which a response to the notification shall be submitted, which may be extended by the Commission for good cause.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''and'' at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

''(B) set deadlines for all such Federal authorizations; and'';

(B) by striking paragraph (2); and

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

''(2) DEADLINE FOR FEDERAL AUTHORIZATIONS.—A final decision on a Federal authorization is due no later than 90 days after the Commission issues its final environmental document, unless a schedule is otherwise established by Federal law.

''(3) CONCURRENT REVIEWS.—Each Federal and State agency considering an aspect of an application for a Federal authorization shall—

''(A) carry out the obligations of that agency under applicable law concurrently, and in conjunction, with the review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), unless doing so would impair the ability of the agency to conduct needed analysis or otherwise carry out those obligations;

''(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of required Federal authorizations no later than 90 days after the Commission issues its final environmental document; and

''(C) transmit to the Commission a statement—

''(i) acknowledging receipt of the schedule established under paragraph (1); and

''(ii) setting forth the plan formulated under subparagraph (B) of this paragraph.

''(4) ISSUE IDENTIFICATION AND RESOLUTION.—

''(A) IDENTIFICATION.—Federal and State agencies that may consider an aspect of an application for Federal authorization shall identify, as early as possible, any issues of concern that may delay or prevent an agency from working with the Commission to resolve such issues and granting such authorization.

''(B) ISSUE RESOLUTION.—The Commission may forward any issue of concern identified under subparagraph (A) to the heads of the relevant agencies (including, in the case of a failure by the State agency, the Federal agency overseeing the delegated authority) for resolution.

''(5) FAILURE TO MEET SCHEDULE.—If a Federal or State agency does not complete a proceeding for an approval that is required for a Federal authorization in accordance with the schedule established by the Commission under paragraph (1)—

''(A) the applicant may pursue remedies under section 19(d); and

''(B) the head of the relevant Federal agency (including, in the case of a failure by a State agency, the Federal agency overseeing the delegated authority) shall notify Congress and the Commission of such failure and set forth a recommended implementation plan to ensure completion of the proceeding for an approval.'';

(3) by redesignating subsections (d) through (f) as subsections (g) through (i), respectively; and

(4) by inserting after subsection (c) the following new subsections:

''(d) REMOTE SURVEYS.—If a Federal or State agency considering an aspect of an application for Federal authorization requires the applicant to submit environmental data, the agency shall consider any such data gathered by aerial or other remote means that the applicant submits. The agency may grant a conditional approval for Federal authorization, conditioned on the verification of such data by subsequent onsite inspection.

''(e) APPLICATION PROCESSING.—The Commission, and Federal and State agencies, may allow an applicant seeking Federal authorization to fund a third-party contractor to assist in reviewing the application.

''(f) ACCOUNTABILITY, TRANSPARENCY, EFFICIENCY.—For applications requiring multiple Federal authorizations, the Commission, with input from any Federal or State agency considering an aspect of an application, shall track and make available to the public on the Commission's website information related to the actions required to complete permitting, reviews, and other actions required. Such information shall include the following:

''(1) The schedule established by the Commission under subsection (c)(1).

''(2) A list of all the actions required by each applicable agency to complete permitting, reviews, and other actions necessary to obtain a final decision on the Federal authorization.

''(3) The expected completion date for each such action.

''(4) A point of contact at the agency accountable for each such action.

''(5) In the event that an action is still pending as of the expected date of completion, a brief explanation of the reasons for the delay.''.

**SEC. 1102. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.**

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

''(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).''.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.

**SEC. 1103. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.**

(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and energy storage and effective ways for industry and government to communicate to address energy supply disruptions.

(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—

(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;

(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;

(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;

(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;

(5) facilitate and increase engagement among States, the oil and natural gas industry, the energy storage industry, and the Department in developing State and local energy assurance plans;

(6) establish routine education and training programs for key government emergency response positions with the Department and States; and

(7) involve States, the energy storage industry, and the oil and natural gas industry in comprehensive drill and exercise programs.

(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.

**SEC. 1104. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.**

(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:

**''SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.**

''(a) DEFINITIONS.—For purposes of this section:

''(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms 'bulk-power system', 'Electric Reliability Organization', and 'regional entity' have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.

''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.

''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.

''(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'defense critical electric infrastructure' means any electric infrastructure located in the United States (including the territories) that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.

''(5) ELECTROMAGNETIC PULSE.—The term 'electromagnetic pulse' means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.

''(6) GEOMAGNETIC STORM.—The term 'geomagnetic storm' means a temporary disturbance of the Earth's magnetic field resulting from solar activity.

''(7) GRID SECURITY EMERGENCY.—The term 'grid security emergency' means the occurrence or imminent danger of—

''(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and

''(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or

''(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and

''(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.

''(8) GRID SECURITY VULNERABILITY.—The term 'grid security vulnerability' means a weakness that, in the event of a malicious act using an electromagnetic pulse, would pose a substantial risk of disruption to the operation of those electrical or electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of the bulk-power system.

''(9) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—

''(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.

''(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.

''(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.

''(4) APPLICATION.—An order for emergency measures under this subsection may apply to—

''(A) the Electric Reliability Organization;

''(B) a regional entity; or

''(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.

''(5) EXPIRATION AND REISSUANCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.

''(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.

''(6) COST RECOVERY.—

''(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

''(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

''(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

''(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the United States (including the territories) that are—

''(1) critical to the defense of the United States; and

''(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary to—

''(A) designate information as critical electric infrastructure information;

''(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

''(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

''(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

''(i) Federal, State, political subdivision, and tribal authorities;

''(ii) the Electric Reliability Organization;

''(iii) regional entities;

''(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

''(v) owners, operators, and users of critical electric infrastructure in the United States; and

''(vi) other entities determined appropriate by the Commission.

''(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

''(4) PROTOCOLS.—The Commission shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

''(5) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(6) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

''(7) DISCLOSURE OF PROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

''(8) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission.

''(9) REMOVAL OF DESIGNATION.—The Commission shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

''(10) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), any determination by the Commission concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part

thereof were improperly designated or not designated as critical electric infrastructure information.

''(e) MEASURES TO ADDRESS GRID SECURITY VULNERABILITIES.—

''(1) COMMISSION AUTHORITY.—

''(A) RELIABILITY STANDARDS.—If the Commission, in consultation with appropriate Federal agencies, identifies a grid security vulnerability that the Commission determines has not adequately been addressed through a reliability standard developed and approved under section 215, the Commission shall, after notice and opportunity for comment and after consultation with the Secretary, other appropriate Federal agencies, and appropriate governmental authorities in Canada and Mexico, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 30 days after the issuance of such order, a reliability standard requiring implementation, by any owner, operator, or user of the bulk-power system in the United States, of measures to protect the bulk-power system against such vulnerability. Any such standard shall include a protection plan, including automated hardware-based solutions. The Commission shall approve a reliability standard submitted pursuant to this subparagraph, unless the Commission determines that such reliability standard does not adequately protect against such vulnerability or otherwise does not satisfy the requirements of section 215.

''(B) MEASURES TO ADDRESS GRID SECURITY VULNERABILITIES.—If the Commission, after notice and opportunity for comment and after consultation with the Secretary, other appropriate Federal agencies, and appropriate governmental authorities in Canada and Mexico, determines that the reliability standard submitted by the Electric Reliability Organization to address a grid security vulnerability identified under subparagraph (A) does not adequately protect the bulk-power system against such vulnerability, the Commission shall promulgate a rule or issue an order requiring implementation, by any owner, operator, or user of the bulk-power system in the United States, of measures to protect the bulk-power system against such vulnerability. Any such rule or order shall include a protection plan, including automated hardware-based solutions. Before promulgating a rule or issuing an order under this subparagraph, the Commission shall, to the extent practicable in light of the urgency of the need for action to address the grid security vulnerability, request and consider recommendations from the Electric Reliability Organization regarding such rule or order. The Commission may establish an appropriate deadline for the submission of such recommendations.

''(2) RESCISSION.—The Commission shall approve a reliability standard developed under section 215 that addresses a grid security vulnerability that is the subject of a rule or order under paragraph (1)(B), unless the Commission determines that such reliability standard does not adequately protect against such vulnerability or otherwise does not satisfy the requirements of section 215. Upon such approval, the Commission shall rescind the rule promulgated or order issued under paragraph (1)(B) addressing such vulnerability, effective upon the effective date of the newly approved reliability standard.

''(3) GEOMAGNETIC STORMS AND ELECTROMAGNETIC PULSE.—Not later than 6 months after the date of enactment of this section, the Commission shall, after notice and an opportunity for comment and after consultation with the Secretary and other appropriate Federal agencies, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 6 months after the issuance of such order, reliability standards adequate to protect the bulk-power system from any reasonably foreseeable geomagnetic storm or electromagnetic pulse event. The Commission's order shall specify the nature and magnitude of the reasonably foreseeable events against which such standards must protect. Such standards shall appropriately balance the risks to the bulk-power system associated with such events, including any regional variation in such risks, the costs of mitigating such risks, and the priorities and timing associated with implementation. If the Commission determines that the reliability standards submitted by the Electric Reliability Organization pursuant to this paragraph are inadequate, the Commission shall promulgate a rule or issue an order adequate to protect the bulk-power system from geomagnetic storms or electromagnetic pulse as required under paragraph (1)(B).

''(4) LARGE TRANSFORMER AVAILABILITY.—Not later than 1 year after the date of enactment of this section, the Commission shall, after notice and an opportunity for comment and after consultation with the Secretary and other appropriate Federal agencies, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 1 year after the issuance of such order, reliability standards addressing availability of large transformers. Such standards shall require entities that own or operate large transformers to ensure, individually or jointly, adequate availability of large transformers to promptly restore the reliable operation of the bulk-power system in the event that any such transformer is destroyed or disabled as a result of a geomagnetic storm event or electromagnetic pulse event. The Commission's order shall specify the nature and magnitude of the reasonably foreseeable events that shall provide the basis for such standards. Such standards shall—

''(A) provide entities subject to the standards with the option of meeting such standards individually or jointly; and

''(B) appropriately balance the risks associated with a reasonably foreseeable event, including any regional variation in such risks, and the costs of ensuring adequate availability of spare transformers.

''(5) CERTAIN FEDERAL ENTITIES.—For the 11-year period commencing on the date of enactment of this section, the Tennessee Valley Authority and the Bonneville Power Administration shall be exempt from any requirement under this subsection.

''(f) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

''(g) CLARIFICATIONS OF LIABILITY.—

''(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

''(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

''(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2), takes such action or omission in a grossly negligent manner.''.

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting ''215A,'' after ''215,'' each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting ''215A,'' after ''215,''.

**SEC. 1105. STRATEGIC TRANSFORMER RESERVE.**

(a) FINDING.—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

(b) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—The term ''bulk-power system'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) CRITICALLY DAMAGED LARGE POWER TRANSFORMER.—The term ''critically damaged large power transformer'' means a large power transformer that—

(A) has sustained extensive damage such that—

(i) repair or refurbishment is not economically viable; or

(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and

(B) prior to sustaining such damage, was part of the bulk-power system.

(3) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act.

(4) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(5) EMERGENCY MOBILE SUBSTATION.—The term ''emergency mobile substation'' means a mobile substation or mobile transformer that is—

(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and

(B) intended for express deployment and capable of being rapidly placed into service.

(6) LARGE POWER TRANSFORMER.—The term ''large power transformer'' means a power transformer with a maximum nameplate rat-

ing of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(8) SPARE LARGE POWER TRANSFORMER.—The term ''spare large power transformer'' means a large power transformer that is stored within the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.

(c) STRATEGIC TRANSFORMER RESERVE PLAN.—

(1) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations.

(2) INCLUSIONS.—The Strategic Transformer Reserve plan shall include a description of—

(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—

(i) physical attack;

(ii) cyber attack;

(iii) electromagnetic pulse attack;

(iv) geomagnetic disturbances;

(v) severe weather; or

(vi) seismic events;

(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;

(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);

(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—

(i) the physical security of such locations;

(ii) the protection of the confidentiality of such locations; and

(iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;

(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—

(i) power and voltage rating for each winding;

(ii) overload requirements;

(iii) impedance between windings;

(iv) configuration of windings; and

(v) tap requirements;

(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—

(i) the cost of storage facilities;

(ii) the cost of the equipment; and

(iii) management, maintenance, and operation costs;

(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;

(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—

(i) transformer transportation weight;

(ii) transformer size;

(iii) topology of critical substations;

(iv) availability of appropriate transformer mounting pads;

(v) flexibility of the spare large power transformers as described in subparagraph (E); and

(vi) ability to rapidly transition a spare large power transformer from storage to energization;

(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;

(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;

(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;

(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;

(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;

(N) the domestic and international large power transformer supply chain;

(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and

(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.

(d) ESTABLISHMENT.—The Secretary may establish a Strategic Transformer Reserve in accordance with the plan prepared pursuant to subsection (c) after the date that is 6 months after the date on which such plan is submitted to Congress.

(e) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure, shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

**SEC. 1106. CYBER SENSE.**

(a) IN GENERAL.—The Secretary of Energy shall establish a voluntary Cyber Sense program to identify and promote cyber-secure products intended for use in the bulk-power system, as defined in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(b) PROGRAM REQUIREMENTS.—In carrying out subsection (a), the Secretary of Energy shall—

(1) establish a Cyber Sense testing process to identify products and technologies intended for use in the bulk-power system, including products relating to industrial control systems, such as supervisory control and data acquisition systems;

(2) for products tested and identified under the Cyber Sense program, establish and maintain cybersecurity vulnerability reporting processes and a related database;

(3) promulgate regulations regarding vulnerability reporting processes for products tested and identified under the Cyber Sense program;

(4) provide technical assistance to utilities, product manufacturers, and other electric sector stakeholders to develop solutions to mitigate identified vulnerabilities in products tested and identified under the Cyber Sense program;

(5) biennially review products tested and identified under the Cyber Sense program for vulnerabilities and provide analysis with respect to how such products respond to and mitigate cyber threats;

(6) develop procurement guidance for utilities for products tested and identified under the Cyber Sense program;

(7) provide reasonable notice to the public, and solicit comments from the public, prior to establishing or revising the Cyber Sense testing process;

(8) oversee Cyber Sense testing carried out by third parties; and

(9) consider incentives to encourage the use in the bulk-power system of products tested and identified under the Cyber Sense program.

(c) DISCLOSURE OF INFORMATION.—Any vulnerability reported pursuant to regulations promulgated under subsection (b)(3), the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure (as defined in section 215A of the Federal Power Act), shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

(d) FEDERAL GOVERNMENT LIABILITY.—Consistent with other voluntary Federal Government certification programs, nothing in this section shall be construed to authorize the commencement of an action against the United States Government with respect to the testing and identification of a product under the Cyber Sense program.

**SEC. 1107. STATE COVERAGE AND CONSIDERATION OF PURPA STANDARDS FOR ELECTRIC UTILITIES.**

(a) STATE CONSIDERATION OF RESILIENCY AND ADVANCED ENERGY ANALYTICS TECHNOLOGIES AND RELIABLE GENERATION.—

(1) CONSIDERATION.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding the following at the end:

''(20) IMPROVING THE RESILIENCE OF ELECTRIC INFRASTRUCTURE.—

''(A) IN GENERAL.—Each electric utility shall develop a plan to use resiliency-related technologies, upgrades, measures, and other approaches designed to improve the resilience of electric infrastructure, mitigate power outages, continue delivery of vital services, and maintain the flow of power to facilities critical to public health, safety, and welfare, to the extent practicable using the most current data, metrics, and frameworks related to current and future threats, including physical and cyber attacks, electromagnetic pulse attacks, geomagnetic dis-

turbances, seismic events, and severe weather and other environmental stressors.

''(B) RESILIENCY-RELATED TECHNOLOGIES.—For purposes of this paragraph, examples of resiliency-related technologies, upgrades, measures, and other approaches include—

''(i) hardening, or other enhanced protection, of utility poles, wiring, cabling, and other distribution components, facilities, or structures;

''(ii) advanced grid technologies capable of isolating or repairing problems remotely, such as advanced metering infrastructure, high-tech sensors, grid monitoring and control systems, and remote reconfiguration and redundancy systems;

''(iii) cybersecurity products and components;

''(iv) distributed generation, including back-up generation to power critical facilities and essential services, and related integration components, such as advanced inverter technology;

''(v) microgrid systems, including hybrid microgrid systems for isolated communities;

''(vi) combined heat and power;

''(vii) waste heat resources;

''(viii) non-grid-scale energy storage technologies;

''(ix) wiring, cabling, and other distribution components, including submersible distribution components, and enclosures;

''(x) electronically controlled reclosers and similar technologies for power restoration, including emergency mobile substations, as defined in section 1105 of the North American Energy Security and Infrastructure Act of 2015;

''(xi) advanced energy analytics technology, such as Internet-based and cloud-based computing solutions and subscription licensing models;

''(xii) measures that enhance resilience through planning, preparation, response, and recovery activities;

''(xiii) operational capabilities to enhance resilience through rapid response recovery; and

''(xiv) measures to ensure availability of key critical components through contracts, cooperative agreements, stockpiling and prepositioning, or other measures.

''(C) RATE RECOVERY.—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) shall consider authorizing each such electric utility to recover any capital, operating expenditure, or other costs of the electric utility related to the procurement, deployment, or use of resiliency-related technologies, including a reasonable rate of return on the capital expenditures of the electric utility for the procurement, deployment, or use of resiliency-related technologies.

''(21) PROMOTING INVESTMENTS IN ADVANCED ENERGY ANALYTICS TECHNOLOGY.—

''(A) IN GENERAL.—Each electric utility shall develop and implement a plan for deploying advanced energy analytics technology.

''(B) RATE RECOVERY.—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) shall consider confirming and clarifying, if necessary, that each such electric utility is authorized to recover the costs of the electric utility relating to the procurement, deployment, or use of advanced energy analytics technology, including a reasonable rate of return on all such costs incurred by the electric utility for the procurement, deployment, or use of advanced energy analytics technology, provided such technology is used by the electric utility for purposes of realizing operational efficiencies, cost savings, enhanced energy management and customer engagement, improvements in system reliability, safety, and cybersecurity, or other benefits to ratepayers.

''(C) ADVANCED ENERGY ANALYTICS TECHNOLOGY.—For purposes of this paragraph, examples of advanced energy analytics technology include Internet-based and cloud-based computing solutions and subscription licensing models, including software as a service that uses cyber-physical systems to allow the correlation of data aggregated from appropriate data sources and smart grid sensor networks, employs analytics and machine learning, or employs other advanced computing solutions and models.

''(22) ASSURING ELECTRIC RELIABILITY WITH RELIABLE GENERATION.—

''(A) ASSURANCE OF ELECTRIC RELIABILITY.—Each electric utility shall adopt or modify policies to ensure that such electric utility incorporates reliable generation into its integrated resource plan to assure the availability of electric energy over a 10-year planning period.

''(B) RELIABLE GENERATION.—For purposes of this paragraph, 'reliable generation' means electric generation facilities with reliability attributes that include—

''(i)(I) possession of adequate fuel on-site to enable operation for an extended period of time;

''(II) the operational ability to generate electric energy from more than one source; or

''(III) fuel certainty, through firm contractual obligations (which may not be required to be for a period longer than one year), that ensures adequate fuel supply to enable operation, for an extended period of time, for the duration of an emergency or severe weather conditions;

''(ii) operational characteristics that enable the generation of electric energy for the duration of an emergency or severe weather conditions; and

''(iii) unless procured through other procurement mechanisms, essential reliability services, including frequency support and regulation services.

''(23) SUBSIDIZATION OF CUSTOMER-SIDE TECHNOLOGY.—

''(A) CONSIDERATION.—To the extent that a State regulatory authority may require or allow rates charged by any electric utility for which it has ratemaking authority to electric consumers that do not use a customer-side technology to include any cost, fee, or charge that directly or indirectly cross-subsidizes the deployment, construction, maintenance, or operation of that customer-side technology, such authority shall evaluate whether subsidizing the deployment, construction, maintenance, or operation of a customer-side technology would—

''(i) result in benefits predominately enjoyed by only the users of that customer-side technology;

''(ii) shift costs of a customer-side technology to electricity consumers that do not use that customer-side technology, particularly where disparate economic or resource conditions exist among the electricity consumers cross-subsidizing the costumer-side technology;

''(iii) negatively affect resource utilization, fuel diversity, or grid security;

''(iv) provide any unfair competitive advantage to market the customer-side technology; and

''(v) be necessary to fulfill an obligation to serve electric consumers.

''(B) PUBLIC NOTICE.—Each State regulatory authority shall make available to the public the evaluation completed under subparagraph (A) at least 90 days prior to any proceedings in which such authority considers the cross-subsidization of a customer-side technology.

''(C) CUSTOMER-SIDE TECHNOLOGY.—For purposes of this paragraph, the term 'customer-side technology' means a device connected to the electricity distribution system—

''(i) at, or on the customer side of, the meter; or

''(ii) that, if owned or operated by or on behalf of an electric utility, would otherwise be at, or on the customer side of, the meter.''.

(2) COMPLIANCE.—

(A) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility, as applicable, shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standards established by paragraphs (20), (22), and (23) of section 111(d).

''(B) Not later than 2 years after the date of the enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility, as applicable, shall complete the consideration, and shall make the determination, referred to in section 111 with respect to each standard established by paragraphs (20), (22), and (23) of section 111(d).

''(8)(A) Not later than 6 months after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (21) of section 111(d).

''(B) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall complete the consideration, and shall make the determination, referred to in section 111 with respect to the standard established by paragraph (21) of section 111(d).''.

(B) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding the following at the end: ''In the case of the standards established by paragraphs (20) through (23) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of such paragraphs.''.

(C) PRIOR STATE ACTIONS.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following new subsection:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) of this section shall not apply to a standard established by paragraph (20), (21), (22), or (23) of section 111(d) in the case of any electric utility in a State if—

''(1) before the date of enactment of this subsection, the State has implemented for such utility the standard concerned (or a comparable standard);

''(2) the State regulatory authority for such State or relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard concerned (or a comparable standard) for such utility during the 3-year period ending on the date of enactment of this subsection; or

''(3) the State legislature has voted on the implementation of the standard concerned (or a comparable standard) for such utility during the 3-year period ending on the date of enactment of this subsection.''.

(b) COVERAGE FOR COMPETITIVE MARKETS.—Section 102 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2612) is amended by adding at the end the following:

''(d) COVERAGE FOR COMPETITIVE MARKETS.—The requirements of this title do not apply to the operations of an electric utility, or to proceedings respecting such operations, to the extent that such operations or proceedings, or any portion thereof, relate to the competitive sale of retail electric energy that is unbundled or separated from the regulated provision or sale of distribution service.''.

**SEC. 1108. RELIABILITY ANALYSIS FOR CERTAIN RULES THAT AFFECT ELECTRIC GENERATING FACILITIES.**

(a) APPLICABILITY.—This section shall apply with respect to any proposed or final covered rule issued by a Federal agency for which compliance with the rule may impact an electric utility generating unit or units, including by resulting in closure or interruption to operations of such a unit or units.

(b) RELIABILITY ANALYSIS.—

(1) ANALYSIS OF RULES.—The Federal Energy Regulatory Commission, in consultation with the Electric Reliability Organization, shall conduct an independent reliability analysis of a proposed or final covered rule under this section to evaluate the anticipated effects of implementation and enforcement of the rule on—

(A) electric reliability and resource adequacy;

(B) the electricity generation portfolio of the United States;

(C) the operation of wholesale electricity markets; and

(D) energy delivery and infrastructure, including electric transmission facilities and natural gas pipelines.

(2) RELEVANT INFORMATION.—

(A) MATERIALS FROM FEDERAL AGENCIES.—A Federal agency shall provide to the Commission materials and information relevant to the analysis required under paragraph (1) for a rule, including relevant data, modeling, and resource adequacy and reliability assessments, prepared or relied upon by such agency in developing the rule.

(B) ANALYSES FROM OTHER ENTITIES.—The Electric Reliability Organization, regional entities, regional transmission organizations, independent system operators, and other reliability coordinators and planning authorities shall timely conduct analyses and provide such information as may be reasonably requested by the Commission.

(3) NOTICE.—A Federal agency shall provide to the Commission notice of the issuance of any proposed or final covered rule not later than 15 days after the date of such issuance.

(c) PROPOSED RULES.—Not later than 150 days after the date of publication in the Federal Register of a proposed rule described in subsection (a), the Federal Energy Regulatory Commission shall make available to the public an analysis of the proposed rule conducted in accordance with subsection (b), and any relevant special assessment or seasonal or long-term reliability assessment completed by the Electric Reliability Organization.

(d) FINAL RULES.—

(1) INCLUSION.—A final rule described in subsection (a) shall include, if available at the time of issuance, a copy of the analysis conducted pursuant to subsection (c) of the rule as proposed.

(2) ANALYSIS.—Not later than 120 days after the date of publication in the Federal Register of a final rule described in subsection (a), the Federal Energy Regulatory Commission shall make available to the public an analysis of the final rule conducted in accordance with subsection (b), and any relevant special assessment or seasonal or long-term reliability assessment completed by the Electric Reliability Organization.

(e) DEFINITIONS.—In this section:

(1) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given to such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) FEDERAL AGENCY.—The term ''Federal agency'' means an agency, as that term is defined in section 551 of title 5, United States Code.

(3) COVERED RULE.—The term ''covered rule'' means a proposed or final rule that is estimated by the Federal agency issuing the rule, or the Director of the Office of Management and Budget, to result in an annual effect on the economy of $1,000,000,000 or more.

**SEC. 1109. INCREASED ACCOUNTABILITY WITH RESPECT TO CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.**

(a) DOE EVALUATION.—

(1) IN GENERAL.—The Secretary of Energy (in this section referred to as the ''Secretary'') shall, in accordance with this section, annually conduct an evaluation, and make recommendations, with respect to each project conducted by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies (also known as carbon capture and storage and utilization technologies).

(2) SCOPE.—For purposes of this section, a project includes any contract, lease, cooperative agreement, or other similar transaction with a public agency or private organization or person, entered into or performed, or any payment made, by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies.

(b) REQUIREMENTS FOR EVALUATION.—In conducting an evaluation of a project under this section, the Secretary shall—

(1) examine if the project has made advancements toward achieving any specific goal of the project with respect to a carbon capture, utilization, and sequestration technology; and

(2) evaluate and determine if the project has made significant progress in advancing a carbon capture, utilization, and sequestration technology.

(c) RECOMMENDATIONS.—For each evaluation of a project conducted under this section, if the Secretary determines that—

(1) significant progress in advancing a carbon capture, utilization, and sequestration technology has been made, the Secretary shall assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project; or

(2) significant progress in advancing a carbon capture, utilization, and sequestration technology has not been made, the Secretary shall—

(A) assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project;

(B) assess and determine if the project has reached its full potential; and

(C) make a recommendation as to whether the project should continue.

(d) REPORTS.—

(1) REPORT ON EVALUATIONS AND RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall—

(A) issue a report on the evaluations conducted and recommendations made during the previous year pursuant to this section; and

(B) make each such report available on the Internet website of the Department of Energy.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 3 years thereafter, the Secretary shall submit to the Subcommittee on Energy and Power of the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) the evaluations conducted and recommendations made during the previous 3 years pursuant to this section; and

(B) the progress of the Department of Energy in advancing carbon capture, utilization, and sequestration technologies, including progress in achieving the Department of Energy's goal of having an array of advanced carbon capture and sequestration technologies ready by 2020 for large-scale demonstration.

**SEC. 1110. RELIABILITY AND PERFORMANCE ASSURANCE IN REGIONAL TRANSMISSION ORGANIZATIONS.**

Part II of the Federal Power Act (16 U.S.C. 824 et seq.), as amended by section 1104, is further amended by adding after section 215A the following new section:

**''SEC. 215B. RELIABILITY AND PERFORMANCE ASSURANCE IN REGIONAL TRANSMISSION ORGANIZATIONS.**

''(a) EXISTING CAPACITY MARKETS.—

''(1) ANALYSIS CONCERNING CAPACITY MARKET DESIGN.—Not later than 180 days after the date of enactment of this section, each Regional Transmission Organization, and each Independent System Operator, that operates a capacity market, or a comparable market intended to ensure the procurement and availability of sufficient future electric energy resources, that is subject to the jurisdiction of the Commission, shall provide to the Commission an analysis of how the structure of such market meets the following criteria:

''(A) The structure of such market utilizes competitive market forces to the extent practicable in procuring capacity resources.

''(B) Consistent with subparagraph (A), the structure of such market includes resource-neutral performance criteria that ensure the procurement of sufficient capacity from physical generation facilities that have reliability attributes that include—

''(i)(I) possession of adequate fuel on-site to enable operation for an extended period of time;

''(II) the operational ability to generate electric energy from more than one fuel source; or

''(III) fuel certainty, through firm contractual obligations, that ensures adequate fuel supply to enable operation, for an extended period of time, for the duration of an emergency or severe weather conditions;

''(ii) operational characteristics that enable the generation of electric energy for the duration of an emergency or severe weather conditions; and

''(iii) unless procured through other markets or procurement mechanisms, essential reliability services, including frequency support and regulation services.

''(2) COMMISSION EVALUATION AND REPORT.—Not later than 1 year after the date of enactment of this section, the Commission shall make publicly available, and submit to the Committee on Energy and Commerce in the House of Representatives and the Committee on Energy and Natural Resources in the Senate, a report containing—

''(A) evaluation of whether the structure of each market addressed in an analysis submitted pursuant to paragraph (1) meets the criteria under such paragraph, based on the analysis; and

''(B) to the extent a market so addressed does not meet such criteria, any recommendations with respect to the procurement of sufficient capacity, as described in paragraph (1)(B).

''(b) COMMISSION EVALUATION AND REPORT FOR NEW SCHEDULES.—

''(1) INCLUSION OF ANALYSIS IN FILING.—Except as provided in subsection (a)(2), whenever a Regional Transmission Organization or Independent System Operator files a new schedule under section 205 to establish a market described in subsection (a)(1), or that substantially modifies the capacity market design of a market described in subsection (a)(1), the Regional Transmission Organization or Independent System Operator shall include in any such filing the analysis required by subsection (a)(1).

''(2) EVALUATION AND REPORT.—Not later than 180 days of receiving an analysis under paragraph (1), the Commission shall make publicly available, and submit to the Committee on Energy and Commerce in the House of Representatives and the Committee on Energy and Natural Resources in the Senate, a report containing—

''(A) an evaluation of whether the structure of the market addressed in the analysis meets the criteria under subsection (a)(1), based on the analysis; and

''(B) to the extent the market does not meet such criteria, any recommendations with respect to the procurement of sufficient capacity, as described in subsection (a)(1)(B).

''(c) EFFECT ON EXISTING APPROVALS.—Nothing in this section shall be considered to—

''(1) require a modification of the Commission's approval of the capacity market design approved pursuant to docket numbers ER15–623–000, EL15–29–000, EL14–52–000, and ER14–2419–000; or

''(2) provide grounds for the Commission to grant rehearing or otherwise modify orders issued in those dockets.''.

**SEC. 1111. ETHANE STORAGE STUDY.**

(a) IN GENERAL.—The Secretary of Energy and the Secretary of Commerce, in consultation with other relevant agencies and stakeholders, shall conduct a study on the feasibility of establishing an ethane storage and distribution hub in the United States.

(b) CONTENTS.—The study conducted under subsection (a) shall include—

(1) an examination of—

(A) potential locations;

(B) economic feasibility;

(C) economic benefits;

(D) geological storage capacity capabilities;

(E) above ground storage capabilities;

(F) infrastructure needs; and

(G) other markets and trading hubs, particularly related to ethane; and

(2) identification of potential additional benefits to energy security.

(c) PUBLICATION OF RESULTS.—Not later than 2 years after the date of enactment of this Act, the Secretaries of Energy and Commerce shall publish the results of the study conducted under subsection (a) on the websites of the Departments of Energy and Commerce, respectively, and shall submit such results to the Committee on Energy and Commerce of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate.

**SEC. 1112. STATEMENT OF POLICY ON GRID MODERNIZATION.**

It is the policy of the United States to promote and advance—

(1) the modernization of the energy delivery infrastructure of the United States, and bolster the reliability, affordability, diversity, efficiency, security, and resiliency of domestic energy supplies, through advanced grid technologies;

(2) the modernization of the electric grid to enable a robust multi-directional power flow that leverages centralized energy resources and distributed energy resources, enables robust retail transactions, and facilitates the alignment of business and regulatory models to achieve a grid that optimizes the entire electric delivery system;

(3) relevant research and development in advanced grid technologies, including—

(A) energy storage;

(B) predictive tools and requisite real-time data to enable the dynamic optimization of grid operations;

(C) power electronics, including smart inverters, that ease the challenge of intermittent renewable resources and distributed generation;

(D) real-time data and situational awareness tools and systems; and

(E) tools to increase data security, physical security, and cybersecurity awareness and protection;

(4) the leadership of the United States in basic and applied sciences to develop a systems approach to innovation and development of cyber-secure advanced grid technologies, architectures, and control paradigms capable of managing diverse supplies and loads;

(5) the safeguarding of the critical energy delivery infrastructure of the United States and the enhanced resilience of the infrastructure to all hazards, including—

(A) severe weather events;

(B) cyber and physical threats; and

(C) other factors that affect energy delivery;

(6) the coordination of goals, investments to optimize the grid, and other measures for energy efficiency, advanced grid technologies, interoperability, and demand response-side management resources;

(7) partnerships with States and the private sector—

(A) to facilitate advanced grid capabilities and strategies; and

(B) to provide technical assistance, tools, or other related information necessary to enhance grid integration, particularly in connection with the development at the State and local levels of strategic energy, energy surety and assurance, and emergency preparedness, response, and restoration planning;

(8) the deployment of information and communications technologies at all levels of the electric system;

(9) opportunities to provide consumers with timely information and advanced control options;

(10) sophisticated or advanced control options to integrate distributed energy resources and associated ancillary services;

(11) open-source communications, database architectures, and common information model standards, guidelines, and protocols that enable interoperability to maximize efficiency gains and associated benefits among—

(A) the grid;

(B) energy and building management systems; and

(C) residential, commercial, and industrial equipment;

(12) private sector investment in the energy delivery infrastructure of the United States through targeted demonstration and validation of advanced grid technologies; and

(13) establishment of common valuation methods and tools for cost-benefit analysis of grid integration paradigms.

**SEC. 1113. GRID RESILIENCE REPORT.**

Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Congress a report on methods to increase electric grid resilience with respect to all threats, including cyber attacks, vandalism, terrorism, and severe weather.

**SEC. 1114. GAO REPORT ON IMPROVING NATIONAL RESPONSE CENTER.**

The Comptroller General of the United States shall conduct a study of ways in which the capabilities of the National Response Center could be improved.

**SEC. 1115. DESIGNATION OF NATIONAL ENERGY SECURITY CORRIDORS ON FEDERAL LANDS.**

(a) IN GENERAL.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended as follows:

(1) In subsection (b)—

(A) by striking ''(b)(1) For the purposes of this section 'Federal lands' means'' and inserting the following:

''(b)(1) For the purposes of this section 'Federal lands'—

''(A) except as provided in subparagraph (B), means'';

(B) by striking the period at the end of paragraph (1) and inserting ''; and'' and by adding at the end of paragraph (1) the following:

''(B) for purposes of granting an application for a natural gas pipeline right-of-way, means all lands owned by the United States except—

''(i) such lands held in trust for an Indian or Indian tribe; and

''(ii) lands on the Outer Continental Shelf.''.

(2) By redesignating subsection (b), as so amended, as subsection (z), and transferring such subsection to appear after subsection (y) of that section.

(3) By inserting after subsection (a) the following:

''(b) NATIONAL ENERGY SECURITY CORRIDORS.—

''(1) DESIGNATION.—In addition to other authorities under this section, the Secretary shall—

''(A) identify and designate suitable Federal lands as National Energy Security Corridors (in this subsection referred to as a 'Corridor'), which shall be used for construction, operation, and maintenance of natural gas transmission facilities; and

''(B) incorporate such Corridors upon designation into the relevant agency land use and resource management plans or equivalent plans.

''(2) CONSIDERATIONS.—In evaluating Federal lands for designation as a National Energy Security Corridor, the Secretary shall—

''(A) employ the principle of multiple use to ensure route decisions balance national energy security needs with existing land use principles;

''(B) seek input from other Federal counterparts, State, local, and tribal governments, and affected utility and pipeline industries to determine the best suitable, most cost-effective, and commercially viable acreage for natural gas transmission facilities;

''(C) focus on transmission routes that improve domestic energy security through increasing reliability, relieving congestion, reducing natural gas prices, and meeting growing demand for natural gas; and

''(D) take into account technological innovations that reduce the need for surface disturbance.

''(3) PROCEDURES.—The Secretary shall establish procedures to expedite and approve applications for rights-of-way for natural gas pipelines across National Energy Security Corridors, that—

''(A) ensure a transparent process for review of applications for rights-of-way on such corridors;

''(B) require an approval time of not more than 1 year after the date of receipt of an application for a right-of-way; and

''(C) require, upon receipt of such an application, notice to the applicant of a predictable timeline for consideration of the application, that clearly delineates important milestones in the process of such consideration.

''(4) STATE INPUT.—

''(A) REQUESTS AUTHORIZED.—The Governor of a State may submit requests to the Secretary of the Interior to designate Corridors on Federal land in that State.

''(B) CONSIDERATION OF REQUESTS.—After receiving such a request, the Secretary shall respond in writing, within 30 days—

''(i) acknowledging receipt of the request; and

''(ii) setting forth a timeline in which the Secretary shall grant, deny, or modify such request and state the reasons for doing so.

''(5) SPATIAL DISTRIBUTION OF CORRIDORS.—In implementing this subsection, the Secretary shall coordinate with other Federal Departments to—

''(A) minimize the proliferation of duplicative natural gas pipeline rights-of-way on Federal lands where feasible;

''(B) ensure Corridors can connect effectively across Federal lands; and

''(C) utilize input from utility and pipeline industries submitting applications for rights-of-way to site corridors in economically feasible areas that reduce impacts, to the extent practicable, on local communities.

''(6) NOT A MAJOR FEDERAL ACTION.—Designation of a Corridor under this subsection, and incorporation of Corridors into agency plans under paragraph (1)(B), shall not be treated as a major Federal action for purpose of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

''(7) NO LIMIT ON NUMBER OR LENGTH OF CORRIDORS.—Nothing in this subsection limits the number or physical dimensions of Corridors that the Secretary may designate under this subsection.

''(8) OTHER AUTHORITY NOT AFFECTED.—Nothing in this subsection affects the authority of the Secretary to issue rights-of-way on Federal land that is not located in a Corridor designated under this subsection.

''(9) NEPA CLARIFICATION.—All applications for rights-of-way for natural gas transmission facilities across Corridors designated under this subsection shall be subject to the environmental protections outlined in subsection (h).''.

(b) APPLICATIONS RECEIVED BEFORE DESIGNATION OF CORRIDORS.—Any application for a right-of-way under section 28 of the Mineral Leasing Act (30 U.S.C. 185) that is received by the Secretary of the Interior before designation of National Energy Security Corridors under the amendment made by subsection (a) of this section shall be reviewed and acted upon independently by the Secretary without regard to the process for such designation.

(c) DEADLINE.—Within 2 years after the date of the enactment of this Act, the Secretary of the Interior shall designate at least 10 National Energy Security Corridors under the amendment made by subsection (a) in States referred to in section 368(b) of the Energy Policy Act of 2005 (42 U.S.C. 15926(b)).

**SEC. 1116. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE ON FEDERAL LANDS CONTAINING ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES.**

(a) IN GENERAL.—Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.) is amended by adding at the end the following new section:

**''SEC. 512. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS-OF-WAY.**

''(a) GENERAL DIRECTION.—In order to enhance the reliability of the electric grid and reduce the threat of wildfires to and from electric transmission and distribution rights-of-way and related facilities and adjacent property, the Secretary, with respect to public lands and other lands under the jurisdiction of the Secretary, and the Secretary of Agriculture, with respect to National Forest System lands, shall provide direction to ensure that all existing and future rights-of-way, however established (including by grant, special use authorization, and easement), for electric transmission and distribution facilities on such lands include provisions for utility vegetation management, facility inspection, and operation and maintenance activities that, while consistent with applicable law—

''(1) are developed in consultation with the holder of the right-of-way;

''(2) enable the owner or operator of an electric transmission and distribution facility to operate and maintain the facility in good working order and to comply with Federal, State, and local electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation and plans to meet such reliability standards;

''(3) minimize the need for case-by-case or annual approvals for—

''(A) routine vegetation management, facility inspection, and operation and maintenance activities within existing electric transmission and distribution rights-of-way; and

''(B) utility vegetation management activities that are necessary to control hazard trees within or adjacent to electric transmission and distribution rights-of-way; and

''(4) when review is required, provide for expedited review and approval of utility vegetation management, facility inspection, and operation and maintenance activities, especially activities requiring prompt action to avoid an adverse impact on human safety or electric reliability to avoid fire hazards.

''(b) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—

''(1) DEVELOPMENT AND SUBMISSION.—Consistent with subsection (a), the Secretary and the Secretary of Agriculture shall provide owners and operators of electric transmission and distribution facilities located on lands described in such subsection with the option to develop and submit a vegetation management, facility inspection, and operation and maintenance plan, that at each owner or operator's discretion may cover some or all of the owner or operator's electric transmission and distribution rights-of-way on Federal lands, for approval to the Secretary with jurisdiction over the lands. A plan under this paragraph shall enable the owner or operator of an electric transmission and distribution facility, at a minimum, to comply with applicable Federal, State, and local electric system reliability and fire safety requirements, as provided in subsection (a)(2). The Secretaries shall not have the authority to modify those requirements.

''(2) REVIEW AND APPROVAL PROCESS.—The Secretary and the Secretary of Agriculture shall jointly develop a consolidated and coordinated process for review and approval of—

''(A) vegetation management, facility inspection, and operation and maintenance plans submitted under paragraph (1) that—

''(i) assures prompt review and approval not to exceed 90 days;

''(ii) includes timelines and benchmarks for agency comments on submitted plans and final approval of such plans;

''(iii) is consistent with applicable law; and

''(iv) minimizes the costs of the process to the reviewing agency and the entity submitting the plans; and

''(B) amendments to the plans in a prompt manner if changed conditions necessitate a modification to a plan.

''(3) NOTIFICATION.—The review and approval process under paragraph (2) shall—

''(A) include notification by the agency of any changed conditions that warrant a modification to a plan;

''(B) provide an opportunity for the owner or operator to submit a proposed plan amendment to address directly the changed condition; and

''(C) allow the owner or operator to continue to implement those elements of the approved plan that do not directly and adversely affect the condition precipitating the need for modification.

''(4) CATEGORICAL EXCLUSION PROCESS.—The Secretary and the Secretary of Agriculture shall apply his or her categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to plans developed under this subsection on existing electric transmission and distribution rights-of-way under this subsection.

''(5) IMPLEMENTATION.—A plan approved under this subsection shall become part of the authorization governing the covered right-of-way and hazard trees adjacent to the right-of-way. If a vegetation management plan is proposed for an existing electric transmission and distribution facility concurrent with the siting of a new electric transmission or distribution facility, necessary reviews shall be completed as part of the siting process or sooner. Once the plan is approved, the owner or operator shall provide the agency with only a notification of activities anticipated to be undertaken in the coming year, a description of those activities, and certification that the activities are in accordance with the plan.

''(c) RESPONSE TO EMERGENCY CONDITIONS.—If vegetation on Federal lands within, or hazard trees on Federal lands adjacent to, an electric transmission or distribution right-of-way granted by the Secretary or the Secretary of Agriculture has contacted or is in imminent danger of contacting one or more electric transmission or distribution lines, the owner or operator of the electric transmission or distribution lines—

''(1) may prune or remove the vegetation to avoid the disruption of electric service and risk of fire; and

''(2) shall notify the appropriate local agent of the relevant Secretary not later than 24 hours after such removal.

''(d) COMPLIANCE WITH APPLICABLE RELIABILITY AND SAFETY STANDARDS.—If vegetation on Federal lands within or adjacent to an electric transmission or distribution right-of-way under the jurisdiction of each Secretary does not meet clearance requirements under standards established by the North American Electric Reliability Corporation, or by State and local authorities, and the Secretary having jurisdiction over the lands has failed to act to allow an electric transmission or distribution facility owner or operator to conduct vegetation management activities within 3 business days after receiving a request to allow such activities, the owner or operator may, after notifying the Secretary, conduct such vegetation management activities to meet those clearance requirements.

''(e) REPORTING REQUIREMENT.—The Secretary or Secretary of Agriculture shall report requests and actions made under subsections (c) and (d) annually on each Secretary's website.

''(f) LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildfire damage, loss, or injury, including the cost of fire suppression, if—

''(1) the Secretary or the Secretary of Agriculture fails to allow the owner or operator to operate consistently with an approved vegetation management, facility inspection, and operation and maintenance plan on Fed-

eral lands under the relevant Secretary's jurisdiction within or adjacent to a right-of-way to comply with Federal, State, or local electric system reliability and fire safety standards, including standards established by the North American Electric Reliability Corporation; or

''(2) the Secretary or the Secretary of Agriculture fails to allow the owner or operator of the electric transmission or distribution facility to perform appropriate vegetation management activities in response to an identified hazard tree, or a tree in imminent danger of contacting the owner's or operator's electric transmission or distribution facility.

''(g) TRAINING AND GUIDANCE.—In consultation with the electric utility industry, the Secretary and the Secretary of Agriculture are encouraged to develop a program to train personnel of the Department of the Interior and the Forest Service involved in vegetation management decisions relating to electric transmission and distribution facilities to ensure that such personnel—

''(1) understand electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation;

''(2) assist owners and operators of electric transmission and distribution facilities to comply with applicable electric reliability and fire safety requirements; and

''(3) encourage and assist willing owners and operators of electric transmission and distribution facilities to incorporate on a voluntary basis vegetation management practices to enhance habitats and forage for pollinators and for other wildlife so long as the practices are compatible with the integrated vegetation management practices necessary for reliability and safety.

''(h) IMPLEMENTATION.—The Secretary and the Secretary of Agriculture shall—

''(1) not later than one year after the date of the enactment of this section, propose regulations, or amended existing regulations, to implement this section; and

''(2) not later than two years after the date of the enactment of this section, finalize regulations, or amended existing regulations, to implement this section.

''(i) EXISTING VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—Nothing in this section requires an owner or operator to develop and submit a vegetation management, facility inspection, and operation and maintenance plan if one has already been approved by the Secretary or Secretary of Agriculture before the date of the enactment of this section.

''(j) DEFINITIONS.—In this section:

''(1) HAZARD TREE.—The term 'hazard tree' means any tree inside the right-of-way or located outside the right-of-way that has been found by the either the owner or operator of an electric transmission or distribution facility, or the Secretary or the Secretary of Agriculture, to be likely to fail and cause a high risk of injury, damage, or disruption within 10 feet of an electric power line or related structure if it fell.

''(2) OWNER OR OPERATOR.—The terms 'owner' and 'operator' include contractors or other agents engaged by the owner or operator of an electric transmission and distribution facility.

''(3) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLAN.—The term 'vegetation management, facility inspection, and operation and maintenance plan' means a plan that—

''(A) is prepared by the owner or operator of one or more electric transmission or distribution facilities to cover one or more electric transmission and distribution rights-of-way; and

''(B) provides for the long-term, cost-effective, efficient, and timely management of facilities and vegetation within the width of the right-of-way and adjacent Federal lands to enhance electric reliability, promote public safety, and avoid fire hazards.''.

(b) CLERICAL AMENDMENT.—The table of sections for the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.), is amended by inserting after the item relating to section 511 the following new item:

''Sec. 512. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights-of-way.''.

## Subtitle B—Hydropower Regulatory Modernization

### SEC. 1201. PROTECTION OF PRIVATE PROPERTY RIGHTS IN HYDROPOWER LICENSING.

(a) LICENCES.—Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended—

(1) by striking ''and'' after ''recreational opportunities,''; and

(2) by inserting '', and minimizing infringement on the useful exercise and enjoyment of property rights held by nonlicensees'' after ''aspects of environmental quality''.

(b) PRIVATE LANDOWNERSHIP.—Section 10 of the Federal Power Act (16 U.S.C. 803) is amended—

(1) in subsection (a)(1), by inserting '', including minimizing infringement on the useful exercise and enjoyment of property rights held by nonlicensees'' after ''section 4(e)''; and

(2) by adding at the end the following:

''(k) PRIVATE LANDOWNERSHIP.—In developing any recreational resource within the project boundary, the licensee shall consider private landownership as a means to encourage and facilitate—

''(1) private investment; and

''(2) increased tourism and recreational use.''.

### SEC. 1202. EXTENSION OF TIME FOR FERC PROJECT INVOLVING W. KERR SCOTT DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12642, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission may reinstate the license effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

### SEC. 1203. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

**''SEC. 34. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.**

''(a) DEFINITION.—In this section, the term 'Federal authorization'—

''(1) means any authorization required under Federal law with respect to an application for a license, license amendment, or exemption under this part; and

''(2) includes any permits, special use authorizations, certifications, opinions, or other approvals as may be required under Federal law to approve or implement the license, license amendment, or exemption under this part.

''(b) DESIGNATION AS LEAD AGENCY.—

''(1) IN GENERAL.—The Commission shall act as the lead agency for the purposes of coordinating all applicable Federal authorizations and for the purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) OTHER AGENCIES AND INDIAN TRIBES.—

''(A) IN GENERAL.—Each Federal, State, and local government agency and Indian tribe considering an aspect of an application for Federal authorization shall coordinate with the Commission and comply with the deadline established in the schedule developed for the project in accordance with the rule issued by the Commission under subsection (c).

''(B) IDENTIFICATION.—The Commission shall identify, as early as practicable after it is notified by the applicant of a project or facility requiring Commission action under this part, any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for a Federal authorization.

''(C) NOTIFICATION.—

''(i) IN GENERAL.—The Commission shall notify any agency and Indian tribe identified under subparagraph (B) of the opportunity to participate in the process of reviewing an aspect of an application for a Federal authorization.

''(ii) DEADLINE.—Each agency and Indian tribe receiving a notice under clause (i) shall submit a response acknowledging receipt of the notice to the Commission within 30 days of receipt of such notice and request.

''(D) ISSUE IDENTIFICATION AND RESOLUTION.—

''(i) IDENTIFICATION OF ISSUES.—Federal, State, and local government agencies and Indian tribes that may consider an aspect of an application for Federal authorization shall identify, as early as possible, and share with the Commission and the applicant, any issues of concern identified during the pendency of the Commission's action under this part relating to any Federal authorization that may delay or prevent the granting of such authorization, including any issues that may prevent the agency or Indian tribe from meeting the schedule established for the project in accordance with the rule issued by the Commission under subsection (c).

''(ii) ISSUE RESOLUTION.—The Commission may forward any issue of concern identified under clause (i) to the heads of the relevant State and Federal agencies (including, in the case of scheduling concerns identified by a State or local government agency or Indian tribe, the Federal agency overseeing the delegated authority, or the Secretary of the Interior with regard to scheduling concerns identified by an Indian tribe) for resolution. The Commission and any relevant agency shall enter into a memorandum of understanding to facilitate interagency coordination and resolution of such issues of concern, as appropriate.

''(c) SCHEDULE.—

''(1) COMMISSION RULEMAKING TO ESTABLISH PROCESS TO SET SCHEDULE.—Within 180 days of the date of enactment of this section the Commission shall, in consultation with the appropriate Federal agencies, issue a rule, after providing for notice and public comment, establishing a process for setting a schedule following the filing of an application under this part for the review and disposition of each Federal authorization.

''(2) ELEMENTS OF SCHEDULING RULE.—In issuing a rule under this subsection, the

Commission shall ensure that the schedule for each Federal authorization—

''(A) includes deadlines for actions by—

''(i) any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for the Federal authorization;

''(ii) the applicant;

''(iii) the Commission; and

''(iv) other participants in a proceeding;

''(B) is developed in consultation with the applicant and any agency and Indian tribe that submits a response under subsection (b)(2)(C)(ii);

''(C) provides an opportunity for any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for the applicable Federal authorization to identify and resolve issues of concern, as provided in subsection (b)(2)(D);

''(D) complies with applicable schedules established under Federal and State law;

''(E) ensures expeditious completion of all proceedings required under Federal and State law, to the extent practicable; and

''(F) facilitates completion of Federal and State agency studies, reviews, and any other procedures required prior to, or concurrent with, the preparation of the Commission's environmental document required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(d) TRANSMISSION OF FINAL SCHEDULE.—

''(1) IN GENERAL.—For each application for a license, license amendment, or exemption under this part, the Commission shall establish a schedule in accordance with the rule issued by the Commission under subsection (c). The Commission shall publicly notice and transmit the final schedule to the applicant and each agency and Indian tribe identified under subsection (b)(2)(B).

''(2) RESPONSE.—Each agency and Indian tribe receiving a schedule under this subsection shall acknowledge receipt of such schedule in writing to the Commission within 30 days.

''(e) ADHERENCE TO SCHEDULE.—All applicants, other licensing participants, and agencies and tribes considering an aspect of an application for a Federal authorization shall meet the deadlines set forth in the schedule established pursuant to subsection (d)(1).

''(f) APPLICATION PROCESSING.—The Commission, Federal, State, and local government agencies, and Indian tribes may allow an applicant seeking a Federal authorization to fund a third-party contractor selected by such agency or tribe to assist in reviewing the application. All costs of an agency or tribe incurred pursuant to direct funding by the applicant, including all costs associated with the third party contractor, shall not be considered costs of the United States for the administration of this part under section 10(e).

''(g) COMMISSION RECOMMENDATION ON SCOPE OF ENVIRONMENTAL REVIEW.—For the purposes of coordinating Federal authorizations for each project, the Commission shall consult with and make a recommendation to agencies and Indian tribes receiving a schedule under subsection (d) on the scope of the environmental review for all Federal authorizations for such project. Each Federal and State agency and Indian tribe shall give due consideration and may give deference to the Commission's recommendations, to the extent appropriate under Federal law.

''(h) FAILURE TO MEET SCHEDULE.—A Federal, State, or local government agency or Indian tribe that anticipates that it will be unable to complete its disposition of a Federal authorization by the deadline set forth in the schedule established under subsection (d)(1) may file for an extension as provided under section 313(b)(2).

''(i) CONSOLIDATED RECORD.—The Commission shall, with the cooperation of Federal, State, and local government agencies and Indian tribes, maintain a complete consolidated record of all decisions made or actions taken by the Commission or by a Federal administrative agency or officer (or State or local government agency or officer or Indian tribe acting under delegated Federal authority) with respect to any Federal authorization. Such record shall constitute the record for judicial review under section 313(b).''.

**SEC. 1204. JUDICIAL REVIEW OF DELAYED FEDERAL AUTHORIZATIONS.**

Section 313(b) of the Federal Power Act (16 U.S.C. 825*l*(b)) is amended—

(1) by striking ''(b) Any party'' and inserting the following:

''(b) JUDICIAL REVIEW.—

''(1) IN GENERAL.—Any party''; and

(2) by adding at the end the following:

''(2) DELAY OF A FEDERAL AUTHORIZATION.—Any Federal, State, or local government agency or Indian tribe that will not complete its disposition of a Federal authorization by the deadline set forth in the schedule by the Commission under section 34 may file for an extension in the United States court of appeals for any circuit wherein the project or proposed project is located, or in the United States Court of Appeals for the District of Columbia. Such petition shall be filed not later than 30 days prior to such deadline. The court shall only grant an extension if the agency or tribe demonstrates, based on the record maintained under section 34, that it otherwise complied with the requirements of section 34 and that complying with the schedule set by the Commission would have prevented the agency or tribe from complying with applicable Federal or State law. If the court grants the extension, the court shall set a reasonable schedule and deadline, not to exceed 90 days, for the agency to act on remand. If the court denies the extension, or if an agency or tribe does not file for an extension as provided in this subsection and does not complete its disposition of a Federal authorization by the applicable deadline, the Commission and applicant may move forward with the proposed action.''.

**SEC. 1205. LICENSING STUDY IMPROVEMENTS.**

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1203, is further amended by adding at the end the following:

**''SEC. 35. LICENSING STUDY IMPROVEMENTS.**

''(a) IN GENERAL.—To facilitate the timely and efficient completion of the license proceedings under this part, the Commission shall, in consultation with applicable Federal and State agencies and interested members of the public—

''(1) compile current and accepted best practices in performing studies required in such license proceedings, including methodologies and the design of studies to assess the full range of environmental impacts of a project that reflect the most recent peer-reviewed science;

''(2) compile a comprehensive collection of studies and data accessible to the public that could be used to inform license proceedings under this part; and

''(3) encourage license applicants, agencies, and Indian tribes to develop and use, for the purpose of fostering timely and efficient consideration of license applications, a limited number of open-source methodologies and tools applicable across a wide array of projects, including water balance models and streamflow analyses.

''(b) USE OF STUDIES.—To the extent practicable, the Commission and other Federal, State, and local government agencies and Indian tribes considering an aspect of an application for Federal authorization shall use current, accepted science toward studies and data in support of their actions. Any participant in a proceeding with respect to a Federal authorization shall demonstrate a study requested by the party is not duplicative of current, existing studies that are applicable to the project.

''(c) BASIN-WIDE OR REGIONAL REVIEW.—The Commission shall establish a program to develop comprehensive plans, at the request of project applicants, on a regional or basin-wide scale, in consultation with the applicants, appropriate Federal agencies, and affected States, local governments, and Indian tribes, in basins or regions with respect to which there are more than one project or application for a project. Upon such a request, the Commission, in consultation with the applicants, such Federal agencies, and affected States, local governments, and Indian tribes, may conduct or commission regional or basin-wide environmental studies, with the participation of at least 2 applicants. Any study conducted under this subsection shall apply only to a project with respect to which the applicant participates.''.

**SEC. 1206. CLOSED-LOOP PUMPED STORAGE PROJECTS.**

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1205, is further amended by adding at the end the following:

**''SEC. 36. CLOSED-LOOP PUMPED STORAGE PROJECTS.**

''(a) DEFINITION.—For purposes of this section, a closed-loop pumped storage project is a project—

''(1) in which the upper and lower reservoirs do not impound or directly withdraw water from navigable waters; or

''(2) that is not continuously connected to a naturally flowing water feature.

''(b) IN GENERAL.—As provided in this section, the Commission may issue and amend licenses and preliminary permits, as appropriate, for closed-loop pumped storage projects.

''(c) DAM SAFETY.—Before issuing any license for a closed-loop pumped storage project, the Commission shall assess the safety of existing dams and other structures related to the project (including possible consequences associated with failure of such structures).

''(d) LICENSE CONDITIONS.—With respect to a closed-loop pumped storage project, the authority of the Commission to impose conditions on a license under sections 4(e), 10(a), 10(g), and 10(j) shall not apply, and any condition included in or applicable to a closed-loop pumped storage project licensed under this section, including any condition or other requirement of a Federal authorization, shall be limited to those that are—

''(1) necessary to protect public safety; or

''(2) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources directly caused by the construction and operation of the project, as compared to the environmental baseline existing at the time the Commission completes its environmental review.

''(e) TRANSFERS.—Notwithstanding section 5, and regardless of whether the holder of a preliminary permit for a closed-loop pumped storage project claimed municipal preference under section 7(a) when obtaining the permit, the Commission may, to facilitate development of a closed-loop pumped storage project—

''(1) add entities as joint permittees following issuance of a preliminary permit; and

''(2) transfer a license in part to one or more nonmunicipal entities as co-licensees with a municipality.''.

**SEC. 1207. LICENSE AMENDMENT IMPROVEMENTS.**

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1206, is further amended by adding at the end the following:

**"SEC. 37. LICENSE AMENDMENT IMPROVEMENTS.**

''(a) QUALIFYING PROJECT UPGRADES.—

''(1) IN GENERAL.—As provided in this section, the Commission may approve an application for an amendment to a license issued under this part for a qualifying project upgrade.

''(2) APPLICATION.—A licensee filing an application for an amendment to a project license under this section shall include in such application information sufficient to demonstrate that the proposed change to the project described in the application is a qualifying project upgrade.

''(3) INITIAL DETERMINATION.—Not later than 15 days after receipt of an application under paragraph (2), the Commission shall make an initial determination as to whether the proposed change to the project described in the application for a license amendment is a qualifying project upgrade. The Commission shall publish its initial determination and issue notice of the application filed under paragraph (2). Such notice shall solicit public comment on the initial determination within 45 days.

''(4) PUBLIC COMMENT ON QUALIFYING CRITERIA.—The Commission shall accept public comment regarding whether a proposed license amendment is for a qualifying project upgrade for a period of 45 days beginning on the date of publication of a public notice described in paragraph (3), and shall—

''(A) if no entity contests whether the proposed license amendment is for a qualifying project upgrade during such comment period, immediately publish a notice stating that the initial determination has not been contested; or

''(B) if an entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period, issue a written determination in accordance with paragraph (5).

''(5) WRITTEN DETERMINATION.—If an entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period under paragraph (4), the Commission shall, not later than 30 days after the date of publication of the public notice of the initial determination under paragraph (3), issue a written determination as to whether the proposed license amendment is for a qualifying project upgrade.

''(6) PUBLIC COMMENT ON AMENDMENT APPLICATION.—If no entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period under paragraph (4) or the Commission issues a written determination under paragraph (5) that a proposed license amendment is a qualifying project upgrade, the Commission shall—

''(A) during the 60-day period beginning on the date of publication of a notice under paragraph (4)(A) or the date on which the Commission issues the written determination under paragraph (5), as applicable, solicit comments from each Federal, State, and local government agency and Indian tribe considering an aspect of an application for Federal authorization (as defined in section 34) with respect to the proposed license amendment, as well as other interested agencies, Indian tribes, and members of the public; and

''(B) during the 90-day period beginning on the date of publication of a notice under paragraph (4)(A) or the date on which the Commission issues the written determination under paragraph (5), as applicable, consult with—

''(i) appropriate Federal agencies and the State agency exercising administrative control over the fish and wildlife resources, and water quality and supply, of the State in which the qualifying project upgrade is located;

''(ii) any Federal department supervising any public lands or reservations occupied by the qualifying project upgrade; and

''(iii) any Indian tribe affected by the qualifying project upgrade.

''(7) FEDERAL AUTHORIZATIONS.—The schedule established by the Commission under section 34 for any project upgrade under this subsection shall require final disposition on all necessary Federal authorizations (as defined in section 34), other than final action by the Commission, by not later than 120 days after the date on which the Commission issues a notice under paragraph (4)(A) or a written determination under paragraph (5), as applicable.

''(8) COMMISSION ACTION.—Not later than 150 days after the date on which the Commission issues a notice under paragraph (4)(A) or a written determination under paragraph (5), as applicable, the Commission shall take final action on the license amendment application.

''(9) LICENSE AMENDMENT CONDITIONS.—Any condition included in or applicable to a license amendment approved under this subsection, including any condition or other requirement of a Federal authorization, shall be limited to those that are—

''(A) necessary to protect public safety; or

''(B) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources, water supply, and water quality that are directly caused by the construction and operation of the qualifying project upgrade, as compared to the environmental baseline existing at the time the Commission approves the application for the license amendment.

''(10) PROPOSED LICENSE AMENDMENTS THAT ARE NOT QUALIFYING PROJECT UPGRADES.—If the Commission determines under paragraph (3) or (5) that a proposed license amendment is not for a qualifying project upgrade, the procedures under paragraphs (6) through (9) shall not apply to the application.

''(11) RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Commission shall, after notice and opportunity for public comment, issue a rule to implement this subsection.

''(12) DEFINITIONS.—For purposes of this subsection:

''(A) QUALIFYING PROJECT UPGRADE.—The term 'qualifying project upgrade' means a change to a project licensed under this part that meets the qualifying criteria, as determined by the Commission.

''(B) QUALIFYING CRITERIA.—The term 'qualifying criteria' means, with respect to a project license under this part, a change to the project that—

''(i) if carried out, would be unlikely to adversely affect any species listed as threatened or endangered under the Endangered Species Act of 1973 or result in the destruction or adverse modification of critical habitat, as determined in consultation with the Secretary of the Interior or Secretary of Commerce, as appropriate, in accordance with section 7 of the Endangered Species Act of 1973;

''(ii) is consistent with any applicable comprehensive plan under section 10(a)(2);

''(iii) includes only changes to project lands, waters, or operations that, in the judgment of the Commission, would result in only insignificant or minimal cumulative adverse environmental effects;

''(iv) would be unlikely to adversely affect water quality and water supply; and

''(v) proposes to implement—

''(I) capacity increases, efficiency improvements, or other enhancements to hydropower generation at the licensed project;

''(II) environmental protection, mitigation, or enhancement measures to benefit fish and wildlife resources or other natural and cultural resources; or

''(III) improvements to public recreation at the licensed project.

''(b) AMENDMENT APPROVAL PROCESSES.—

''(1) RULE.—Not later than 1 year after the date of enactment of this section, the Commission shall, after notice and opportunity for public comment, issue a rule establishing new standards and procedures for license amendment applications under this part. In issuing such rule, the Commission shall seek to develop the most efficient and expedient process, consultation, and review requirements, commensurate with the scope of different categories of proposed license amendments. Such rule shall account for differences in environmental effects across a wide range of categories of license amendment applications.

''(2) CAPACITY.—In issuing a rule under this subsection, the Commission shall take into consideration that a change in generating or hydraulic capacity may indicate the potential environmental effects of a proposed amendment but is not determinative of such effects.

''(3) PROCESS OPTIONS.—In issuing a rule under this subsection, the Commission shall take into consideration the range of process options available under the Commission's regulations for new and original license applications and adapt such options to amendment applications, where appropriate.''.

**SEC. 1208. PROMOTING HYDROPOWER DEVELOPMENT AT EXISTING NONPOWERED DAMS.**

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1207, is further amended by adding at the end the following:

**"SEC. 38. PROMOTING HYDROPOWER DEVELOPMENT AT EXISTING NONPOWERED DAMS.**

''(a) EXEMPTIONS FOR QUALIFYING FACILITIES.—

''(1) EXEMPTION QUALIFICATIONS.—Subject to the requirements of this subsection, the Commission may grant an exemption in whole or in part from the requirements of this part, including any license requirements contained in this part, to any facility the Commission determines is a qualifying facility.

''(2) CONSULTATION WITH FEDERAL AND STATE AGENCIES.—In granting any exemption under this subsection, the Commission shall consult with—

''(A) the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the State agency exercising administrative control over the fish and wildlife resources of the State in which the facility will be located, in the manner provided by the Fish and Wildlife Coordination Act;

''(B) any Federal department supervising any public lands or reservations occupied by the project; and

''(C) any Indian tribe affected by the project.

''(3) EXEMPTION CONDITIONS.—

''(A) IN GENERAL.—The Commission shall include in any exemption granted under this subsection only such terms and conditions that the Commission determines are—

''(i) necessary to protect public safety; or

''(ii) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources directly caused by the construction and operation of the qualifying facility, as compared to the environmental baseline existing at the time the Commission grants the exemption.

''(B) NO CHANGES TO RELEASE REGIME.—No Federal authorization required with respect to a qualifying facility described in paragraph (1), including an exemption granted by the Commission under this subsection, may

include any condition or other requirement that results in any material change to the storage, control, withdrawal, diversion, release, or flow operations of the associated qualifying nonpowered dam.

''(4) ENVIRONMENTAL REVIEW.—The Commission's environmental review under the National Environmental Policy Act of 1969 of a proposed exemption under this subsection shall consist only of an environmental assessment, unless the Commission determines, by rule or order, that the Commission's obligations under such Act for granting exemptions under this subsection can be met through a categorical exclusion.

''(5) VIOLATION OF TERMS OF EXEMPTION.—Any violation of a term or condition of any exemption granted under this subsection shall be treated as a violation of a rule or order of the Commission under this Act.

''(6) ANNUAL CHARGES FOR ENHANCEMENT ACTIVITIES.—Exemptees under this subsection for any facility located at a non-Federal dam shall pay to the United States reasonable annual charges in an amount to be fixed by the Commission for the purpose of funding environmental enhancement projects in watersheds in which facilities exempted under this subsection are located. Such annual charges shall be equivalent to the annual charges for use of a Government dam under section 10(e), unless the Commission determines, by rule, that a lower charge is appropriate to protect exemptees' investment in the project or avoid increasing the price to consumers of power due to such charges. The proceeds of charges made by the Commission under this paragraph shall be paid into the Treasury of the United States and credited to miscellaneous receipts. Subject to annual appropriation Acts, such proceeds shall be available to Federal and State fish and wildlife agencies for purposes of carrying out specific environmental enhancement projects in watersheds in which one or more facilities exempted under this subsection are located. Not later than 180 days after the date of enactment of this section, the Commission shall establish rules, after notice and opportunity for public comment, for the collection and administration of annual charges under this paragraph.

''(7) EFFECT OF JURISDICTION.—The jurisdiction of the Commission over any qualifying facility exempted under this subsection shall extend only to the qualifying facility exempted and any associated primary transmission line, and shall not extend to any conduit, dam, impoundment, shoreline or other land, or any other project work associated with the qualifying facility exempted under this subsection.

''(b) DEFINITIONS.—For purposes of this section—

''(1) FEDERAL AUTHORIZATION.—The term 'Federal authorization' has the same meaning as provided in section 34.

''(2) QUALIFYING CRITERIA.—The term 'qualifying criteria' means, with respect to a facility—

''(A) as of the date of enactment of this section, the facility is not licensed under, or exempted from the license requirements contained in, this part;

''(B) the facility will be associated with a qualifying nonpowered dam;

''(C) the facility will be constructed, operated, and maintained for the generation of electric power;

''(D) the facility will use for such generation any withdrawals, diversions, releases, or flows from the associated qualifying nonpowered dam, including its associated impoundment or other infrastructure; and

''(E) the operation of the facility will not result in any material change to the storage, control, withdrawal, diversion, release, or flow operations of the associated qualifying nonpowered dam.

''(3) QUALIFYING FACILITY.—The term 'qualifying facility' means a facility that is determined under this section to meet the qualifying criteria.

''(4) QUALIFYING NONPOWERED DAM.—The term 'qualifying nonpowered dam' means any dam, dike, embankment, or other barrier—

''(A) the construction of which was completed on or before the date of enactment of this section;

''(B) that is operated for the control, release, or distribution of water for agricultural, municipal, navigational, industrial, commercial, environmental, recreational, aesthetic, or flood control purposes;

''(C) that, as of the date of enactment of this section, is not equipped with hydropower generating works that are licensed under, or exempted from the license requirements contained in, this part; and

''(D) that, in the case of a non-Federal dam, has been certified by an independent consultant approved by the Commission as complying with the Commission's dam safety requirements.''.

## TITLE II—ENERGY SECURITY AND DIPLOMACY

### SEC. 2001. SENSE OF CONGRESS.

Congress finds the following:

(1) North America's energy revolution has significantly enhanced energy security in the United States, and fundamentally changed the Nation's energy future from that of scarcity to abundance.

(2) North America's energy abundance has increased global energy supplies and reduced the price of energy for consumers in the United States and abroad.

(3) Allies and trading partners of the United States, including in Europe and Asia, are seeking stable and affordable energy supplies from North America to enhance their energy security.

(4) The United States has an opportunity to improve its energy security and promote greater stability and affordability of energy supplies for its allies and trading partners through a more integrated, secure, and competitive North American energy system.

(5) The United States also has an opportunity to promote such objectives by supporting the free flow of energy commodities and more open, transparent, and competitive global energy markets, and through greater Federal agency coordination relating to regulations or agency actions that significantly affect the supply, distribution, or use of energy.

### SEC. 2002. ENERGY SECURITY VALUATION.

(a) ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources, the Committee on Commerce, Science, and Transportation, and the Committee on Foreign Relations of the Senate a report that develops recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—

(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;

(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, transportation, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on—

(A) consumers and the economy;

(B) energy supply diversity and resiliency;

(C) well-functioning and competitive energy markets;

(D) United States trade balance; and

(E) national security objectives; and

(3) include a recommended implementation strategy that identifies and aims to ensure that the procedures and criteria referred to in paragraph (2) are—

(A) evaluated consistently across the Federal Government; and

(B) weighed appropriately and balanced with environmental considerations required by Federal law.

(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

### SEC. 2003. NORTH AMERICAN ENERGY SECURITY PLAN.

(a) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate the plan described in subsection (b).

(b) PURPOSE.—The plan referred to in subsection (a) shall include—

(1) a recommended framework and implementation strategy to—

(A) improve planning and coordination with Canada and Mexico to enhance energy integration, strengthen North American energy security, and promote efficiencies in the exploration, production, storage, supply, distribution, marketing, pricing, and regulation of North American energy resources; and

(B) address—

(i) North American energy public data, statistics, and mapping collaboration;

(ii) responsible and sustainable best practices for the development of unconventional oil and natural gas; and

(iii) modern, resilient energy infrastructure for North America, including physical infrastructure as well as institutional infrastructure such as policies, regulations, and practices relating to energy development; and

(2) a recommended framework and implementation strategy to improve collaboration with Caribbean and Central American partners on energy security, including actions to support—

(A) more open, transparent, and competitive energy markets;

(B) regulatory capacity building;

(C) improvements to energy transmission and storage; and

(D) improvements to the performance of energy infrastructure and efficiency.

(c) PARTICIPATION.—In developing the plan referred to in subsection (a), the Secretaries may consult with other Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

### SEC. 2004. COLLECTIVE ENERGY SECURITY.

(a) IN GENERAL.—The Secretary of Energy and the Secretary of State shall collaborate to strengthen domestic energy security and the energy security of the allies and trading partners of the United States, including through actions that support or facilitate—

(1) energy diplomacy;

(2) the delivery of United States assistance, including energy resources and technologies, to prevent or mitigate an energy security crisis;

(3) the development of environmentally and commercially sustainable energy resources;

(4) open, transparent, and competitive energy markets; and

(5) regulatory capacity building.

(b) ENERGY SECURITY FORUMS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall convene not less than 2 forums to promote the collective energy security of the United States and its allies and trading partners. The forums shall include participation by the Secretary of Energy and the Secretary of State. In addition, an invitation shall be extended to—

(1) appropriate representatives of foreign governments that are allies or trading partners of the United States; and

(2) independent experts and industry representatives.

(c) REQUIREMENTS.—The forums shall—

(1) consist of at least 1 Trans-Atlantic and 1 Trans-Pacific energy security forum;

(2) be designed to foster dialogue among government officials, independent experts, and industry representatives regarding—

(A) the current state of global energy markets;

(B) trade and investment issues relevant to energy; and

(C) barriers to more open, competitive, and transparent energy markets; and

(3) be recorded and made publicly available on the Department of Energy's website, including, not later than 30 days after each forum, publication on the website any significant outcomes.

(d) NOTIFICATION.—At least 30 days before each of the forums referred to in subsection (b), the Secretary of Energy shall send a notification regarding the forum to—

(1) the chair and the ranking minority member of the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives; and

(2) the chair and ranking minority member of the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate.

**SEC. 2005. AUTHORIZATION TO EXPORT NATURAL GAS.**

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(1) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(3) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant to National Environmental Policy Act of 1969 implementing regulations.

(c) PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.—Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

**SEC. 2006. ENVIRONMENTAL REVIEW FOR ENERGY EXPORT FACILITIES.**

Notwithstanding any other provision of law, including any other provision of this Act and any amendment made by this Act, to the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of a permit for the construction, operation, or maintenance of a facility for the export of bulk commodities, no such permit may be denied until each applicable Federal agency has completed all reviews required for the facility under such Act.

**SEC. 2007. AUTHORIZATION OF CROSS-BORDER INFRASTRUCTURE PROJECTS.**

(a) FINDING.—Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of pipelines and electric transmission facilities for the import and export of liquid products, including water and petroleum, and natural gas and the transmission of electricity to and from Canada and Mexico.

(b) AUTHORIZATION OF CERTAIN INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.—

(1) REQUIREMENT.—No person may construct, connect, operate, or maintain a cross-border segment of a pipeline or electric transmission facility for the import or export of liquid products or natural gas, or the transmission of electricity, to or from Canada or Mexico without obtaining a certificate of crossing for such construction, connection, operation, or maintenance under this subsection.

(2) CERTIFICATE OF CROSSING.—

(A) ISSUANCE.—

(i) IN GENERAL.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment described in paragraph (1), the relevant official identified under subparagraph (B), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(ii) NATURAL GAS.—For the purposes of natural gas pipelines, a finding with respect to the public interest under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) shall serve as a finding under clause (i) of this subparagraph.

(B) RELEVANT OFFICIAL.—The relevant official referred to in subparagraph (A) is—

(i) the Secretary of State with respect to liquid pipelines;

(ii) the Federal Energy Regulatory Commission with respect to natural gas pipelines; and

(iii) the Secretary of Energy with respect to electric transmission facilities.

(C) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—The Secretary of Energy shall require, as a condition of issuing a certificate of crossing for an electric transmission facility, that the cross-border segment be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(i) the Electric Reliability Organization and the applicable regional entity; and

(ii) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(3) MODIFICATIONS TO EXISTING PROJECTS.—No certificate of crossing shall be required under this subsection for a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations) with respect to a liquid or natural gas pipeline or electric transmission facility unless such modification would result in a significant impact at the national boundary.

(4) EFFECT OF OTHER LAWS.—Nothing in this subsection shall affect the application of any other Federal statute (including the Natural Gas Act and the Energy Policy and Conservation Act) to a project for which a certificate of crossing is sought under this subsection.

(c) IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: ''In the case of an application for the importation or exportation of natural gas to or from Canada or Mexico, the Commission shall grant the application not later than 30 days after the date of receipt of the complete application.''.

(d) TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.—

(1) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(B) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary''.

(e) EFFECTIVE DATE; RULEMAKING DEADLINES.—

(1) EFFECTIVE DATE.—Subsections (b) through (d), and the amendments made by such subsections, shall take effect on January 20, 2017.

(2) RULEMAKING DEADLINES.—Each relevant official described in subsection (b)(2)(B) shall—

(A) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of subsection (b); and

(B) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of subsection (b).

(f) DEFINITIONS.—In this section—

(1) the term ''cross-border segment'' means the portion of a liquid or natural gas pipeline or electric transmission facility that is lo-

cated at the national boundary of the United States with either Canada or Mexico;

(2) the terms ''Electric Reliability Organization'' and ''regional entity'' have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o);

(3) the terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796);

(4) the term ''liquid'' includes water, petroleum, petroleum product, and any other substance that flows through a pipeline other than natural gas; and

(5) the term ''natural gas'' has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a).

**SEC. 2008. REPORT ON SMART METER SECURITY CONCERNS.**

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress a report on the weaknesses in currently available smart meters' security architecture and features, including an absence of event logging, as described in the Government Accountability Office testimony entitled ''Critical Infrastructure Protection: Cybersecurity of the Nation's Electricity Grid Requires Continued Attention'' on October 21, 2015.

## TITLE III—ENERGY EFFICIENCY AND ACCOUNTABILITY

### Subtitle A—Energy Efficiency

### CHAPTER 1—FEDERAL AGENCY ENERGY EFFICIENCY

**SEC. 3111. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.**

(a) AMENDMENT.—Subtitle C of title V of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1661) is amended by adding at the end the following:

**''SEC. 530. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.**

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(2) INFORMATION TECHNOLOGY.—The term 'information technology' has the meaning given that term in section 11101 of title 40, United States Code.

''(b) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this section, each Federal agency shall coordinate with the Director, the Secretary, and the Administrator of the Environmental Protection Agency to develop an implementation strategy (that includes best practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies, taking into consideration the performance goals established under subsection (d).

''(c) ADMINISTRATION.—In developing an implementation strategy under subsection (b), each Federal agency shall consider—

''(1) advanced metering infrastructure;

''(2) energy-efficient data center strategies and methods of increasing asset and infrastructure utilization;

''(3) advanced power management tools;

''(4) building information modeling, including building energy management;

''(5) secure telework and travel substitution tools; and

''(6) mechanisms to ensure that the agency realizes the energy cost savings brought about through increased efficiency and utilization.

''(d) PERFORMANCE GOALS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Director, in consultation with the Secretary, shall establish performance goals for evaluating the efforts of Federal agencies in improving the maintenance, purchase, and use of energy-efficient and energy-saving information technology.

''(2) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall recommend best practices for the attainment of the performance goals, which shall include Federal agency consideration of, to the extent applicable by law, the use of—

''(A) energy savings performance contracting; and

''(B) utility energy services contracting.

''(e) REPORTS.—

''(1) AGENCY REPORTS.—Each Federal agency shall include in the report of the agency under section 527 a description of the efforts and results of the agency under this section.

''(2) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2017, the Director shall include in the annual report and scorecard of the Director required under section 528 a description of the efforts and results of Federal agencies under this section.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 is amended by adding after the item relating to section 529 the following:

''Sec. 530. Energy-efficient and energy-saving information technologies.''.

**SEC. 3112. ENERGY EFFICIENT DATA CENTERS.**

Section 453 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112) is amended—

(1) in subsection (b)(2)(D)(iv), by striking ''determined by the organization'' and inserting ''proposed by the stakeholders'';

(2) by striking subsection (b)(3); and

(3) by striking subsections (c) through (g) and inserting the following:

''(c) STAKEHOLDER INVOLVEMENT.—The Secretary and the Administrator shall carry out subsection (b) in collaboration with the information technology industry and other key stakeholders, with the goal of producing results that accurately reflect the most relevant and useful information available. In such collaboration, the Secretary and the Administrator shall pay particular attention to organizations that—

''(1) have members with expertise in energy efficiency and in the development, operation, and functionality of data centers, information technology equipment, and software, such as representatives of hardware manufacturers, data center operators, and facility managers;

''(2) obtain and address input from Department of Energy National Laboratories or any college, university, research institution, industry association, company, or public interest group with applicable expertise;

''(3) follow—

''(A) commonly accepted procedures for the development of specifications; and

''(B) accredited standards development processes; and

''(4) have a mission to promote energy efficiency for data centers and information technology.

''(d) MEASUREMENTS AND SPECIFICATIONS.—The Secretary and the Administrator shall consider and assess the adequacy of the specifications, measurements, best practices, and benchmarks described in subsection (b) for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of the Department of Energy or the Environmental Protection Agency.

''(e) STUDY.—The Secretary, in collaboration with the Administrator, shall, not later than 18 months after the date of enactment of the North American Energy Security and Infrastructure Act of 2015, make available to the public an update to the Report to Congress on Server and Data Center Energy Efficiency published on August 2, 2007, under section 1 of Public Law 109–431 (120 Stat. 2920), that provides—

''(1) a comparison and gap analysis of the estimates and projections contained in the original report with new data regarding the period from 2008 through 2015;

''(2) an analysis considering the impact of information technologies, including virtualization and cloud computing, in the public and private sectors;

''(3) an evaluation of the impact of the combination of cloud platforms, mobile devices, social media, and big data on data center energy usage;

''(4) an evaluation of water usage in data centers and recommendations for reductions in such water usage; and

''(5) updated projections and recommendations for best practices through fiscal year 2020.

''(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—The Secretary, in collaboration with key stakeholders and the Director of the Office of Management and Budget, shall maintain a data center energy practitioner program that leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in Federal data centers. Each Federal agency shall consider having the data centers of the agency evaluated every 4 years, in accordance with section 543(f) of the National Energy Conservation Policy Act (42 U.S.C. 8253), by energy practitioners certified pursuant to such program.

''(g) OPEN DATA INITIATIVE.—The Secretary, in collaboration with key stakeholders and the Director of the Office of Management and Budget, shall establish an open data initiative for Federal data center energy usage data, with the purpose of making such data available and accessible in a manner that encourages further data center innovation, optimization, and consolidation. In establishing the initiative, the Secretary shall consider the use of the online Data Center Maturity Model.

''(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in collaboration with key stakeholders, shall actively participate in efforts to harmonize global specifications and metrics for data center energy and water efficiency.

''(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with key stakeholders, shall facilitate the development of an efficiency metric that measures the energy efficiency of a data center (including equipment and facilities).

''(j) PROTECTION OF PROPRIETARY INFORMATION.—The Secretary and the Administrator shall not disclose any proprietary information or trade secrets provided by any individual or company for the purposes of carrying out this section or the programs and initiatives established under this section.''.

**SEC. 3113. REPORT ON ENERGY AND WATER SAVINGS POTENTIAL FROM THERMAL INSULATION.**

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of thermal insulation on both energy and water use systems for potable hot and chilled water in Federal buildings, and the return on investment of installing such insulation.

(b) CONTENTS.—The report shall include—

(1) an analysis based on the cost of municipal or regional water for delivered water and the avoided cost of new water; and

(2) a summary of energy and water savings, including short-term and long-term (20 years) projections of such savings.

**SEC. 3114. BATTERY STORAGE REPORT.**

Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the potential of battery energy storage that answers the following questions:

(1) How do existing Federal standards impact the development and deployment of battery storage systems?

(2) What are the benefits of using existing battery storage technology, and what challenges exist to their widespread use? What are some examples of existing battery storage projects providing these benefits?

(3) What potential impact could large-scale battery storage and behind-the-meter battery storage have on renewable energy utilization?

(4) What is the potential of battery technology for grid-scale use nationwide? What is the potential impact of battery technology on the national grid capabilities?

(5) How much economic activity associated with large-scale and behind-the-meter battery storage technology is located in the United States? How many jobs do these industries account for?

(6) What policies other than the Renewable Energy Investment Tax Credit have research and available data shown to promote renewable energy use and storage technology deployment by State and local governments or private end-users?

**SEC. 3115. FEDERAL PURCHASE REQUIREMENT.**

(a) DEFINITIONS.—Section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)) is amended by striking paragraph (2) and inserting the following:

''(2) RENEWABLE ENERGY.—The term 'renewable energy' means electric energy, or thermal energy if resulting from a thermal energy project placed in service after December 31, 2014, generated from, or avoided by, solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste (in accordance with subsection (e)), qualified waste heat resource, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.

''(3) QUALIFIED WASTE HEAT RESOURCE.—The term 'qualified waste heat resource' means—

''(A) exhaust heat or flared gas from any industrial process;

''(B) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

''(C) a pressure drop in any gas for an industrial or commercial process; or

''(D) such other forms of waste heat as the Secretary determines appropriate.''.

(b) PAPER RECYCLING.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended by adding at the end the following:

''(e) PAPER RECYCLING.—

''(1) SEPARATE COLLECTION.—For purposes of this section, any Federal agency may consider electric energy generation purchased from a facility to be renewable energy if the municipal solid waste used by the facility to generate the electricity is—

''(A) separately collected (within the meaning of section 246.101(z) of title 40, Code of Federal Regulations, as in effect on the date of enactment of the North American Energy Security and Infrastructure Act of 2015) from paper that is commonly recycled; and

''(B) processed in a way that keeps paper that is commonly recycled segregated from non-recyclable solid waste.

''(2) INCIDENTAL INCLUSION.—Municipal solid waste used to generate electric energy that meets the conditions described in paragraph (1) shall be considered renewable energy even if the municipal solid waste contains incidental commonly recycled paper.

''(3) NO EFFECT ON EXISTING PROCESSES.—Nothing in paragraph (1) shall be interpreted to require a State or political subdivision of a State, directly or indirectly, to change the systems, processes, or equipment it uses to collect, treat, dispose of, or otherwise use municipal solid waste, within the meaning of the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), nor require a change to the regulations that implement subtitle D of such Act (42 U.S.C. 6941 et seq.).''.

**SEC. 3116. ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.**

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.—

''(1) REQUIREMENT.—Subject to paragraph (2), each agency shall apply energy conservation measures to, and shall improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in fiscal years 2006 through 2017 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in fiscal year 2003, by the percentage specified in the following table:

| ''Fiscal Year | Percentage Reduction |
|---|---|
| 2006 | 2 |
| 2007 | 4 |
| 2008 | 9 |
| 2009 | 12 |
| 2010 | 15 |
| 2011 | 18 |
| 2012 | 21 |
| 2013 | 24 |
| 2014 | 27 |
| 2015 | 30 |
| 2016 | 33 |
| 2017 | 36. |

''(2) EXCLUSION FOR BUILDINGS WITH ENERGY INTENSIVE ACTIVITIES.—

''(A) IN GENERAL.—An agency may exclude from the requirements of paragraph (1) any building (including the associated energy consumption and gross square footage) in which energy intensive activities are carried out.

''(B) REPORTS.—Each agency shall identify and list in each report made under section 548(a) the buildings designated by the agency for exclusion under subparagraph (A).

''(3) REVIEW.—Not later than December 31, 2017, the Secretary shall—

''(A) review the results of the implementation of the energy performance requirements established under paragraph (1); and

''(B) based on the review conducted under subparagraph (A), submit to Congress a report that addresses the feasibility of requiring each agency to apply energy conservation measures to, and improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in each of fiscal years 2018 through 2030 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in the prior fiscal year, by 3 percent.''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and

(ii) by inserting after subparagraph (D) the following:

''(E) ONGOING COMMISSIONING.—The term 'ongoing commissioning' means an ongoing process of commissioning using monitored data, the primary goal of which is to ensure continuous optimum performance of a facility, in accordance with design or operating needs, over the useful life of the facility, while meeting facility occupancy requirements.'';

(B) in paragraph (2), by adding at the end the following:

''(C) ENERGY MANAGEMENT SYSTEM.—An energy manager designated under subparagraph (A) shall consider use of a system to manage energy use at the facility and certification of the facility in accordance with the International Organization for Standardization standard numbered 50001 and entitled 'Energy Management Systems'.'';

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) ENERGY AND WATER EVALUATIONS AND COMMISSIONING.—

''(A) EVALUATIONS.—Except as provided in subparagraph (B), effective beginning on the date that is 180 days after the date of enactment of the North American Energy Security and Infrastructure Act of 2015, and annually thereafter, each energy manager shall complete, for each calendar year, a comprehensive energy and water evaluation and recommissioning or retrocommissioning for approximately 25 percent of the facilities of that energy manager's agency that meet the criteria under paragraph (2)(B) in a manner that ensures that an evaluation of each facility is completed at least once every 4 years.

''(B) EXCEPTIONS.—An evaluation and recommissioning or recommissioning shall not be required under subparagraph (A) with respect to a facility that—

''(i) has had a comprehensive energy and water evaluation during the 8-year period preceding the date of the evaluation;

''(ii)(I) has been commissioned, recommissioned, or retrocommissioned during the 10-year period preceding the date of the evaluation; or

''(II) is under ongoing commissioning, recommissioning, or retrocommissioning;

''(iii) has not had a major change in function or use since the previous evaluation and commissioning, recommissioning, or retrocommissioning;

''(iv) has been benchmarked with public disclosure under paragraph (8) within the year preceding the evaluation; and

''(v)(I) based on the benchmarking, has achieved at a facility level the most recent cumulative energy savings target under subsection (a) compared to the earlier of—

''(aa) the date of the most recent evaluation; or

''(bb) the date—

''(AA) of the most recent commissioning, recommissioning, or retrocommissioning; or

''(BB) on which ongoing commissioning, recommissioning, or retrocommissioning began; or

''(II) has a long-term contract in place guaranteeing energy savings at least as great as the energy savings target under subclause (I).

''(4) IMPLEMENTATION OF IDENTIFIED ENERGY AND WATER EFFICIENCY MEASURES.—

''(A) IN GENERAL.—Not later than 2 years after the date of completion of each evaluation under paragraph (3), each energy manager may—

''(i) implement any energy- or water-saving measure that the Federal agency identified in the evaluation conducted under paragraph (3) that is life-cycle cost effective; and

''(ii) bundle individual measures of varying paybacks together into combined projects.

''(B) MEASURES NOT IMPLEMENTED.—Each energy manager, as part of the certification system under paragraph (7) and using guidelines developed by the Secretary, shall pro-

vide an explanation regarding any life-cycle cost-effective measures described in subparagraph (A)(i) that have not been implemented.''; and

(D) in paragraph (7)(C), by adding at the end the following:

''(iii) SUMMARY REPORT.—The Secretary shall make publicly available a report that summarizes the information tracked under subparagraph (B)(i) by each agency and, as applicable, by each type of measure.''.

**SEC. 3117. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION SYSTEM AND LEVEL FOR FEDERAL BUILDINGS.**

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) in paragraph (6), by striking ''to be constructed'' and inserting ''constructed or altered''; and

(2) by adding at the end the following:

''(17) MAJOR RENOVATION.—The term 'major renovation' means a modification of building energy systems sufficiently extensive that the whole building can meet energy standards for new buildings, based on criteria to be established by the Secretary through notice and comment rulemaking.''.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended—

(1) in subsection (a)(3)—

(A) by striking ''(3)(A) Not later than'' and all that follows through the end of subparagraph (B) and inserting the following:

''(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION FOR GREEN BUILDINGS.—

''(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the North American Energy Security and Infrastructure Act of 2015, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that—

''(I) new Federal buildings and alterations and additions to existing Federal buildings—

''(aa) meet or exceed the most recent revision of the IECC (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) as of the date of enactment of the North American Energy Security and Infrastructure Act of 2015; and

''(bb) meet or exceed the energy provisions of State and local building codes applicable to the building, if the codes are more stringent than the IECC or ASHRAE Standard 90.1, as applicable;

''(II) unless demonstrated not to be life-cycle cost effective for new Federal buildings and Federal buildings with major renovations—

''(aa) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the IECC, as appropriate, that is applied under subclause (I)(aa), including updates under subparagraph (B); and

''(bb) sustainable design principles are applied to the location, siting, design, and construction of all new Federal buildings and replacement Federal buildings;

''(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective; and

''(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

''(ii) LIMITATION.—Clause (i)(I) shall not apply to unaltered portions of existing Federal buildings and systems that have been added to or altered.

''(B) UPDATES.—Not later than 1 year after the date of approval of each subsequent revision of ASHRAE Standard 90.1 or the IECC, as appropriate, the Secretary shall determine whether the revised standards established under subparagraph (A) should be updated to reflect the revisions, based on the energy savings and life-cycle cost effectiveness of the revisions.'';

(B) in subparagraph (C), by striking ''(C) In the budget request'' and inserting the following:

''(C) BUDGET REQUEST.—In the budget request''; and

(C) in subparagraph (D)—

(i) by striking ''(D) Not later than'' and all that follows through the end of the first sentence of clause (i)(III) and inserting the following:

''(D) CERTIFICATION FOR GREEN BUILDINGS.—

''(i) IN GENERAL.—'';

(ii) by striking clause (ii);

(iii) in clause (iii), by striking ''(iii) In identifying'' and inserting the following:

''(ii) CONSIDERATIONS.—In identifying'';

(iv) in clause (iv)—

(I) by striking ''(iv) At least once'' and inserting the following:

''(iii) STUDY.—At least once''; and

(II) by striking ''clause (iii)'' and inserting ''clause (ii)'';

(v) in clause (v)—

(I) by striking ''(v) The Secretary may'' and inserting the following:

''(iv) INTERNAL CERTIFICATION PROCESSES.—The Secretary may''; and

(II) by striking ''clause (i)(III)'' each place it appears and inserting ''clause (i)'';

(vi) in clause (vi)—

(I) by striking ''(vi) With respect'' and inserting the following:

''(v) PRIVATIZED MILITARY HOUSING.—With respect''; and

(II) by striking ''develop alternative criteria to those established by subclauses (I) and (III) of clause (i) that achieve an equivalent result in terms of energy savings, sustainable design, and'' and inserting ''develop alternative certification systems and levels than the systems and levels identified under clause (i) that achieve an equivalent result in terms of''; and

(vii) in clause (vii), by striking ''(vii) In addition to'' and inserting the following:

''(vi) WATER CONSERVATION TECHNOLOGIES.—In addition to''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) PERIODIC REVIEW.—The Secretary shall—

''(1) every 5 years, review the Federal building energy standards established under this section; and

''(2) on completion of a review under paragraph (1), if the Secretary determines that significant energy savings would result, upgrade the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.''.

**SEC. 3118. OPERATION OF BATTERY RECHARGING STATIONS IN PARKING AREAS USED BY FEDERAL EMPLOYEES.**

(a) AUTHORIZATION.—

(1) IN GENERAL.—The head of any office of the Federal Government which owns or operates a parking area for the use of its employees (either directly or indirectly through a contractor) may install, construct, operate, and maintain on a reimbursable basis a battery recharging station in such area for the use of privately owned vehicles of employees of the office and others who are authorized to park in such area.

(2) USE OF VENDORS.—The head of an office may carry out paragraph (1) through a contract with a vendor, under such terms and conditions (including terms relating to the allocation between the office and the vendor of the costs of carrying out the contract) as the head of the office and the vendor may agree to.

(b) IMPOSITION OF FEES TO COVER COSTS.—

(1) FEES.—The head of an office of the Federal Government which operates and maintains a battery recharging station under this section shall charge fees to the individuals who use the station in such amount as is necessary to ensure that office recovers all of the costs it incurs in installing, constructing, operating, and maintaining the station.

(2) DEPOSIT AND AVAILABILITY OF FEES.—Any fees collected by the head of an office under this subsection shall be—

(A) deposited monthly in the Treasury to the credit of the appropriations account for salaries and expenses of the office; and

(B) available for obligation without further appropriation during—

(i) the fiscal year collected; and

(ii) the fiscal year following the fiscal year collected.

(c) NO EFFECT ON EXISTING PROGRAMS FOR HOUSE AND SENATE.—Nothing in this section may be construed to affect the installation, construction, operation, or maintenance of battery recharging stations by the Architect of the Capitol—

(1) under Public Law 112–170 (2 U.S.C. 2171), relating to employees of the House of Representatives and individuals authorized to park in any parking area under the jurisdiction of the House of Representatives on the Capitol Grounds; or

(2) under Public Law 112–167 (2 U.S.C. 2170), relating to employees of the Senate and individuals authorized to park in any parking area under the jurisdiction of the Senate on the Capitol Grounds.

(d) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2016 and each succeeding fiscal year.

**SEC. 3119. REPORT ON ENERGY SAVINGS AND GREENHOUSE GAS EMISSIONS REDUCTION FROM CONVERSION OF CAPTURED METHANE TO ENERGY.**

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of captured methane converted for energy and power generation on Federal lands, Federal buildings, and relevant municipalities that use such generation, and the return on investment and reduction in greenhouse gas emissions of utilizing such power generation.

(b) CONTENTS.—The report shall include—

(1) a summary of energy performance and savings resulting from the utilization of such power generation, including short-term and long-term (20 years) projections of such savings; and

(2) an analysis of the reduction in greenhouse emissions resulting from the utilization of such power generation.

**CHAPTER 2—ENERGY EFFICIENT TECHNOLOGY AND MANUFACTURING**

**SEC. 3121. INCLUSION OF SMART GRID CAPABILITY ON ENERGY GUIDE LABELS.**

Section 324(a)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)) is amended by adding the following at the end:

''(J) SMART GRID CAPABILITY ON ENERGY GUIDE LABELS.—

''(i) RULE.—Not later than 1 year after the date of enactment of this subparagraph, the

Commission shall initiate a rulemaking to consider making a special note in a prominent manner on any Energy Guide label for any product that includes Smart Grid capability that—

''(I) Smart Grid capability is a feature of that product;

''(II) the use and value of that feature depend on the Smart Grid capability of the utility system in which the product is installed and the active utilization of that feature by the customer; and

''(III) on a utility system with Smart Grid capability, the use of the product's Smart Grid capability could reduce the customer's cost of the product's annual operation as a result of the incremental energy and electricity cost savings that would result from the customer taking full advantage of such Smart Grid capability.

''(ii) DEADLINE.—Not later than 3 years after the date of enactment of this subparagraph, the Commission shall complete the rulemaking initiated under clause (i).''.

**SEC. 3122. VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.**

Section 326(b) of the Energy Policy and Conservation Act (42 U.S.C. 6296(b)) is amended by adding at the end the following:

''(6) VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.—

''(A) RELIANCE ON VOLUNTARY PROGRAMS.—For the purpose of verifying compliance with energy conservation standards established under sections 325 and 342 for covered products described in paragraphs (3), (4), (5), (9), and (11) of section 322(a) and covered equipment described in subparagraphs (B), (C), (D), (F), (I), (J), and (K) of section 340(1), the Secretary shall rely on testing conducted by recognized voluntary verification programs that are recognized by the Secretary in accordance with subparagraph (B).

''(B) RECOGNITION OF VOLUNTARY VERIFICATION PROGRAMS.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall initiate a negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990') to develop criteria that have consensus support for achieving recognition by the Secretary as an approved voluntary verification program. Any subsequent amendment to such criteria may be made only pursuant to a subsequent negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code.

''(ii) MINIMUM REQUIREMENTS.—The criteria developed under clause (i) shall, at a minimum, ensure that a voluntary verification program—

''(I) is nationally recognized;

''(II) is operated by a third party and not directly operated by a program participant;

''(III) satisfies any applicable elements of—

''(aa) International Organization for Standardization standard numbered 17025; and

''(bb) any other relevant International Organization for Standardization standards identified and agreed to through the negotiated rulemaking under clause (i);

''(IV) at least annually tests independently obtained products following the test procedures established under this title to verify the certified rating of a representative sample of products and equipment within the scope of the program;

''(V) maintains a publicly available list of all ratings of products subject to verification;

''(VI) requires the changing of the performance rating or removal of the product or equipment from the program if testing determines that the performance rating does not meet the levels the manufacturer has certified to the Secretary;

''(VII) requires new program participants to substantiate ratings through test data generated in accordance with Department of Energy regulations;

''(VIII) allows for challenge testing of products and equipment within the scope of the program;

''(IX) requires program participants to disclose the performance rating of all covered products and equipment within the scope of the program for the covered product or equipment;

''(X) provides to the Secretary—

''(aa) an annual report of all test results, the contents of which shall be determined through the negotiated rulemaking process under clause (i); and

''(bb) test reports, on the request of the Secretary, that note any instructions specified by the manufacturer or the representative of the manufacturer for the purpose of conducting the verification testing; and

''(XI) satisfies any additional requirements or standards that the Secretary shall establish consistent with this subparagraph.

''(iii) CESSATION OF RECOGNITION.—The Secretary may only cease recognition of a voluntary verification program as an approved program described in subparagraph (A) upon a finding that the program is not meeting its obligations for compliance through program review criteria developed during the negotiated rulemaking conducted under subparagraph (B).

''(C) ADMINISTRATION.—

''(i) IN GENERAL.—The Secretary shall not require—

''(I) manufacturers to participate in a recognized voluntary verification program described in subparagraph (A); or

''(II) participating manufacturers to provide information that has already been provided to the Secretary.

''(ii) LIST OF COVERED PRODUCTS.—The Secretary may maintain a publicly available list of covered products and equipment that distinguishes between products that are and are not covered products and equipment verified through a recognized voluntary verification program described in subparagraph (A).

''(iii) PERIODIC VERIFICATION TESTING.—The Secretary—

''(I) shall not subject products or equipment that have been verification tested under a recognized voluntary verification program described in subparagraph (A) to periodic verification testing to verify the accuracy of the certified performance rating of the products or equipment; but

''(II) may require testing of products or equipment described in subclause (I)—

''(aa) if the testing is necessary—

''(AA) to assess the overall performance of a voluntary verification program;

''(BB) to address specific performance issues;

''(CC) for use in updating test procedures and standards; or

''(DD) for other purposes consistent with this title; or

''(bb) if such testing is agreed to during the negotiated rulemaking conducted under subparagraph (B).

''(D) EFFECT ON OTHER AUTHORITY.—Nothing in this paragraph limits the authority of the Secretary to enforce compliance with any law.''.

**SEC. 3123. FACILITATING CONSENSUS FURNACE STANDARDS.**

(a) CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) acting pursuant to the requirements of section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295), the Secretary of Energy is considering amending the energy conservation standards applicable to residential nonweatherized gas furnaces and mobile home gas furnaces;

(B) numerous stakeholders, representing manufacturers, distributors, and installers of residential nonweatherized gas furnaces and mobile home furnaces, natural gas utilities, home builders, multifamily property owners, and energy efficiency, environmental, and consumer advocates have begun negotiations in an attempt to agree on a consensus recommendation to the Secretary on levels for such standards that will meet the statutory criteria; and

(C) the stakeholders believe these negotiations are likely to result in a consensus recommendation, but several of the stakeholders do not support suspending the current rulemaking.

(2) PURPOSE.—It is the purpose of this section to provide the stakeholders described in paragraph (1) with an opportunity to continue negotiations for a limited time period to facilitate the proposal for adoption of standards that enjoy consensus support, while not delaying the current rulemaking except to the extent necessary to provide such opportunity.

(b) OPPORTUNITY FOR A NEGOTIATED FURNACE STANDARD.—Section 325(f)(4) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)(4)) is amended by adding after subparagraph (D) the following:

''(E)(i) Unless the Secretary has published such a notice prior to the date of enactment of this Act, the Secretary shall publish, not later than October 31, 2015, a supplemental notice of proposed rulemaking or a notice of data availability updating the proposed rule entitled 'Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Furnaces' and published in the Federal Register on March 12, 2015 (80 Fed. Reg. 13119), to provide notice and an opportunity for comment on—

''(I) dividing nonweatherized gas furnaces into two or more product classes with separate energy conservation standards based on capacity; and

''(II) any other matters the Secretary determines appropriate.

''(ii) On receipt of a statement that is submitted on or before January 1, 2016, jointly by interested persons that are fairly representative of relevant points of view, that contains recommended standards for nonweatherized gas furnaces and mobile home gas furnaces that are consistent with the requirements of this part (except that the date on which such standards will apply may be earlier or later than the date required under this part), the Secretary shall evaluate the standards proposed in the joint statement for consistency with the requirements of subsection (o), and shall publish notice of the potential adoption of the standards proposed in the joint statement, modified as necessary to ensure consistency with subsection (o). The Secretary shall solicit public comment for a period of at least 30 days with respect to such notice.

''(iii) Not later than July 31, 2016, but not before July 1, 2016, the Secretary shall publish a final rule containing a determination of whether the standards for nonweatherized gas furnaces and mobile home gas furnaces should be amended. Such rule shall contain any such amendments to the standards.''.

**SEC. 3124. NO WARRANTY FOR CERTAIN CERTIFIED ENERGY STAR PRODUCTS.**

Section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) is amended by adding at the end the following new subsection:

''(e) NO WARRANTY.—

''(1) IN GENERAL.—Any disclosure relating to participation of a product in the Energy

Star program shall not create an express or implied warranty or give rise to any private claims or rights of action under State or Federal law relating to the disqualification of that product from Energy Star if—

''(A) the product has been certified by a certification body recognized by the Energy Star program;

''(B) the Administrator has approved corrective measures, including a determination of whether or not consumer compensation is appropriate; and

''(C) the responsible party has fully complied with all approved corrective measures.

''(2) CONSTRUAL.—Nothing in this subsection shall be construed to require the Administrator to modify any procedure or take any other action.''.

**SEC. 3125. CLARIFICATION TO EFFECTIVE DATE FOR REGIONAL STANDARDS.**

Section 325(o)(6)(E)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6295(o)(6)(E)(ii)) is amended by striking ''installed'' and inserting ''manufactured or imported into the United States''.

**SEC. 3126. INTERNET OF THINGS REPORT.**

The Secretary of Energy shall, not later than 18 months after the date of enactment of this Act, report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the efforts made to take advantage of, and promote, the utilization of advanced technologies such as Internet of Things end-to-end platform solutions to provide real-time actionable analytics and enable predictive maintenance and asset management to improve energy efficiency wherever feasible. In doing so, the Secretary shall look to encourage and utilize Internet of Things energy management solutions that have security tightly integrated into the hardware and software from the outset. The Secretary shall also encourage the use of Internet of Things solutions that enable seamless connectivity and that are interoperable, open standards-based, and built on a repeatable foundation for ease of scalability.

**SEC. 3127. ENERGY SAVINGS FROM LUBRICATING OIL.**

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in cooperation with the Administrator of the Environmental Protection Agency and the Director of Management and Budget, shall—

(1) review and update the report prepared pursuant to section 1838 of the Energy Policy Act of 2005;

(2) after consultation with relevant Federal, State, and local agencies and affected industry and stakeholder groups, update data that was used in preparing that report; and

(3) prepare and submit to Congress a coordinated Federal strategy to increase the beneficial reuse of used lubricating oil, that—

(A) is consistent with national policy as established pursuant to section 2 of the Used Oil Recycling Act of 1980 (Public Law 96–463); and

(B) addresses measures needed to—

(i) increase the responsible collection of used oil;

(ii) disseminate public information concerning sustainable reuse options for used oil; and

(iii) promote sustainable reuse of used oil by Federal agencies, recipients of Federal grant funds, entities contracting with the Federal Government, and the general public.

**SEC. 3128. DEFINITION OF EXTERNAL POWER SUPPLY.**

Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through ''The term'' and inserting the following:

''(A) EXTERNAL POWER SUPPLY.—

''(i) IN GENERAL.—The term''; and

(2) by adding at the end the following:

''(ii) EXCLUSION.—The term 'external power supply' does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

''(I) light-emitting diodes providing illumination; or

''(II) organic light-emitting diodes providing illumination.''.

**SEC. 3129. STANDARDS FOR POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.**

(a) IN GENERAL.—Section 325(u) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)) is amended by adding at the end the following:

''(6) POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.—Notwithstanding the exclusion described in section 321(36)(A)(ii), the Secretary may prescribe, in accordance with subsections (o) and (p) and section 322(b), an energy conservation standard for a power supply circuit, driver, or device that is designed primarily to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination.''.

(b) ENERGY CONSERVATION STANDARDS.—Section 346 of the Energy Policy and Conservation Act (42 U.S.C. 6317) is amended by adding at the end the following:

''(g) ENERGY CONSERVATION STANDARD FOR POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.—Not earlier than 1 year after applicable testing requirements are prescribed under section 343, the Secretary may prescribe an energy conservation standard for a power supply circuit, driver, or device that is designed primarily to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination.''.

## CHAPTER 3—SCHOOL BUILDINGS

**SEC. 3131. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.**

Section 392 of the Energy Policy and Conservation Act (42 U.S.C. 6371a) is amended by adding at the end the following:

''(e) COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.—

''(1) DEFINITION OF SCHOOL.—Notwithstanding section 391(6), for the purposes of this subsection, the term 'school' means—

''(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)));

''(C) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

''(D) a school operated by the Bureau of Indian Affairs;

''(E) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

''(F) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

''(2) ESTABLISHMENT OF CLEARINGHOUSE.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall establish a clearinghouse to disseminate information regarding available Federal programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools.

''(3) REQUIREMENTS.—In carrying out paragraph (2), the Secretary shall—

''(A) consult with appropriate Federal agencies to develop a list of Federal programs and financing mechanisms that are, or may be, used for the purposes described in paragraph (2); and

''(B) coordinate with appropriate Federal agencies to develop a collaborative education and outreach effort to streamline communications and promote available Federal programs and financing mechanisms described in subparagraph (A), which may include the development and maintenance of a single online resource that includes contact information for relevant technical assistance in the Office of Energy Efficiency and Renewable Energy that States, local education agencies, and schools may use to effectively access and use such Federal programs and financing mechanisms.''.

## CHAPTER 4—BUILDING ENERGY CODES

**SEC. 3141. GREATER ENERGY EFFICIENCY IN BUILDING CODES.**

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832), as amended by section 3116, is further amended—

(1) by striking paragraph (14) and inserting the following:

''(14) MODEL BUILDING ENERGY CODE.—The term 'model building energy code' means a voluntary building energy code or standard developed and updated through a consensus process among interested persons, such as the IECC or ASHRAE Standard 90.1 or a code used by other appropriate organizations regarding which the Secretary has issued a determination that buildings subject to it would achieve greater energy efficiency than under a previously developed code.''; and

(2) by adding at the end the following:

''(18) ASHRAE STANDARD 90.1.—The term 'ASHRAE Standard 90.1' means the American Society of Heating, Refrigerating and Air-Conditioning Engineers ANSI/ASHRAE/IES Standard 90/1 Energy Standard for Buildings Except Low-Rise Residential Buildings.

''(19) COST-EFFECTIVE.—The term 'cost-effective' means having a simple payback of 10 years or less.

''(20) IECC.—The term 'IECC' means the International Energy Conservation Code as published by the International Code Council.

''(21) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(22) SIMPLE PAYBACK.—The term 'simple payback' means the time in years that is required for energy savings to exceed the incremental first cost of a new requirement or code.

''(23) TECHNICALLY FEASIBLE.—The term 'technically feasible' means capable of being achieved, based on widely available appliances, equipment, technologies, materials, and construction practices.''.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

**''SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.**

''(a) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (e), for the purposes of—

''(1) implementation of building energy codes by States, Indian tribes, and, as appropriate, by local governments, that are technically feasible and cost-effective; and

''(2) supporting full compliance with the State, tribal, and local codes.

''(b) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

''(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

''(A) IN GENERAL.—Not later than 3 years after the date on which a model building energy code is published, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a statement of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

''(i) the energy savings of the most recently published model building energy code; or

''(ii) the targets established under section 307(b)(2).

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 3 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

''(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1);

''(B) determine whether the certification submitted by the State or Indian tribe, respectively, is complete; and

''(C) if the requirements of subparagraph (B) are satisfied, validate the certification.

''(3) LIMITATION.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(c) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State or Indian tribe, respectively, has—

''(i) achieved full compliance under paragraph (3) with the applicable certified State or Indian tribe building energy code or with the associated model building energy code; or

''(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State or Indian tribe building energy code or with the associated model building energy code.

''(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance.

''(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

''(A) inspections of a random sample of the buildings covered by the code in the preceding year; or

''(B) an alternative method that yields an accurate measure of compliance.

''(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

''(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

''(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

''(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

''(A) has developed and is implementing a plan for achieving compliance during the 8-year period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

''(B) has met the most recent target under subparagraph (A).

''(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance;

''(B) determine whether the certification submitted by the State or Indian tribe is complete; and

''(C) if the requirements of subparagraph (B) are satisfied, validate the certification.

''(6) LIMITATION.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

''(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification.

''(2) STATE SOVEREIGNTY.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

''(4) ANNUAL REPORTS BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

''(i) the status of model building energy codes;

''(ii) the status of code adoption and compliance in the States and Indian tribes;

''(iii) implementation of this section; and

''(iv) improvements in energy savings over time as a result of the targets established under section 307(b)(2).

''(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

''(i) upfront financial and construction costs, cost benefits and returns (using a return on investment analysis), and lifetime energy use for buildings;

''(ii) resulting energy costs to individuals and businesses; and

''(iii) resulting overall annual building ownership and operating costs.

''(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—

''(1) IN GENERAL.—The Secretary shall, upon request, provide technical assistance to States and Indian tribes to implement the goals and requirements of this section—

''(A) to implement State residential and commercial building energy codes; and

''(B) to document the rate of compliance with a building energy code.

''(2) TECHNICAL ASSISTANCE.—The assistance shall include, as requested by the State or Indian tribe, technical assistance in—

''(A) evaluating the energy savings of building energy codes;

''(B) assessing the economic considerations, referenced in section 307(b)(4), of implementing building energy codes;

''(C) building energy analysis and design tools;

''(D) energy simulation models;

''(E) building demonstrations;

''(F) developing the definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes; and

''(G) complying with a performance-based pathway referenced in the model code.

''(3) EXCLUSION.—For purposes of this section, 'technical assistance' shall not include actions that promote or discourage the adoption of a particular building energy code, code provision, or energy savings target to a State or Indian tribe.

''(4) INFORMATION QUALITY AND TRANSPARENCY.—For purposes of this section, information provided by the Secretary, attendant to any technical assistance provided to a State or Indian tribe, is 'influential information' and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (February 22, 2002).

''(f) FEDERAL SUPPORT.—

''(1) IN GENERAL.—The Secretary shall provide support to States and Indian tribes—

''(A) to implement the reporting requirements of this section; and

''(B) to implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal, and local building code officials to implement and enforce the codes.

''(2) EXCLUSION.—Support shall not be given to support adoption and implementation of model building energy codes for which the Secretary has made a determination under section 307(g)(1)(C) that the code is not cost-effective.

''(3) TRAINING.—Support shall be offered to States to train State and local building code officials to implement and enforce codes described in paragraph (1)(B).

''(4) LOCAL GOVERNMENTS.—States may work under this subsection with local governments that implement and enforce codes described in paragraph (1)(B).

''(g) VOLUNTARY PROGRAMS TO EXCEED MODEL BUILDING ENERGY CODE.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (e), for the development of voluntary programs that exceed the model building energy codes for residential and commercial buildings for use as—

''(A) voluntary incentive programs adopted by local, tribal, or State governments; and

''(B) nonbinding guidelines for energy-efficient building design.

''(2) TARGETS.—The voluntary programs described in paragraph (1) shall be designed—

''(A) to achieve substantial energy savings compared to the model building energy codes; and

''(B) to meet targets under section 307(b), if available, up to 3 to 6 years in advance of the target years.

''(h) STUDIES.—

''(1) GAO STUDY.—

''(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the impacts of updating the national model building energy codes for resi-

dential and commercial buildings. In conducting the study, the Comptroller General shall consider and report, at a minimum—

''(i) the actual energy consumption savings stemming from updated energy codes compared to the energy consumption savings predicted during code development;

''(ii) the actual consumer cost savings stemming from updated energy codes compared to predicted consumer cost savings; and

''(iii) an accounting of expenditures of the Federal funds under each program authorized by this title.

''(B) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of the North American Energy Security and Infrastructure Act of 2015, the Comptroller General of the United States shall submit a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives including the study findings and conclusions.

''(2) FEASIBILITY STUDY.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

''(A) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

''(B) code procedures to incorporate a ten-year payback, not just first-year energy use, in trade-offs and performance calculations; and

''(C) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local verification of compliance with and enforcement of a code.

''(3) ENERGY DATA IN MULTITENANT BUILDINGS.—The Secretary, in consultation with appropriate representatives of the utility, utility regulatory, building ownership, and other stakeholders, shall—

''(A) undertake a study of best practices regarding delivery of aggregated energy consumption information to owners and managers of residential and commercial buildings with multiple tenants and uses; and

''(B) consider the development of a memorandum of understanding between and among affected stakeholders to reduce barriers to the delivery of aggregated energy consumption information to such owners and managers.

''(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

''(j) FUNDING LIMITATIONS.—No Federal funds shall be—

''(1) used to support actions by the Secretary, or States, to promote or discourage the adoption of a particular building energy code, code provision, or energy saving target to a State or Indian tribe; or

''(2) provided to private third parties or non-governmental organizations to engage in such activities.''.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking ''voluntary building energy code'' in subsections (a)(2)(B) and (b) and inserting ''model building energy code''.

(d) MODEL BUILDING ENERGY CODES.—

(1) AMENDMENT.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

**''SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.**

''(a) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (c), for updating of model building energy codes.

''(b) TARGETS.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance, for updating the model building energy codes.

''(2) TARGETS.—

''(A) IN GENERAL.—The Secretary shall provide technical assistance to States, Indian tribes, local governments, nationally recognized code and standards developers, and other interested parties for updating of model building energy codes by establishing one or more aggregate energy savings targets through rulemaking in accordance with section 553 of title 5, United States Code, to achieve the purposes of this section.

''(B) SEPARATE TARGETS.—Separate targets may be established for commercial and residential buildings.

''(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1–2010 for commercial buildings.

''(D) SPECIFIC YEARS.—

''(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking in accordance with section 553 of title 5, United States Code, and coordinated with nationally recognized code and standards developers at a level that—

''(I) is at the maximum level of energy efficiency that is technically feasible and cost effective, while accounting for the economic considerations under paragraph (4); and

''(II) promotes the achievement of commercial and residential high performance buildings through high performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

''(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

''(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

''(E) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104–121) for any indirect economic effect on small entities that is reasonably foreseeable and a result of such rule.

''(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing energy savings targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

''(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

''(B) advancement of distributed generation and on-site renewable power generation technologies;

''(C) equipment improvements for heating, cooling, and ventilation systems and water heating systems;

''(D) building management systems and smart grid technologies to reduce energy use; and

''(E) other technologies, practices, and building systems regarding building plug load and other energy uses.

In developing and adjusting the targets, the Secretary shall use climate zone weighted averages for equipment efficiency for heating, cooling, ventilation, and water heating systems, using equipment that is actually installed.

''(4) ECONOMIC CONSIDERATIONS.—In establishing and revising energy savings targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, by conducting a return on investment analysis, using a simple payback methodology over a 3-, 5-, and 7-year period. The Secretary shall not propose or provide technical or financial assistance for any code, provision in the code, or energy target, or amendment thereto, that has a payback greater than 10 years.

''(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

''(2) TECHNICAL ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

''(A) evaluating the energy savings of building energy codes;

''(B) assessing the economic considerations, under subsection (b)(4), of code or standards proposals or revisions;

''(C) building energy analysis and design tools;

''(D) energy simulation models;

''(E) building demonstrations;

''(F) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

''(G) developing a performance-based pathway for compliance;

''(H) developing model building energy codes by Indian tribes in accordance with tribal law; and

''(I) code development meetings, including through direct Federal employee participation in committee meetings, hearings and online communication, voting, and presenting research and technical or economic analyses during such meetings.

''(3) EXCLUSION.—Except as provided in paragraph (2)(I), for purposes of this section, 'technical assistance' shall not include actions that promote or discourage the adoption of a particular building energy code, code provision, or energy savings target.

''(4) INFORMATION QUALITY AND TRANSPARENCY.—For purposes of this section, information provided by the Secretary, attendant to development of any energy savings targets, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (February 22, 2002).

''(d) AMENDMENT PROPOSALS.—

''(1) IN GENERAL.—The Secretary may submit timely model building energy code amendment proposals that are technically feasible, cost-effective, and technology-neutral to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

''(2) PROCESS AND FACTORS.—All amendment proposals submitted by the Secretary shall be published in the Federal Register and made available on the Department of Energy website 90 days prior to any submittal to a code development body, and shall be subject to a public comment period of not

less than 60 days. Information provided by the Secretary, attendant to submission of any amendment proposals, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (February 22, 2002). When calculating the costs and benefits of an amendment, the Secretary shall use climate zone weighted averages for equipment efficiency for heating, cooling, ventilation, and water heating systems, using equipment that is actually installed.

''(e) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

''(f) METHODOLOGY DEVELOPMENT.—The Secretary shall establish a methodology for evaluating cost effectiveness of energy code changes in multifamily buildings that incorporates economic parameters representative of typical multifamily buildings.

''(g) DETERMINATION.—

''(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision—

''(A) improves energy efficiency in buildings compared to the existing IECC or ASHRAE Standard 90.1, as applicable;

''(B) meets the applicable targets under subsection (b)(2); and

''(C) is technically feasible and cost-effective.

''(2) CODES OR STANDARDS NOT MEETING CRITERIA.—

''(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a revised IECC or ASHRAE Standard 90.1 does not meet the targets established under subsection (b)(2), is not technically feasible, or is not cost-effective, the Secretary may at the same time provide technical assistance, as described in subsection (c), to the International Code Council or ASHRAE, as applicable, with proposed changes that would result in a model building energy code or standard that meets the criteria, and with supporting evidence. Proposed changes submitted by the Secretary shall be published in the Federal Register and made available on the Department of Energy website 90 days prior to any submittal to a code development body, and shall be subject to a public comment period of not less than 60 days. Information provided by the Secretary, attendant to submission of any amendment proposals, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (February 22, 2002).

''(B) INCORPORATION OF CHANGES.—

''(i) IN GENERAL.—On receipt of the technical assistance, as described in subsection (c), the International Code Council or ASHRAE, as applicable, shall, prior to the Secretary making a final determination under paragraph (1), have an additional 270 days to accept or reject the proposed changes made by the Secretary to the model building energy code or standard.

''(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the final revised model building energy code or standard.

''(h) ADMINISTRATION.—In carrying out this section, the Secretary shall—

''(1) publish notice of targets, amendment proposals and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment;

''(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section, in accordance with section 553 of title 5, United States Code; and

''(3) provide an opportunity for public comment on amendment proposals.

''(i) VOLUNTARY CODES AND STANDARDS.—Not withstanding any other provision of this section, any model building code or standard established under this section shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.''.

(2) CONFORMING AMENDMENT.—The item relating to section 307 in the table of contents for the Energy Conservation and Production Act is amended to read as follows:

''Sec. 307. Support for model building energy codes.''.

**SEC. 3142. VOLUNTARY NATURE OF BUILDING ASSET RATING PROGRAM.**

(a) IN GENERAL.—Any program of the Secretary of Energy that may enable the owner of a commercial building or a residential building to obtain a rating, score, or label regarding the actual or anticipated energy usage or performance of a building shall be made available on a voluntary, optional, and market-driven basis.

(b) DISCLAIMER AS TO REGULATORY INTENT.—Information disseminated by the Secretary of Energy regarding the program described in subsection (a), including any information made available by the Secretary on a website, shall include language plainly stating that such program is not developed or intended to be the basis for a regulatory program by a Federal, State, local, or municipal government body.

**CHAPTER 5—EPCA TECHNICAL CORRECTIONS AND CLARIFICATIONS**

**SEC. 3151. MODIFYING PRODUCT DEFINITIONS.**

(a) AUTHORITY TO MODIFY DEFINITIONS.—

(1) COVERED PRODUCTS.—Section 322 of the Energy Policy and Conservation Act (42 U.S.C. 6292) is amended by adding at the end the following:

''(c) MODIFYING DEFINITIONS OF COVERED PRODUCTS.—

''(1) IN GENERAL.—For any covered product for which a definition is provided in section 321, the Secretary may, by rule, unless prohibited herein, modify such definition in order to—

''(A) address significant changes in the product or the market occurring since the definition was established; and

''(B) better enable improvements in the energy efficiency of the product as part of an energy using system.

''(2) ANTIBACKSLIDING EXEMPTION.—Section 325(o)(1) shall not apply to adjustments to covered product definitions made pursuant to this subsection.

''(3) PROCEDURE FOR MODIFYING DEFINITION.—

''(A) IN GENERAL.—Notice of any adjustment to the definition of a covered product and an explanation of the reasons therefor shall be published in the Federal Register and opportunity provided for public comment.

''(B) CONSENSUS REQUIRED.—Any amendment to the definition of a covered product under this subsection must have consensus support, as reflected in—

''(i) the outcome of negotiations conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary's receipt of a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates), as determined by the Secretary, which contains a recommended modified definition for a covered product.

''(4) EFFECT OF A MODIFIED DEFINITION.—

''(A) IN GENERAL.—For any type or class of consumer product which becomes a covered product pursuant to this subsection—

''(i) the Secretary may establish test procedures for such type or class of covered product pursuant to section 323 and energy conservation standards pursuant to section 325(l);

''(ii) the Commission may prescribe labeling rules pursuant to section 324 if the Commission determines that labeling in accordance with that section is technologically and economically feasible and likely to assist consumers in making purchasing decisions;

''(iii) section 327 shall begin to apply to such type or class of covered product in accordance with section 325(ii)(1); and

''(iv) standards previously promulgated under section 325 shall not apply to such type or class of product.

''(B) APPLICABILITY.—For any type or class of consumer product which ceases to be a covered product pursuant to this subsection, the provisions of this part shall no longer apply to the type or class of consumer product.''.

(2) COVERED EQUIPMENT.—Section 341 of the Energy Policy and Conservation Act (42 U.S.C. 6312) is amended by adding at the end the following:

''(d) MODIFYING DEFINITIONS OF COVERED EQUIPMENT.—

''(1) IN GENERAL.—For any covered equipment for which a definition is provided in section 340, the Secretary may, by rule, unless prohibited herein, modify such definition in order to—

''(A) address significant changes in the product or the market occurring since the definition was established; and

''(B) better enable improvements in the energy efficiency of the equipment as part of an energy using system.

''(2) ANTIBACKSLIDING EXEMPTION.—Section 325(o)(1) shall not apply to adjustments to covered equipment definitions made pursuant to this subsection.

''(3) PROCEDURE FOR MODIFYING DEFINITION.—

''(A) IN GENERAL.—Notice of any adjustment to the definition of a type of covered equipment and an explanation of the reasons therefor shall be published in the Federal Register and opportunity provided for public comment.

''(B) CONSENSUS REQUIRED.—Any amendment to the definition of a type of covered equipment under this subsection must have consensus support, as reflected in—

''(i) the outcome of negotiations conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary's receipt of a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered equipment, States, and efficiency advocates), as determined by the Secretary, which contains a recommended modified definition for a type of covered equipment.

''(4) EFFECT OF A MODIFIED DEFINITION.—

''(A) For any type or class of equipment which becomes covered equipment pursuant to this subsection—

''(i) the Secretary may establish test procedures for such type or class of covered equipment pursuant to section 343 and en-

ergy conservation standards pursuant to section 325(l);

''(ii) the Secretary may prescribe labeling rules pursuant to section 344 if the Secretary determines that labeling in accordance with that section is technologically and economically feasible and likely to assist purchasers in making purchasing decisions;

''(iii) section 327 shall begin to apply to such type or class of covered equipment in accordance with section 325(ii)(1); and

''(iv) standards previously promulgated under section 325, 342, or 346 shall not apply to such type or class of covered equipment.

''(B) For any type or class of equipment which ceases to be covered equipment pursuant to this subsection the provisions of this part shall no longer apply to the type or class of equipment.''.

(b) CONFORMING AMENDMENTS PROVIDING FOR JUDICIAL REVIEW.—

(1) Section 336 of the Energy Policy and Conservation Act (42 U.S.C. 6306) is amended by striking ''section 323,'' each place it appears and inserting ''section 322, 323,''; and

(2) Section 345(a)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6316(a)(1)) is amended to read as follows:

''(1) the references to sections 322, 323, 324, and 325 of this Act shall be considered as references to sections 341, 343, 344, and 342 of this Act, respectively;''.

**SEC. 3152. CLARIFYING RULEMAKING PROCEDURES.**

(a) COVERED PRODUCTS.—Section 325(p) of the Energy Policy and Conservation Act (42 U.S.C. 6295(p)) is amended—

(1) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (5), and (6), respectively;

(2) by inserting before paragraph (2) (as so redesignated by paragraph (1) of this subsection) the following:

''(1) The Secretary shall provide an opportunity for public input prior to the issuance of a proposed rule, seeking information—

''(A) identifying and commenting on design options;

''(B) on the existence of and opportunities for voluntary nonregulatory actions; and

''(C) identifying significant subgroups of consumers and manufacturers that merit analysis.'';

(3) in paragraph (3) (as so redesignated by paragraph (1) of this subsection)—

(A) in subparagraph (C), by striking ''and'' after ''adequate;'';

(B) in subparagraph (D), by striking ''standard.'' and inserting ''standard;''; and

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

''(E) whether the technical and economic analytical assumptions, methods, and models used to justify the standard to be prescribed are—

''(i) justified; and

''(ii) available and accessible for public review, analysis, and use; and

''(F) the cumulative regulatory impacts on the manufacturers of the product, taking into account—

''(i) other government standards affecting energy use; and

''(ii) other energy conservation standards affecting the same manufacturers.''; and

(4) by inserting after paragraph (3) (as so redesignated by paragraph (1) of this subsection) the following:

''(4) RESTRICTION ON TEST PROCEDURE AMENDMENTS.—

''(A) IN GENERAL.—Any proposed energy conservation standards rule shall be based on the final test procedure which shall be used to determine compliance, and the public comment period on the proposed standards shall conclude no sooner than 180 days after the date of publication of a final rule revising the test procedure.

''(B) EXCEPTION.—The Secretary may propose or prescribe an amendment to the test procedures issued pursuant to section 323 for any type or class of covered product after the issuance of a notice of proposed rulemaking to prescribe an amended or new energy conservation standard for that type or class of covered product, but before the issuance of a final rule prescribing any such standard, if—

''(i) the amendments to the test procedure have consensus support achieved through a rulemaking conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary receives a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of the type or class of covered product, States, and efficiency advocates), as determined by the Secretary, which contains a recommendation that a supplemental notice of proposed rulemaking is not necessary for the type or class of covered product.''.

(b) CONFORMING AMENDMENT.—Section 345(b)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6316(b)(1)) is amended by striking ''section 325(p)(4),'' and inserting ''section 325(p)(3), (4), and (6),''.

## CHAPTER 6—ENERGY AND WATER EFFICIENCY

**SEC. 3161. SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a utility;

(B) a municipality;

(C) a water district; and

(D) any other authority that provides water, wastewater, or water reuse services.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—The term ''smart energy and water efficiency pilot program'' or ''pilot program'' means the pilot program established under subsection (b).

(b) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish and carry out a smart energy and water efficiency management pilot program in accordance with this section.

(2) PURPOSE.—The purpose of the smart energy and water efficiency pilot program is to award grants to eligible entities to demonstrate advanced and innovative technology-based solutions that will—

(A) increase and improve the energy efficiency of water, wastewater, and water reuse systems to help communities across the United States make significant progress in conserving water, saving energy, and reducing costs;

(B) support the implementation of innovative processes and the installation of advanced automated systems that provide real-time data on energy and water; and

(C) improve energy and water conservation, water quality, and predictive maintenance of energy and water systems, through the use of Internet-connected technologies, including sensors, intelligent gateways, and security embedded in hardware.

(3) PROJECT SELECTION.—

(A) IN GENERAL.—The Secretary shall make competitive, merit-reviewed grants under the pilot program to not less than 3, but not more than 5, eligible entities.

(B) SELECTION CRITERIA.—In selecting an eligible entity to receive a grant under the pilot program, the Secretary shall consider—

(i) energy and cost savings anticipated to result from the project;

(ii) the innovative nature, commercial viability, and reliability of the technology to be used;

(iii) the degree to which the project integrates next-generation sensors, software, hardware, analytics, and management tools;

(iv) the anticipated cost effectiveness of the pilot project in terms of energy efficiency savings, water savings or reuse, and infrastructure costs averted;

(v) whether the technology can be deployed in a variety of geographic regions and the degree to which the technology can be implemented on a smaller or larger scale, including whether the technology can be implemented by each type of eligible entity;

(vi) whether the technology has been successfully deployed elsewhere;

(vii) whether the technology is sourced from a manufacturer based in the United States; and

(viii) whether the project will be completed in 5 years or less.

(C) APPLICATIONS.—

(i) IN GENERAL.—Subject to clause (ii), an eligible entity seeking a grant under the pilot program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

(ii) CONTENTS.—An application under clause (i) shall, at a minimum, include—

(I) a description of the project;

(II) a description of the technology to be used in the project;

(III) the anticipated results, including energy and water savings, of the project;

(IV) a comprehensive budget for the project;

(V) the names of the project lead organization and any partners;

(VI) the number of users to be served by the project; and

(VII) any other information that the Secretary determines to be necessary to complete the review and selection of a grant recipient.

(4) ADMINISTRATION.—

(A) IN GENERAL.—Not later than 300 days after the date of enactment of this Act, the Secretary shall select grant recipients under this section.

(B) EVALUATIONS.—The Secretary shall annually carry out an evaluation of each project for which a grant is provided under this section that—

(i) evaluates the progress and impact of the project; and

(ii) assesses the degree to which the project is meeting the goals of the pilot program.

(C) TECHNICAL AND POLICY ASSISTANCE.—On the request of a grant recipient, the Secretary shall provide technical and policy assistance to the grant recipient to carry out the project.

(D) BEST PRACTICES.—The Secretary shall make available to the public—

(i) a copy of each evaluation carried out under subparagraph (B); and

(ii) a description of any best practices identified by the Secretary as a result of those evaluations.

(E) REPORT TO CONGRESS.—The Secretary shall submit to Congress a report containing the results of each evaluation carried out under subparagraph (B).

(c) FUNDING.—To carry out this section, the Secretary is authorized to use not more than $15,000,000, to the extent provided in advance in appropriation Acts.

**SEC. 3162. WATERSENSE.**

(a) IN GENERAL.—The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) is amended by adding after section 324A the following:

**''SEC. 324B. WATERSENSE.**

''(a) WATERSENSE.—

''(1) IN GENERAL.—There is established within the Environmental Protection Agen-

cy a voluntary program, to be entitled 'WaterSense', to identify water efficient products, buildings, landscapes, facilities, processes, and services that sensibly—

''(A) reduce water use;

''(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

''(C) conserve energy used to pump, heat, transport, and treat water; and

''(D) preserve water resources for future generations, through voluntary labeling of, or other forms of communications about, products, buildings, landscapes, facilities, processes, and services while still meeting strict performance criteria.

''(2) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

''(A) establish—

''(i) a WaterSense label to be used for items meeting the certification criteria established in this section; and

''(ii) the procedure, including the methods and means, by which an item may be certified to display the WaterSense label;

''(B) conduct a public awareness education campaign regarding the WaterSense label;

''(C) preserve the integrity of the WaterSense label by—

''(i) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

''(ii) overseeing WaterSense certifications made by third parties;

''(iii) using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

''(iv) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

''(D) not more often than every six years, review and, if appropriate, update WaterSense criteria for the defined categories of water-efficient product, building, landscape, process, or service, including—

''(i) providing reasonable notice to interested parties and the public of any such changes, including effective dates, and an explanation of the changes;

''(ii) soliciting comments from interested parties and the public prior to any such changes;

''(iii) as appropriate, responding to comments submitted by interested parties and the public; and

''(iv) providing an appropriate transition time prior to the applicable effective date of any such changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed.

''(b) USE OF SCIENCE.—In carrying out this section, and, to the degree that an agency action is based on science, the Administrator shall use—

''(1) the best available peer-reviewed science and supporting studies conducted in accordance with sound and objective scientific practices; and

''(2) data collected by accepted methods or best available methods (if the reliability of the method and the nature of the decision justify use of the data).

''(c) DISTINCTION OF AUTHORITIES.—In setting or maintaining standards for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

''(d) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) FEASIBLE.—The term 'feasible' means feasible with the use of the best technology, treatment techniques, and other means that the Administrator finds, after examination for efficacy under field conditions and not solely under laboratory conditions, are available (taking cost into consideration).

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(4) WATER-EFFICIENT PRODUCT, BUILDING, LANDSCAPE, PROCESS, OR SERVICE.—The term 'water-efficient product, building, landscape, process, or service' means a product, building, landscape, process, or service for a residence or a commercial or institutional building, or its landscape, that is rated for water efficiency and performance, the covered categories of which are—

''(A) irrigation technologies and services;

''(B) point-of-use water treatment devices;

''(C) plumbing products;

''(D) reuse and recycling technologies;

''(E) landscaping and gardening products, including moisture control or water enhancing technologies;

''(F) xeriscaping and other landscape conversions that reduce water use; and

''(G) new water efficient homes certified under the WaterSense program.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 42 U.S.C. 6201 et seq.) is amended by inserting after the item relating to section 324A the following new item:

''Sec. 324B. WaterSense.''.

## Subtitle B—Accountability

## CHAPTER 1—MARKET MANIPULATION, ENFORCEMENT, AND COMPLIANCE

### SEC. 3211. FERC OFFICE OF COMPLIANCE ASSISTANCE AND PUBLIC PARTICIPATION.

Section 319 of the Federal Power Act (16 U.S.C. 825q–1) is amended to read as follows:

**''SEC. 319. OFFICE OF COMPLIANCE ASSISTANCE AND PUBLIC PARTICIPATION.**

''(a) ESTABLISHMENT.—There is established within the Commission an Office of Compliance Assistance and Public Participation (referred to in this section as the 'Office'). The Office shall be headed by a Director.

''(b) DUTIES OF DIRECTOR.—

''(1) IN GENERAL.—The Director of the Office shall promote improved compliance with Commission rules and orders by—

''(A) making recommendations to the Commission regarding—

''(i) the protection of consumers;

''(ii) market integrity and support for the development of responsible market behavior;

''(iii) the application of Commission rules and orders in a manner that ensures that—

''(I) rates and charges for, or in connection with, the transmission or sale of electric energy subject to the jurisdiction of the Commission shall be just and reasonable and not unduly discriminatory or preferential; and

''(II) markets for such transmission and sale of electric energy are not impaired and consumers are not damaged; and

''(iv) the impact of existing and proposed Commission rules and orders on small entities, as defined in section 601 of title 5, United States Code (commonly known as the Regulatory Flexibility Act);

''(B) providing entities subject to regulation by the Commission the opportunity to obtain timely guidance for compliance with Commission rules and orders; and

''(C) providing information to the Commission and Congress to inform policy with respect to energy issues under the jurisdiction of the Commission.

''(2) REPORTS AND GUIDANCE.—The Director shall, as the Director determines appropriate, issue reports and guidance to the Commission and to entities subject to regulation by the Commission, regarding market practices, proposing improvements in Commission monitoring of market practices, and addressing potential improvements to both industry and Commission practices.

''(3) OUTREACH.—The Director shall promote improved compliance with Commission rules and orders through outreach, publications, and, where appropriate, direct communication with entities regulated by the Commission.''.

## CHAPTER 2—MARKET REFORMS

### SEC. 3221. GAO STUDY ON WHOLESALE ELECTRICITY MARKETS.

(a) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of a study of whether and how the current market rules, practices, and structures of each regional transmission entity produce rates that are just and reasonable by—

(1) facilitating fuel diversity, the availability of generation resources during emergency and severe weather conditions, resource adequacy, and reliability, including the cost-effective retention and development of needed generation;

(2) promoting the equitable treatment of business models, including different utility types, the integration of diverse generation resources, and advanced grid technologies;

(3) identifying and addressing regulatory barriers to entry, market-distorting incentives, and artificial constraints on competition;

(4) providing transparency regarding dispatch decisions, including the need for out-of-market actions and payments, and the accuracy of day-ahead unit commitments;

(5) facilitating the development of necessary natural gas pipeline and electric transmission infrastructure;

(6) ensuring fairness and transparency in governance structures and stakeholder processes, including meaningful participation by both voting and nonvoting stakeholder representatives;

(7) ensuring the proper alignment of the energy and transmission markets by including both energy and financial transmission rights in the day-ahead markets;

(8) facilitating the ability of load-serving entities to self-supply their service territory load;

(9) considering, as appropriate, State and local resource planning; and

(10) mitigating, to the extent practicable, the disruptive effects of tariff revisions on the economic decisionmaking of market participants.

(b) DEFINITIONS.—In this section:

(1) LOAD-SERVING ENTITY.—The term ''load-serving entity'' has the meaning given that term in section 217 of the Federal Power Act (16 U.S.C. 824q).

(2) REGIONAL TRANSMISSION ENTITY.—The term ''regional transmission entity'' means a Regional Transmission Organization or an Independent System Operator, as such terms are defined in section 3 of the Federal Power Act (16 U.S.C. 796).

### SEC. 3222. CLARIFICATION OF FACILITY MERGER AUTHORIZATION.

Section 203(a)(1)(B) of the Federal Power Act (16 U.S.C. 824b(a)(1)(B)) is amended by striking ''such facilities or any part thereof'' and inserting ''such facilities, or any part thereof, of a value in excess of $10,000,000''.

## CHAPTER 3—CODE MAINTENANCE

**SEC. 3231. REPEAL OF OFF-HIGHWAY MOTOR VEHICLES STUDY.**

(a) REPEAL.—Part I of title III of the Energy Policy and Conservation Act (42 U.S.C. 6373) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 89 Stat. 871) is amended—

(1) by striking the item relating to part I of title III; and

(2) by striking the item relating to section 385.

**SEC. 3232. REPEAL OF METHANOL STUDY.**

Section 400EE of the Energy Policy and Conservation Act (42 U.S.C. 6374d) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

**SEC. 3233. REPEAL OF RESIDENTIAL ENERGY EFFICIENCY STANDARDS STUDY.**

(a) REPEAL.—Section 253 of the National Energy Conservation Policy Act (42 U.S.C. 8232) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 253.

**SEC. 3234. REPEAL OF WEATHERIZATION STUDY.**

(a) REPEAL.—Section 254 of the National Energy Conservation Policy Act (42 U.S.C. 8233) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 254.

**SEC. 3235. REPEAL OF REPORT TO CONGRESS.**

(a) REPEAL.—Section 273 of the National Energy Conservation Policy Act (42 U.S.C. 8236b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 273.

**SEC. 3236. REPEAL OF REPORT BY GENERAL SERVICES ADMINISTRATION.**

(a) REPEAL.—Section 154 of the Energy Policy Act of 1992 (42 U.S.C. 8262a) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 154.

(2) Section 159 of the Energy Policy Act of 1992 (42 U.S.C. 8262e) is amended by striking subsection (c).

**SEC. 3237. REPEAL OF INTERGOVERNMENTAL ENERGY MANAGEMENT PLANNING AND COORDINATION WORKSHOPS.**

(a) REPEAL.—Section 156 of the Energy Policy Act of 1992 (42 U.S.C. 8262b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 156.

**SEC. 3238. REPEAL OF INSPECTOR GENERAL AUDIT SURVEY AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY REPORT TO CONGRESS.**

(a) REPEAL.—Section 160 of the Energy Policy Act of 1992 (42 U.S.C. 8262f) is amended by striking the section designation and heading and all that follows through ''(c) INSPECTOR GENERAL REVIEW.—Each Inspector General'' and inserting the following:

**''SEC. 160. INSPECTOR GENERAL REVIEW.**

''Each Inspector General''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 160 and inserting the following:

''Sec. 160. Inspector General review.''.

**SEC. 3239. REPEAL OF PROCUREMENT AND IDENTIFICATION OF ENERGY EFFICIENT PRODUCTS PROGRAM.**

(a) REPEAL.—Section 161 of the Energy Policy Act of 1992 (42 U.S.C. 8262g) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 161.

**SEC. 3240. REPEAL OF NATIONAL ACTION PLAN FOR DEMAND RESPONSE.**

(a) REPEAL.—Part 5 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8279) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206; 121 Stat. 1665) is amended—

(1) by striking the item relating to part 5 of title V; and

(2) by striking the item relating to section 571.

**SEC. 3241. REPEAL OF NATIONAL COAL POLICY STUDY.**

(a) REPEAL.—Section 741 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8451) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 741.

**SEC. 3242. REPEAL OF STUDY ON COMPLIANCE PROBLEM OF SMALL ELECTRIC UTILITY SYSTEMS.**

(a) REPEAL.—Section 744 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8454) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 744.

**SEC. 3243. REPEAL OF STUDY OF SOCIOECONOMIC IMPACTS OF INCREASED COAL PRODUCTION AND OTHER ENERGY DEVELOPMENT.**

(a) REPEAL.—Section 746 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8456) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 746.

**SEC. 3244. REPEAL OF STUDY OF THE USE OF PETROLEUM AND NATURAL GAS IN COMBUSTORS.**

(a) REPEAL.—Section 747 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8457) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 747.

**SEC. 3245. REPEAL OF SUBMISSION OF REPORTS.**

(a) REPEAL.—Section 807 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8483) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 807.

**SEC. 3246. REPEAL OF ELECTRIC UTILITY CONSERVATION PLAN.**

(a) REPEAL.—Section 808 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8484) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 808.

(2) REPORT ON IMPLEMENTATION.—Section 712 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8422) is amended—

(A) by striking ''(a) GENERALLY.—''; and

(B) by striking subsection (b).

**SEC. 3247. TECHNICAL AMENDMENT TO POWERPLANT AND INDUSTRIAL FUEL USE ACT OF 1978.**

The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 742.

**SEC. 3248. EMERGENCY ENERGY CONSERVATION REPEALS.**

(a) REPEALS.—

(1) Section 201 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8501) is amended—

(A) in the section heading, by striking ''findings and'';

(B) by striking subsection (a); and

(C) by striking ''(b) PURPOSES.—''.

(2) Section 221 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8521) is repealed.

(3) Section 222 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8522) is repealed.

(4) Section 241 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8531) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Emergency Energy Conservation Act of 1979 (Public Law 96–102; 93 Stat. 749) is amended—

(1) by striking the item relating to section 201 and inserting the following:

''Sec. 201. Purposes.''; and

(2) by striking the items relating to sections 221, 222, and 241.

**SEC. 3249. REPEAL OF STATE UTILITY REGULATORY ASSISTANCE.**

(a) REPEAL.—Section 207 of the Energy Conservation and Production Act (42 U.S.C. 6807) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Conservation and Production Act (Public Law 94–385; 90 Stat. 1125) is amended by striking the item relating to section 207.

**SEC. 3250. REPEAL OF SURVEY OF ENERGY SAVING POTENTIAL.**

(a) REPEAL.—Section 550 of the National Energy Conservation Policy Act (42 U.S.C. 8258b) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206; 106 Stat. 2851) is amended by striking the item relating to section 550.

(2) Section 543(d)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8253(d)(2)) is amended by striking '', incorporating any relevant information obtained from the survey conducted pursuant to section 550''.

**SEC. 3251. REPEAL OF PHOTOVOLTAIC ENERGY PROGRAM.**

(a) REPEAL.—Part 4 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8271 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended—

(1) by striking the item relating to part 4 of title V; and

(2) by striking the items relating to sections 561 through 570.

**SEC. 3252. REPEAL OF ENERGY AUDITOR TRAINING AND CERTIFICATION.**

(a) REPEAL.—Subtitle F of title V of the Energy Security Act (42 U.S.C. 8285 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Security Act (Public Law 96–294; 94 Stat. 611) is amended by striking the items relating to subtitle F of title V.

## CHAPTER 4—AUTHORIZATION

**SEC. 3261 AUTHORIZATION.**

There are authorized to be appropriated, out of funds authorized under previously enacted laws, amounts required for carrying out this Act and the amendments made by this Act.

## TITLE IV—CHANGING CRUDE OIL MARKET CONDITIONS

**SEC. 4001. FINDINGS.**

The Congress finds the following:

(1) The United States has enjoyed a renaissance in energy production, establishing the United States as the world's leading oil producer.

(2) By authorizing crude oil exports, the Congress can spur domestic energy production, create and preserve jobs, help maintain and strengthen our independent shipping fleet that is essential to national defense, and generate State and Federal revenues.

(3) An energy-secure United States that is a net exporter of energy has the potential to transform the security environment around the world, notably in Europe and the Middle East.

(4) For our European allies and Israel, the presence of more United States oil in the market will offer more secure supply options, which will strengthen United States strategic alliances and help curtail the use of energy as a political weapon.

(5) The 60-ship Maritime Security Fleet is a vital element of our military's strategic sealift and global response capability. It assures United States-flag ships and United States crews will be available to support the United States military when it needs to mobilize to protect our allies, and is the most prudent and economical solution to meet current and projected sealift requirements for the United States.

(6) The Maritime Security Fleet program provides a labor base of skilled American mariners who are available to crew the United States Government-owned strategic sealift fleet, as well as the United States commercial fleet, in both peace and war.

(7) The United States has reduced its oil consumption over the past decade, and increasing investment in clean energy technology and energy efficiency will lower energy prices, reduce greenhouse gas emissions, and increase national security.

**SEC. 4002. REPEAL.**

Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) and the item relating thereto in the table of contents of that Act are repealed.

**SEC. 4003. NATIONAL POLICY ON OIL EXPORT RESTRICTIONS.**

Notwithstanding any other provision of law, to promote the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including fossil fuels, no official of the Federal Government shall impose or enforce any restriction on the export of crude oil.

**SEC. 4004. STUDIES.**

(a) GREENHOUSE GAS EMISSIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall conduct, and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of, a study on the net greenhouse gas emissions that will result from the repeal of the crude oil export ban under section 4002.

(b) CRUDE OIL EXPORT STUDY.—

(1) IN GENERAL.—The Department of Commerce, in consultation with the Department of Energy, and other departments as appropriate, shall conduct a study of the State and national implications of lifting the crude oil export ban with respect to consumers and the economy.

(2) CONTENTS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the economic impact that exporting crude oil will have on the economy of the United States;

(B) the economic impact that exporting crude oil will have on consumers, taking into account impacts on energy prices;

(C) the economic impact that exporting crude oil will have on domestic manufacturing, taking into account impacts on employment; and

(D) the economic impact that exporting crude oil will have on the refining sector, taking into account impacts on employment.

(3) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Bureau of Industry and Security shall submit to Congress a report containing the results of the study conducted under paragraph (1).

**SEC. 4005. SAVINGS CLAUSE.**

Nothing in this title limits the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the Enemy Act (50 U.S.C. App. 1 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a foreign government that is designated as a state sponsor of terrorism, to prohibit exports.

**SEC. 4006. PARTNERSHIPS WITH MINORITY SERVING INSTITUTIONS.**

(a) IN GENERAL.—The Department of Energy shall continue to develop and broaden partnerships with minority serving institutions, including Hispanic Serving Institutions (HSI) and Historically Black Colleges and Universities (HBCUs) in the areas of oil and gas exploration, production, midstream, and refining.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—The Department of Energy shall encourage public-private partnerships between the energy sector and minority serving institutions, including Hispanic Serving Institutions and Historically Black Colleges and Universities.

**SEC. 4007. REPORT.**

Not later than 10 years after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report that reviews the impact of lifting the oil export ban under this title as it relates to promoting United States energy and national security.

**SEC. 4008. REPORT TO CONGRESS.**

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report analyzing how lifting the ban on crude oil exports will help create opportunities for veterans and women in the United States, while promoting energy and national security.

**SEC. 4009. PROHIBITION ON EXPORTS OF CRUDE OIL, REFINED PETROLEUM PRODUCTS, AND PETROCHEMICAL PRODUCTS TO THE ISLAMIC REPUBLIC OF IRAN.**

Nothing in this title shall be construed to authorize the export of crude oil, refined petroleum products, and petrochemical products by or through any entity or person, wherever located, subject to the jurisdiction of the United States to any entity or person located in, subject to the jurisdiction of, or sponsored by the Islamic Republic of Iran.

## TITLE V—OTHER MATTERS

**SEC. 5001. ASSESSMENT OF REGULATORY REQUIREMENTS.**

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall ensure that the requirements described in subsection (b) are satisfied.

(b) REQUIREMENTS.—The Administrator shall satisfy—

(1) section 4 of Executive Order No. 12866 (5 U.S.C. 601 note) (relating to regulatory planning and review) and Executive Order No. 13563 (5 U.S.C. 601 note) (relating to improving regulation and regulatory review) (or any successor Executive order establishing requirements applicable to the uniform reporting of regulatory and deregulatory agendas);

(2) section 602 of title 5, United States Code;

(3) section 8 of Executive Order No. 13132 (5 U.S.C. 601 note) (relating to federalism); and

(4) section 202(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532(a)).

**SEC. 5002. DEFINITIONS.**

In this title:

(1) COVERED CIVIL ACTION.—The term ''covered civil action'' means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project on Federal land.

(2) COVERED ENERGY PROJECT.—

(A) IN GENERAL.—The term ''covered energy project'' means—

(i) the leasing of Federal land for the exploration, development, production, processing, or transmission of oil, natural gas, coal, geothermal, hydroelectric, biomass, solar, or any other source of energy; and

(ii) any action under the lease.

(B) EXCLUSION.—The term ''covered energy project'' does not include any dispute between the parties to a lease regarding the obligations under the lease, including any alleged breach of the lease.

**SEC. 5003. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.**

Venue for any covered civil action shall lie in the United States district court in which the covered energy project or lease exists or is proposed.

**SEC. 5004. TIMELY FILING.**

To ensure timely redress by the courts, a covered civil action shall be filed not later than the end of the 90-day period beginning on the date of the final Federal agency action to which the covered civil action relates.

**SEC. 5005. EXPEDITION IN HEARING AND DETERMINING THE ACTION.**

The court shall endeavor to hear and determine any covered civil action as expeditiously as practicable.

**SEC. 5006. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.**

(a) IN GENERAL.—In a covered civil action, a court shall not grant or approve any prospective relief unless the court finds that the relief—

(1) is narrowly drawn;

(2) extends no further than necessary to correct the violation of a legal requirement; and

(3) is the least intrusive means necessary to correct the violation.

(b) DURATION.—

(1) IN GENERAL.—A court shall limit the duration of preliminary injunctions to halt covered energy projects to not more than 60 days, unless the court finds clear reasons to extend the injunction.

(2) ADMINISTRATION.—In the case of an extension, the extension shall—

(A) only be in 30-day increments; and

(B) require action by the court to renew the injunction.

(c) IN GENERAL.—Sections 504 of title 5 and 2412 of title 28, United States Code (commonly known as the ''Equal Access to Justice Act''), shall not apply to a covered civil action.

(d) COURT COSTS.—A party to a covered civil action shall not receive payment from the Federal Government for the attorneys' fees, expenses, or other court costs incurred by the party.

**SEC. 5007. LEGAL STANDING.**

A challenger that files an appeal with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as a challenger before a United States district court.

**SEC. 5008. STUDY TO IDENTIFY LEGAL AND REGULATORY BARRIERS THAT DELAY, PROHIBIT, OR IMPEDE THE EXPORT OF NATURAL ENERGY RESOURCES.**

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to the Committee on Energy and Commerce and the Committee on Natural Resources of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate, the results of a study to—

(1) identify legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources, including government and technical (physical or market) barriers that hinder coal, natural gas, oil, and other energy exports; and

(2) estimate the economic impacts of such barriers.

**SEC. 5009. STUDY OF VOLATILITY OF CRUDE OIL.**

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress the results of a study to determine the maximum level of volatility that is consistent with the safest practicable shipment of crude oil by rail.

**SEC. 5010. SMART METER PRIVACY RIGHTS.**

(a) ELECTRICAL CORPORATION OR GAS CORPORATIONS.—

(1) For purposes of this section, ''electrical or gas consumption data'' means data about a customer's electrical or natural gas usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) An electrical corporation or gas corporation shall not share, disclose, or otherwise make accessible to any third party a customer's electrical or gas consumption data, except as provided in subsection (a)(5) or upon the consent of the customer.

(B) An electrical corporation or gas corporation shall not sell a customer's electrical or gas consumption data or any other personally identifiable information for any purpose.

(C) The electrical corporation or gas corporation or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical or gas consumption data without the prior consent of the customer.

(D) An electrical or gas corporation that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical and gas consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical or gas consumption data, with a third party.

(3) If an electrical corporation or gas corporation contracts with a third party for a service that allows a customer to monitor his or her electricity or gas usage, and that third party uses the data for a secondary commercial purpose, the contract between the electrical corporation or gas corporation and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) An electrical corporation or gas corporation shall use reasonable security procedures and practices to protect a customer's unencrypted electrical or gas consumption data from unauthorized access, destruction, use, modification, or disclosure.

(5)(A) Nothing in this section shall preclude an electrical corporation or gas corporation from using customer aggregate electrical or gas consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing a customer's electrical or gas consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided that, for contracts entered into after January 1, 2016, the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(C) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing electrical or gas consumption data as required or permitted under State or Federal law or by an order of a State public utility commission.

(6) If a customer chooses to disclose his or her electrical or gas consumption data to a third party that is unaffiliated with, and has no other business relationship with, the electrical or gas corporation, the electrical or gas corporation shall not be responsible for the security of that data, or its use or misuse.

(b) LOCAL PUBLICLY OWNED ELECTRIC UTILITIES.—

(1) For purposes of this section, ''electrical consumption data'' means data about a customer's electrical usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) A local publicly owned electric utility shall not share, disclose, or otherwise make accessible to any third party a customer's electrical consumption data, except as provided in subsection (b) (5) or upon the consent of the customer.

(B) A local publicly owned electric utility shall not sell a customer's electrical consumption data or any other personally identifiable information for any purpose.

(C) The local publicly owned electric utility or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical consumption data without the prior consent of the customer.

(D) A local publicly owned electric utility that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical consumption data, with a third party.

(3) If a local publicly owned electric utility contracts with a third party for a service that allows a customer to monitor his or her electricity usage, and that third party uses the data for a secondary commercial purpose, the contract between the local publicly owned electric utility and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) A local publicly owned electric utility shall use reasonable security procedures and practices to protect a customer's unencrypted electrical consumption data from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(5)(A) Nothing in this section shall preclude a local publicly owned electric utility from using customer aggregate electrical consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude a local publicly owned electric utility from disclosing a customer's electrical consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided, for contracts entered into after January 1, 2016, that the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure.

(C) Nothing in this section shall preclude a local publicly owned electric utility from disclosing electrical consumption data as required under State or Federal law.

(6) If a customer chooses to disclose his or her electrical consumption data to a third party that is unaffiliated with, and has no other business relationship with, the local publicly owned electric utility, the utility shall not be responsible for the security of that data, or its use or misuse.

**SEC. 5011. YOUTH ENERGY ENTERPRISE COMPETITION.**

The Secretaries of Energy and Commerce shall jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially as those fields relate to energy.

**SEC. 5012. MODERNIZATION OF TERMS RELATING TO MINORITIES.**

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking ''a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent'' and inserting ''Asian American, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native''.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended by striking ''Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts'' and inserting ''Asian American, African American, Hispanic, Native American, or Alaska Natives''.

**SEC. 5013. VOLUNTARY VEGETATION MANAGEMENT OUTSIDE RIGHTS-OF-WAY.**

(a) AUTHORIZATION.—The Secretary of the Interior or the Secretary of Agriculture may authorize an owner or operator of an electric transmission or distribution facility to manage vegetation selectively within 150 feet of the exterior boundary of the right-of-way near structures for selective thinning and fuel reduction.

(b) STATUS OF REMOVED VEGETATION.—Any vegetation removed pursuant to this section shall be the property of the United States and not available for sale by the owner or operator.

(c) LIMITATION ON LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildlife damage, loss, or injury, including the cost of fire suppression, resulting from activities carried out pursuant to subsection (a) except in the case of harm resulting from the owner or operator's gross negligence or criminal misconduct.

**SEC. 5014. REPEAL OF RULE FOR NEW RESIDENTIAL WOOD HEATERS.**

The final rule entitled ''Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces'' published at 80 Fed. Reg. 13672 (March 16, 2015) shall have no force or effect and shall be treated as if such rule had never been issued.

## TITLE VI—PROMOTING RENEWABLE ENERGY WITH SHARED SOLAR

**SEC. 6001. SHORT TITLE.**

This title may be cited as the ''Promoting Renewable Energy with Shared Solar Act of 2015''.

**SEC. 6002. PROVISION OF INTERCONNECTION SERVICE AND NET BILLING SERVICE FOR COMMUNITY SOLAR FACILITIES.**

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(20) COMMUNITY SOLAR FACILITIES.—

''(A) DEFINITIONS.—In this paragraph:

''(i) COMMUNITY SOLAR FACILITY.—The term 'community solar facility' means a solar photovoltaic system that—

''(I) allocates electricity to multiple individual electric consumers of an electric utility;

''(II) has a nameplate rating of 2 megawatts or less; and

''(III) is—

''(aa) owned by the electric utility, jointly owned, or third-party-owned;

''(bb) connected to a local distribution facility of the electric utility; and

''(cc) located on or off the property of a consumer of the electricity.

''(ii) INTERCONNECTION SERVICE.—The term 'interconnection service' means a service provided by an electric utility to an electric consumer, in accordance with the standards described in paragraph (15), through which a community solar facility is connected to an applicable local distribution facility.

''(iii) NET BILLING SERVICE.—The term 'net billing service' means a service provided by an electric utility to an electric consumer through which electric energy generated for that electric consumer from a community solar facility may be used to offset electric energy provided by the electric utility to the electric consumer during the applicable billing period.

''(B) REQUIREMENT.—On receipt of a request of an electric consumer served by the electric utility, each electric utility shall make available to the electric consumer interconnection service and net billing service for a community solar facility.''.

(b) COMPLIANCE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority) and each nonregulated utility shall commence consideration under section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

''(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority), and each nonregulated electric utility shall complete the consideration and make the determination under section 111 with respect to the standard established by paragraph (20) of section 111(d).''.

(2) FAILURE TO COMPLY.—

(A) IN GENERAL.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended—

(i) by striking ''such paragraph (14)'' and all that follows through ''paragraphs (16)'' and inserting ''such paragraph (14). In the case of the standard established by paragraph (15) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (15). In the case of the standards established by paragraphs (16)''; and

(ii) by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).''.

(B) TECHNICAL CORRECTION.—

(i) IN GENERAL.—Section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) is amended by striking paragraph (2).

(ii) TREATMENT.—The amendment made by paragraph (2) of section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) (as in effect on the day before the date of enactment of this Act) is void, and section 112(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(d)) shall be in effect as if those amendments had not been enacted.

(3) PRIOR STATE ACTIONS.—

(A) IN GENERAL.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) shall not apply to the standard established by paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the date of enactment of this subsection—

''(1) the State has implemented for the electric utility the standard (or a comparable standard);

''(2) the State regulatory authority for the State or the relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard (or a comparable standard) for the electric utility; or

''(3) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.''.

(B) CROSS-REFERENCE.—Section 124 of the Public Utility Regulatory Policy Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).''.

## TITLE VII—MARINE HYDROKINETIC

**SEC. 7001. DEFINITION OF MARINE AND HYDROKINETIC RENEWABLE ENERGY.**

Section 632 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211) is amended in the matter preceding paragraph (1) by striking ''electrical''.

**SEC. 7002. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.**

Section 633 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17212) is amended to read as follows:

**''SEC. 633. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.**

''The Secretary, in consultation with the Secretary of the Interior, the Secretary of Commerce, and the Federal Energy Regulatory Commission, shall carry out a program of research, development, demonstration, and commercial application to accelerate the introduction of marine and hydrokinetic renewable energy production into the United States energy supply, giving priority to fostering accelerated research, development, and commercialization of technology, including—

''(1) to assist technology development to improve the components, processes, and systems used for power generation from marine and hydrokinetic renewable energy resources;

''(2) to establish critical testing infrastructure necessary—

''(A) to cost effectively and efficiently test and prove the efficacy of marine and hydrokinetic renewable energy devices; and

''(B) to accelerate the technological readiness and commercialization of those devices;

''(3) to support efforts to increase the efficiency of energy conversion, lower the cost, increase the use, improve the reliability, and demonstrate the applicability of marine and hydrokinetic renewable energy technologies by participating in demonstration projects;

''(4) to investigate variability issues and the efficient and reliable integration of marine and hydrokinetic renewable energy with the utility grid;

''(5) to identify and study critical short- and long-term needs to create a sustainable marine and hydrokinetic renewable energy supply chain based in the United States;

''(6) to increase the reliability and survivability of marine and hydrokinetic renewable energy technologies;

''(7) to verify the performance, reliability, maintainability, and cost of new marine and hydrokinetic renewable energy device designs and system components in an operating environment;

''(8) to coordinate and avoid duplication of activities across programs of the Department and other applicable Federal agencies, including National Laboratories, and to coordinate public-private collaboration in all programs under this section;

''(9) to identify opportunities for joint research and development programs and development of economies of scale between—

''(A) marine and hydrokinetic renewable energy technologies; and

''(B) other renewable energy and fossil energy programs, offshore oil and gas production activities, and activities of the Department of Defense; and

''(10) to support in-water technology development with international partners using existing cooperative procedures (including memoranda of understanding)—

''(A) to allow cooperative funding and other support of value to be exchanged and leveraged; and

''(B) to encourage international research centers and international companies to participate in the development of water technology in the United States and to encourage United States research centers and United States companies to participate in water technology projects abroad.''.

**SEC. 7003. NATIONAL MARINE RENEWABLE ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION CENTERS.**

Section 634(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17213(b)) is amended to read as follows:

''(b) PURPOSES.—A Center (in coordination with the Department and National Laboratories) shall—

''(1) advance research, development, demonstration, and commercial application of marine and hydrokinetic renewable energy technologies;

''(2) support in-water testing and demonstration of marine and hydrokinetic renewable energy technologies, including facilities capable of testing—

''(A) marine and hydrokinetic renewable energy systems of various technology readiness levels and scales;

''(B) a variety of technologies in multiple test berths at a single location; and

''(C) arrays of technology devices; and

''(3) serve as information clearinghouses for the marine and hydrokinetic renewable energy industry by collecting and disseminating information on best practices in all areas relating to developing and managing marine and hydrokinetic renewable energy resources and energy systems.''.

**SEC. 7004. AUTHORIZATION OF APPROPRIATIONS.**

Section 636 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17215) is amended by striking ''2008 through 2012'' and inserting ''2016 through 2019''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. CARTWRIGHT moved to recommit the bill to the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

**TITLE ____—CLIMATE CHANGE**

**SEC. _____. CLIMATE CHANGE IS REAL.**

In response to the overwhelming scientific consensus that climate change is real, United States energy policy should seek to remove market barriers that inhibit the development of renewable energy infrastructure.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WOMACK, announced that the noes had it.

Mr. CARTWRIGHT demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Ayes ..... 180 / Noes ..... 243 }

¶148.13 [Roll No. 671]

AYES—180

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

NOES—243

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

NOT VOTING—10

| | | |
|---|---|---|
| Aguilar | Meeks | Takai |
| Cuellar | Payne | Williams |
| Delaney | Ruppersberger | |
| Johnson, Sam | Sanchez, Loretta | |

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. PALLONE demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 249 / Noes ..... 174 }

¶148.14 [Roll No. 672]

AYES—249

| | | |
|---|---|---|
| Abraham | Collins (NY) | Gibson |
| Aderholt | Comstock | Gohmert |
| Allen | Conaway | Goodlatte |
| Amodei | Cook | Gosar |
| Ashford | Costa | Gowdy |
| Babin | Costello (PA) | Graham |
| Barletta | Cramer | Granger |
| Barr | Crawford | Graves (GA) |
| Barton | Crenshaw | Graves (LA) |
| Benishek | Culberson | Graves (MO) |
| Bilirakis | Curbelo (FL) | Green, Gene |
| Bishop (MI) | Davis, Rodney | Griffith |
| Bishop (UT) | Denham | Grothman |
| Black | Dent | Guinta |
| Blackburn | DeSantis | Guthrie |
| Blum | DesJarlais | Hanna |
| Bost | Diaz-Balart | Hardy |
| Boustany | Dold | Harper |
| Brady (TX) | Donovan | Harris |
| Brat | Duffy | Hartzler |
| Bridenstine | Duncan (SC) | Heck (NV) |
| Brooks (AL) | Duncan (TN) | Hensarling |
| Brooks (IN) | Ellmers (NC) | Herrera Beutler |
| Buchanan | Emmer (MN) | Hice, Jody B. |
| Buck | Farenthold | Hill |
| Bucshon | Fincher | Holding |
| Burgess | Fitzpatrick | Hudson |
| Byrne | Fleischmann | Huelskamp |
| Calvert | Fleming | Huizenga (MI) |
| Carter (GA) | Flores | Hultgren |
| Carter (TX) | Forbes | Hunter |
| Chabot | Fortenberry | Hurd (TX) |
| Chaffetz | Foxx | Hurt (VA) |
| Clawson (FL) | Franks (AZ) | Issa |
| Coffman | Frelinghuysen | Jenkins (KS) |
| Cole | Garrett | Jenkins (WV) |
| Collins (GA) | Gibbs | Johnson (OH) |

Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—174

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

NOT VOTING—10

Aguilar
Cuellar
Johnson, Sam
Lawrence
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

## ¶148.15 CLERK TO CORRECT ENGROSSMENT—H.R. 8

On motion of Mr. UPTON, by unanimous consent,

*Ordered*, That in the engrossment of the foregoing bill the Clerk be authorized to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

## ¶148.16 SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM

Mr. SHUSTER, pursuant to House Resolution 546, called up the following conference report (Rept. No. 114–357):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 22), to authorize funds for Federal-aid highways, highway safety programs, and transmit programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Fixing America's Surface Transportation Act'' or the ''FAST Act''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*

## *DIVISION A—SURFACE TRANSPORTATION*

***SEC. 1001. DEFINITIONS.***

*In this division, the following definitions apply:*

*(1) DEPARTMENT.—The term ''Department'' means the Department of Transportation.*

*(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.*

***SEC. 1002. RECONCILIATION OF FUNDS.***

*The Secretary shall reduce the amount apportioned or allocated for a program, project, or activity under titles I and VI of this Act in fiscal year 2016 by amounts apportioned or allocated pursuant to any extension Act of MAP–21, including the amendments made by that extension Act, during the period beginning on October 1, 2015, and ending on the date of enactment of this Act. For purposes of making such reductions, funds set aside pursuant to section 133(h) of title 23, United States Code, as amended by this Act, shall be reduced by the amount set aside pursuant to section 213 of such title, as in effect on the day before the date of enactment of this Act.*

***SEC. 1003. EFFECTIVE DATE.***

*Except as otherwise provided, this division, including the amendments made by this division, takes effect on October 1, 2015.*

***SEC. 1004. REFERENCES.***

*Except as expressly provided otherwise, any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this division.*

### *TITLE I—FEDERAL-AID HIGHWAYS*

#### *Subtitle A—Authorizations and Programs*

***SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.***

*(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):*

*(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation block grant program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, the national highway freight program under section 167 of that title, and to carry out section 134 of that title—*

*(A) $39,727,500,000 for fiscal year 2016;*
*(B) $40,547,805,000 for fiscal year 2017;*
*(C) $41,424,020,075 for fiscal year 2018;*
*(D) $42,358,903,696 for fiscal year 2019; and*
*(E) $43,373,294,311 for fiscal year 2020.*

*(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code—*

*(A) $275,000,000 for fiscal year 2016;*
*(B) $275,000,000 for fiscal year 2017;*

(C) $285,000,000 for fiscal year 2018;
(D) $300,000,000 for fiscal year 2019; and
(E) $300,000,000 for fiscal year 2020.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

(i) $465,000,000 for fiscal year 2016;
(ii) $475,000,000 for fiscal year 2017;
(iii) $485,000,000 for fiscal year 2018;
(iv) $495,000,000 for fiscal year 2019; and
(v) $505,000,000 for fiscal year 2020.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) IN GENERAL.—For the Federal lands transportation program under section 203 of title 23, United States Code—

(I) $335,000,000 for fiscal year 2016;
(II) $345,000,000 for fiscal year 2017;
(III) $355,000,000 for fiscal year 2018;
(IV) $365,000,000 for fiscal year 2019; and
(V) $375,000,000 for fiscal year 2020.

(ii) ALLOCATION.—Of the amount made available for a fiscal year under clause (i)—

(I) the amount for the National Park Service is—

(aa) $268,000,000 for fiscal year 2016;
(bb) $276,000,000 for fiscal year 2017;
(cc) $284,000,000 for fiscal year 2018;
(dd) $292,000,000 for fiscal year 2019; and
(ee) $300,000,000 for fiscal year 2020.

(II) the amount for the United States Fish and Wildlife Service is $30,000,000 for each of fiscal years 2016 through 2020; and

(III) the amount for the United States Forest Service is—

(aa) $15,000,000 for fiscal year 2016;
(bb) $16,000,000 for fiscal year 2017;
(cc) $17,000,000 for fiscal year 2018;
(dd) $18,000,000 for fiscal year 2019; and
(ee) $19,000,000 for fiscal year 2020.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code—

(i) $250,000,000 for fiscal year 2016;
(ii) $255,000,000 for fiscal year 2017;
(iii) $260,000,000 for fiscal year 2018;
(iv) $265,000,000 for fiscal year 2019; and
(v) $270,000,000 for fiscal year 2020.

(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, $200,000,000 for each of fiscal years 2016 through 2020.

(5) NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.—For nationally significant freight and highway projects under section 117 of title 23, United States Code—

(A) $800,000,000 for fiscal year 2016;
(B) $850,000,000 for fiscal year 2017;
(C) $900,000,000 for fiscal year 2018;
(D) $950,000,000 for fiscal year 2019; and
(E) $1,000,000,000 for fiscal year 2020.

(b) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—

(i) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $23,980,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (3) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

(i) women;

(ii) socially and economically disadvantaged individuals (other than women); and

(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

(i) on-site visits;
(ii) personal interviews with personnel;
(iii) issuance or inspection of licenses;
(iv) analyses of stock ownership;
(v) listings of equipment;
(vi) analyses of bonding capacity;
(vii) listings of work completed;
(viii) examination of the resumes of principal owners;
(ix) analyses of financial capacity; and
(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with paragraph (3) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (3) is unconstitutional.

(8) SENSE OF CONGRESS ON PROMPT PAYMENT OF DBE SUBCONTRACTORS.—It is the sense of Congress that—

(A) the Secretary should take additional steps to ensure that recipients comply with section 26.29 of title 49, Code of Federal Regulations (the disadvantaged business enterprises prompt payment rule), or any corresponding regulation, in awarding federally funded transportation contracts under laws and regulations administered by the Secretary; and

(B) such additional steps should include increasing the Department's ability to track and keep records of complaints and to make that information publicly available.

***SEC. 1102. OBLIGATION CEILING.***

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

(1) $42,361,000,000 for fiscal year 2016;
(2) $43,266,100,000 for fiscal year 2017;
(3) $44,234,212,000 for fiscal year 2018;
(4) $45,268,596,000 for fiscal year 2019; and
(5) $46,365,092,000 for fiscal year 2020.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to $639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for fiscal years 2016 through 2020, only in

*an amount equal to $639,000,000 for each of those fiscal years).*

*(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2016 through 2020, the Secretary—*

*(1) shall not distribute obligation authority provided by subsection (a) for the fiscal year for—*

*(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and*

*(B) amounts authorized for the Bureau of Transportation Statistics;*

*(2) shall not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—*

*(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and*

*(B) for which obligation authority was provided in a previous fiscal year;*

*(3) shall determine the proportion that—*

*(A) the obligation authority provided by subsection (a) for the fiscal year, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to*

*(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;*

*(4) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—*

*(A) the proportion determined under paragraph (3); by*

*(B) the amounts authorized to be appropriated for each such program for the fiscal year; and*

*(5) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the national highway performance program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—*

*(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to*

*(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.*

*(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2020—*

*(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and*

*(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141)) and 104 of title 23, United States Code.*

*(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under—*

*(A) chapter 5 of title 23, United States Code; and*

*(B) title VI of this Act.*

*(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—*

*(A) remain available for a period of 4 fiscal years; and*

*(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.*

*(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—*

*(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2020, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—*

*(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and*

*(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.*

*(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).*

*(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.*

***SEC. 1103. DEFINITIONS.***

*Section 101(a) of title 23, United States Code, is amended—*

*(1) by striking paragraph (29);*

*(2) by redesignating paragraphs (15) through (28) as paragraphs (16) through (29), respectively; and*

*(3) by inserting after paragraph (14) the following:*

*''(15) NATIONAL HIGHWAY FREIGHT NETWORK.—The term 'National Highway Freight Network' means the National Highway Freight Network established under section 167.''.*

***SEC. 1104. APPORTIONMENT.***

*(a) ADMINISTRATIVE EXPENSES.—Section 104(a)(1) of title 23, United States Code, is amended to read as follows:*

*''(1) IN GENERAL.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to be made available to the Secretary for administrative expenses of the Federal Highway Administration—*

*''(A) $453,000,000 for fiscal year 2016;*

*''(B) $459,795,000 for fiscal year 2017;*

*''(C) $466,691,925 for fiscal year 2018;*

*''(D) $473,692,304 for fiscal year 2019; and*

*''(E) $480,797,689 for fiscal year 2020.''.*

*(b) DIVISION AMONG PROGRAMS OF STATE'S SHARE OF BASE APPORTIONMENT.—Section 104(b) of title 23, United States Code, is amended—*

*(1) by striking ''(b) DIVISION OF'' and all that follows before paragraph (1) and inserting the following:*

*''(b) DIVISION AMONG PROGRAMS OF STATE'S SHARE OF BASE APPORTIONMENT.—The Secretary shall distribute the amount of the base apportionment apportioned to a State for a fiscal year under subsection (c) among the national highway performance program, the surface transportation block grant program, the highway safety improvement program, the congestion mitigation and air quality improvement program, the national highway freight program, and to carry out section 134 as follows:'';*

*(2) in paragraphs (1), (2), and (3) by striking ''paragraphs (4) and (5)'' each place it appears and inserting ''paragraphs (4), (5), and (6)'';*

*(3) in paragraph (2)—*

*(A) in the paragraph heading by striking ''SURFACE TRANSPORTATION PROGRAM'' and inserting ''SURFACE TRANSPORTATION BLOCK GRANT PROGRAM''; and*

*(B) by striking ''surface transportation program'' and inserting ''surface transportation block grant program'';*

*(4) in paragraph (4), in the matter preceding subparagraph (A), by striking ''the amount determined for the State under subsection (c)'' and inserting ''the amount of the base apportionment remaining for the State under subsection (c) after making the set aside in accordance with paragraph (5)'';*

*(5) by redesignating paragraph (5) as paragraph (6);*

*(6) by inserting after paragraph (4) the following:*

*''(5) NATIONAL HIGHWAY FREIGHT PROGRAM.—*

*''(A) IN GENERAL.—For the national highway freight program under section 167, the Secretary shall set aside from the base apportionment determined for a State under subsection (c) an amount determined for the State under subparagraphs (B) and (C).*

*''(B) TOTAL AMOUNT.—The total amount set aside for the national highway freight program for all States shall be—*

*''(i) $1,150,000,000 for fiscal year 2016;*

*''(ii) $1,100,000,000 for fiscal year 2017;*

*''(iii) $1,200,000,000 for fiscal year 2018;*

*''(iv) $1,350,000,000 for fiscal year 2019; and*

*''(v) $1,500,000,000 for fiscal year 2020.*

*''(C) STATE SHARE.—For each fiscal year, the Secretary shall distribute among the States the total set-aside amount for the national highway freight program under subparagraph (B) so that each State receives the amount equal to the proportion that—*

*''(i) the total base apportionment determined for the State under subsection (c); bears to*

*''(ii) the total base apportionments for all States under subsection (c).*

*''(D) METROPOLITAN PLANNING.—Of the amount set aside under this paragraph for a State, the Secretary shall use to carry out section 134 an amount determined by multiplying the set-aside amount by the proportion that—*

*''(i) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to*

*''(ii) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2) (except for the high priority projects program referred to in section 105(a)(2)(H)), as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405).''; and*

*(7) in paragraph (6) (as so redesignated), in the matter preceding subparagraph (A), by striking ''the amount determined for the State under subsection (c)'' and inserting ''the amount of the base apportionment remaining for a State under subsection (c) after making the set aside in accordance with paragraph (5)''.*

*(c) CALCULATION OF STATE AMOUNTS.—Section 104(c) of title 23, United States Code, is amended to read as follows:*

*''(c) CALCULATION OF AMOUNTS.—*

*''(1) STATE SHARE.—For each of fiscal years 2016 through 2020, the amount for each State shall be determined as follows:*

*''(A) INITIAL AMOUNTS.—The initial amounts for each State shall be determined by multiplying—*

*''(i) each of—*

*''(I) the base apportionment;*

*''(II) supplemental funds reserved under subsection (h)(1) for the national highway performance program; and*

''(III) supplemental funds reserved under subsection (h)(2) for the surface transportation block grant program; by

''(ii) the share for each State, which shall be equal to the proportion that—

''(I) the amount of apportionments that the State received for fiscal year 2015; bears to

''(II) the amount of those apportionments received by all States for that fiscal year.

''(B) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under subparagraph (A) shall be adjusted to ensure that each State receives an aggregate apportionment equal to at least 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(2) STATE APPORTIONMENT.—On October 1 of fiscal years 2016 through 2020, the Secretary shall apportion the sums authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national highway freight program under section 167, and to carry out section 134 in accordance with paragraph (1).''.

(d) SUPPLEMENTAL FUNDS.—Section 104 of title 23, United States Code, is amended by adding at the end the following:

''(h) SUPPLEMENTAL FUNDS.—

''(1) SUPPLEMENTAL FUNDS FOR NATIONAL HIGHWAY PERFORMANCE PROGRAM.—

''(A) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the national highway performance program under section 119 for that fiscal year an amount equal to—

''(i) $53,596,122 for fiscal year 2019; and

''(ii) $66,717,816 for fiscal year 2020.

''(B) TREATMENT OF FUNDS.—Funds reserved under subparagraph (A) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(1), and shall be in addition to amounts apportioned under that subsection.

''(2) SUPPLEMENTAL FUNDS FOR SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—

''(A) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the surface transportation block grant program under section 133 for that fiscal year an amount equal to—

''(i) $835,000,000 for each of fiscal years 2016 and 2017 pursuant to section 133(h), plus—

''(I) $55,426,310 for fiscal year 2016; and

''(II) $89,289,904 for fiscal year 2017; and

''(ii) $850,000,000 for each of fiscal years 2018 through 2020 pursuant to section 133(h), plus—

''(I) $118,013,536 for fiscal year 2018;

''(II) $130,688,367 for fiscal year 2019; and

''(III) $170,053,448 for fiscal year 2020.

''(B) TREATMENT OF FUNDS.—Funds reserved under subparagraph (A) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(2), and shall be in addition to amounts apportioned under that subsection.

''(i) BASE APPORTIONMENT DEFINED.—In this section, the term 'base apportionment' means—

''(1) the combined amount authorized for appropriation for the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national highway freight program under section 167, and to carry out section 134; minus

''(2) supplemental funds reserved under subsection (h) for the national highway performance program and the surface transportation block grant program.''.

(e) CONFORMING AMENDMENTS.—

(1) Section 104(d)(1)(A) of title 23, United States Code, is amended by striking ''subsection (b)(5)'' each place it appears and inserting ''paragraphs (5)(D) and (6) of subsection (b)''.

(2) Section 120(c)(3) of title 23, United States Code, is amended—

(A) in subparagraph (A) in the matter preceding clause (i), by striking ''or (5)'' and inserting ''(5)(D), or (6)''; and

(B) in subparagraph (C)(i) by striking ''and (5)'' and inserting ''(5)(D), and (6)''.

(3) Section 135(i) of title 23, United States Code, is amended by striking ''section 104(b)(5)'' and inserting ''paragraphs (5)(D) and (6) of section 104(b)''.

(4) Section 136(b) of title 23, United States Code, is amended in the first sentence by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(5) Section 141(b)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(6) Section 505(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''through (4)'' and inserting ''through (5)''.

**SEC. 1105. NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.**

(a) IN GENERAL.—Title 23, United States Code, is amended by inserting after section 116 the following:

***''§ 117. Nationally significant freight and highway projects***

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established a nationally significant freight and highway projects program to provide financial assistance for projects of national or regional significance.

''(2) GOALS.—The goals of the program shall be to—

''(A) improve the safety, efficiency, and reliability of the movement of freight and people;

''(B) generate national or regional economic benefits and an increase in the global economic competitiveness of the United States;

''(C) reduce highway congestion and bottlenecks;

''(D) improve connectivity between modes of freight transportation;

''(E) enhance the resiliency of critical highway infrastructure and help protect the environment;

''(F) improve roadways vital to national energy security; and

''(G) address the impact of population growth on the movement of people and freight.

''(b) GRANT AUTHORITY.—

''(1) IN GENERAL.—In carrying out the program established in subsection (a), the Secretary may make grants, on a competitive basis, in accordance with this section.

''(2) GRANT AMOUNT.—Except as otherwise provided, each grant made under this section shall be in an amount that is at least $25,000,000.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—The Secretary may make a grant under this section to the following:

''(A) A State or a group of States.

''(B) A metropolitan planning organization that serves an urbanized area (as defined by the Bureau of the Census) with a population of more than 200,000 individuals.

''(C) A unit of local government or a group of local governments.

''(D) A political subdivision of a State or local government.

''(E) A special purpose district or public authority with a transportation function, including a port authority.

''(F) A Federal land management agency that applies jointly with a State or group of States.

''(G) A tribal government or a consortium of tribal governments.

''(H) A multistate or multijurisdictional group of entities described in this paragraph.

''(2) APPLICATIONS.—To be eligible for a grant under this section, an entity specified in paragraph (1) shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines is appropriate.

''(d) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—Except as provided in subsection (e), the Secretary may make a grant under this section only for a project that—

''(A) is—

''(i) a highway freight project carried out on the National Highway Freight Network established under section 167;

''(ii) a highway or bridge project carried out on the National Highway System, including—

''(I) a project to add capacity to the Interstate System to improve mobility; or

''(II) a project in a national scenic area;

''(iii) a freight project that is—

''(I) a freight intermodal or freight rail project; or

''(II) within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility; or

''(iv) a railway-highway grade crossing or grade separation project; and

''(B) has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(i) $100,000,000; or

''(ii) in the case of a project—

''(I) located in 1 State, 30 percent of the amount apportioned under this chapter to the State in the most recently completed fiscal year; or

''(II) located in more than 1 State, 50 percent of the amount apportioned under this chapter to the participating State with the largest apportionment under this chapter in the most recently completed fiscal year.

''(2) LIMITATION.—

''(A) IN GENERAL.—Not more than $500,000,000 of the amounts made available for grants under this section for fiscal years 2016 through 2020, in the aggregate, may be used to make grants for projects described in paragraph (1)(A)(iii) and such a project may only receive a grant under this section if—

''(i) the project will make a significant improvement to freight movements on the National Highway Freight Network; and

''(ii) the Federal share of the project funds only elements of the project that provide public benefits.

''(B) EXCLUSIONS.—The limitation under subparagraph (A)—

''(i) shall not apply to a railway-highway grade crossing or grade separation project; and

''(ii) with respect to a multimodal project, shall apply only to the non-highway portion or portions of the project.

''(e) SMALL PROJECTS.—

''(1) IN GENERAL.—The Secretary shall reserve 10 percent of the amounts made available for grants under this section each fiscal year to make grants for projects described in subsection (d)(1)(A) that do not satisfy the minimum threshold under subsection (d)(1)(B).

''(2) GRANT AMOUNT.—Each grant made under this subsection shall be in an amount that is at least $5,000,000.

''(3) PROJECT SELECTION CONSIDERATIONS.—In addition to other applicable requirements, in making grants under this subsection the Secretary shall consider—

''(A) the cost effectiveness of the proposed project; and

''(B) the effect of the proposed project on mobility in the State and region in which the project is carried out.

''(f) ELIGIBLE PROJECT COSTS.—Grant amounts received for a project under this section may be used for—

''(1) development phase activities, including planning, feasibility analysis, revenue fore-

*casting, environmental review, preliminary engineering and design work, and other preconstruction activities; and*

*''(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements directly related to improving system performance.*

*''(g) PROJECT REQUIREMENTS.—The Secretary may select a project described under this section (other than subsection (e)) for funding under this section only if the Secretary determines that—*

*''(1) the project will generate national or regional economic, mobility, or safety benefits;*

*''(2) the project will be cost effective;*

*''(3) the project will contribute to the accomplishment of 1 or more of the national goals described under section 150 of this title;*

*''(4) the project is based on the results of preliminary engineering;*

*''(5) with respect to related non-Federal financial commitments—*

*''(A) 1 or more stable and dependable sources of funding and financing are available to construct, maintain, and operate the project; and*

*''(B) contingency amounts are available to cover unanticipated cost increases;*

*''(6) the project cannot be easily and efficiently completed without other Federal funding or financial assistance available to the project sponsor; and*

*''(7) the project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project.*

*''(h) ADDITIONAL CONSIDERATIONS.—In making a grant under this section, the Secretary shall consider—*

*''(1) utilization of nontraditional financing, innovative design and construction techniques, or innovative technologies;*

*''(2) utilization of non-Federal contributions; and*

*''(3) contributions to geographic diversity among grant recipients, including the need for a balance between the needs of rural and urban communities.*

*''(i) RURAL AREAS.—*

*''(1) IN GENERAL.—The Secretary shall reserve not less than 25 percent of the amounts made available for grants under this section, including the amounts made available under subsection (e), each fiscal year to make grants for projects located in rural areas.*

*''(2) EXCESS FUNDING.—In any fiscal year in which qualified applications for grants under this subsection will not allow for the amount reserved under paragraph (1) to be fully utilized, the Secretary shall use the unutilized amounts to make other grants under this section.*

*''(3) RURAL AREA DEFINED.—In this subsection, the term 'rural area' means an area that is outside an urbanized area with a population of over 200,000.*

*''(j) FEDERAL SHARE.—*

*''(1) IN GENERAL.—The Federal share of the cost of a project assisted with a grant under this section may not exceed 60 percent.*

*''(2) MAXIMUM FEDERAL INVOLVEMENT.—Federal assistance other than a grant under this section may be used to satisfy the non-Federal share of the cost of a project for which such a grant is made, except that the total Federal assistance provided for a project receiving a grant under this section may not exceed 80 percent of the total project cost.*

*''(3) FEDERAL LAND MANAGEMENT AGENCIES.—Notwithstanding any other provision of law, any Federal funds other than those made available under this title or title 49 may be used to pay the non-Federal share of the cost of a project carried out under this section by a Federal land management agency, as described under subsection (c)(1)(F).*

*''(k) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project is located on a Federal-aid highway.*

*''(l) TIFIA PROGRAM.—At the request of an eligible applicant under this section, the Secretary may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.*

*''(m) CONGRESSIONAL NOTIFICATION.—*

*''(1) NOTIFICATION.—*

*''(A) IN GENERAL.—At least 60 days before making a grant for a project under this section, the Secretary shall notify, in writing, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the proposed grant. The notification shall include an evaluation and justification for the project and the amount of the proposed grant award.*

*''(B) MULTIMODAL PROJECTS.—In addition to the notice required under subparagraph (A), the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate before making a grant for a project described in subsection (d)(1)(A)(iii).*

*''(2) CONGRESSIONAL DISAPPROVAL.—The Secretary may not make a grant or any other obligation or commitment to fund a project under this section if a joint resolution is enacted disapproving funding for the project before the last day of the 60-day period described in paragraph (1).*

*''(n) REPORTS.—*

*''(1) ANNUAL REPORT.—The Secretary shall make available on the Web site of the Department of Transportation at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.*

*''(2) COMPTROLLER GENERAL.—*

*''(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the administrative establishment, solicitation, selection, and justification process with respect to the funding of grants under this section.*

*''(B) REPORT.—Not later than 1 year after the initial awarding of grants under this section, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—*

*''(i) the adequacy and fairness of the process by which each project was selected, if applicable; and*

*''(ii) the justification and criteria used for the selection of each project, if applicable.''.*

*(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 116 the following:*

*''117. Nationally significant freight and highway projects.''.*

*(c) REPEAL.—Section 1301 of SAFETEA–LU (23 U.S.C. 101 note), and the item relating to that section in the table of contents in section 1(b) of such Act, are repealed.*

***SEC. 1106. NATIONAL HIGHWAY PERFORMANCE PROGRAM.***

*Section 119 of title 23, United States Code, is amended by adding at the end the following:*

*''(h) TIFIA PROGRAM.—Upon Secretarial approval of credit assistance under chapter 6, the Secretary, at the request of a State, may allow the State to use funds apportioned under section 104(b)(1) to pay subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.*

*''(i) ADDITIONAL FUNDING ELIGIBILITY FOR CERTAIN BRIDGES.—*

*''(1) IN GENERAL.—Funds apportioned to a State to carry out the national highway performance program may be obligated for a project for the reconstruction, resurfacing, restoration, rehabilitation, or preservation of a bridge not on the National Highway System, if the bridge is on a Federal-aid highway.*

*''(2) LIMITATION.—A State required to make obligations under subsection (f) shall ensure such requirements are satisfied in order to use the flexibility under paragraph (1).*

*''(j) CRITICAL INFRASTRUCTURE.—*

*''(1) CRITICAL INFRASTRUCTURE DEFINED.—In this subsection, the term 'critical infrastructure' means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters.*

*''(2) CONSIDERATION.—The asset management plan of a State may include consideration of critical infrastructure from among those facilities in the State that are eligible under subsection (c).*

*''(3) RISK REDUCTION.—A State may use funds apportioned under this section for projects intended to reduce the risk of failure of critical infrastructure in the State.''.*

***SEC. 1107. EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS.***

*(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—*

*(1) in subparagraph (A) by striking ''or'' at the end;*

*(2) in subparagraph (B) by striking the period at the end and inserting ''; or''; and*

*(3) by adding at the end the following:*

*''(C) projects eligible for assistance under this section located on tribal transportation facilities, Federal lands transportation facilities, or other federally owned roads that are open to public travel (as defined in subsection (e)(1)).''.*

*(b) DEFINITIONS.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:*

*''(1) DEFINITIONS.—In this subsection, the following definitions apply:*

*''(A) OPEN TO PUBLIC TRAVEL.—The term 'open to public travel' means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—*

*''(i) is maintained;*

*''(ii) is open to the general public; and*

*''(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.*

*''(B) STANDARD PASSENGER VEHICLE.—The term 'standard passenger vehicle' means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.''.*

***SEC. 1108. RAILWAY-HIGHWAY GRADE CROSSINGS.***

*Section 130(e)(1) of title 23, United States Code, is amended to read as follows:*

*''(1) IN GENERAL.—*

*''(A) SET ASIDE.—Before making an apportionment under section 104(b)(3) for a fiscal year, the Secretary shall set aside, from amounts made available to carry out the highway safety improvement program under section 148 for such fiscal year, for the elimination of hazards and the installation of protective devices at railway-highway crossings at least—*

*''(i) $225,000,000 for fiscal year 2016;*

*''(ii) $230,000,000 for fiscal year 2017;*

*''(iii) $235,000,000 for fiscal year 2018;*

*''(iv) $240,000,000 for fiscal year 2019; and*

*''(v) $245,000,000 for fiscal year 2020.*

*''(B) INSTALLATION OF PROTECTIVE DEVICES.—At least ½ of the funds set aside each fiscal year under subparagraph (A) shall be available for the installation of protective devices at railway-highway crossings.*

*''(C) OBLIGATION AVAILABILITY.—Sums set aside each fiscal year under subparagraph (A)*

*shall be available for obligation in the same manner as funds apportioned under section 104(b)(1).''.*

***SEC. 1109. SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.***

*(a) FINDINGS.—Congress finds that—*

*(1) the benefits of the surface transportation block grant program accrue principally to the residents of each State and municipality where the funds are obligated;*

*(2) decisions about how funds should be obligated are best determined by the States and municipalities to respond to unique local circumstances and implement the most efficient solutions; and*

*(3) reforms of the program to promote flexibility will enhance State and local control over transportation decisions.*

*(b) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—Section 133 of title 23, United States Code, is amended—*

*(1) by striking subsections (a), (b), (c), and (d) and inserting the following:*

*''(a) ESTABLISHMENT.—The Secretary shall establish a surface transportation block grant program in accordance with this section to provide flexible funding to address State and local transportation needs.*

*''(b) ELIGIBLE PROJECTS.—Funds apportioned to a State under section 104(b)(2) for the surface transportation block grant program may be obligated for the following:*

*''(1) Construction of—*

*''(A) highways, bridges, tunnels, including designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40;*

*''(B) ferry boats and terminal facilities eligible for funding under section 129(c);*

*''(C) transit capital projects eligible for assistance under chapter 53 of title 49;*

*''(D) infrastructure-based intelligent transportation systems capital improvements;*

*''(E) truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note); and*

*''(F) border infrastructure projects eligible for funding under section 1303 of SAFETEA–LU (23 U.S.C. 101 note).*

*''(2) Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs.*

*''(3) Environmental measures eligible under sections 119(g), 328, and 329 and transportation control measures listed in section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (42 U.S.C. 7408(f)(1)(A)).*

*''(4) Highway and transit safety infrastructure improvements and programs, including railway-highway grade crossings.*

*''(5) Fringe and corridor parking facilities and programs in accordance with section 137 and carpool projects in accordance with section 146.*

*''(6) Recreational trails projects eligible for funding under section 206, pedestrian and bicycle projects in accordance with section 217 (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)), and the safe routes to school program under section 1404 of SAFETEA–LU (23 U.S.C. 402 note).*

*''(7) Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.*

*''(8) Development and implementation of a State asset management plan for the National Highway System and a performance-based management program for other public roads.*

*''(9) Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets.*

*''(10) Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of this title.*

*''(11) Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal.*

*''(12) Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs.*

*''(13) At the request of a State, and upon Secretarial approval of credit assistance under chapter 6, subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.*

*''(14) The creation and operation by a State of an office to assist in the design, implementation, and oversight of public-private partnerships eligible to receive funding under this title and chapter 53 of title 49, and the payment of a stipend to unsuccessful private bidders to offset their proposal development costs, if necessary to encourage robust competition in public-private partnership procurements.*

*''(15) Any type of project eligible under this section as in effect on the day before the date of enactment of the FAST Act, including projects described under section 101(a)(29) as in effect on such day.*

*''(c) LOCATION OF PROJECTS.—A surface transportation block grant project may not be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991, except—*

*''(1) for a bridge or tunnel project (other than the construction of a new bridge or tunnel at a new location);*

*''(2) for a project described in paragraphs (4) through (11) of subsection (b);*

*''(3) for a project described in section 101(a)(29), as in effect on the day before the date of enactment of the FAST Act; and*

*''(4) as approved by the Secretary.*

*''(d) ALLOCATIONS OF APPORTIONED FUNDS TO AREAS BASED ON POPULATION.—*

*''(1) CALCULATION.—Of the funds apportioned to a State under section 104(b)(2) (after the reservation of funds under subsection (h))—*

*''(A) the percentage specified in paragraph (6) for a fiscal year shall be obligated under this section, in proportion to their relative shares of the population of the State—*

*''(i) in urbanized areas of the State with an urbanized area population of over 200,000;*

*''(ii) in areas of the State other than urban areas with a population greater than 5,000; and*

*''(iii) in other areas of the State; and*

*''(B) the remainder may be obligated in any area of the State.*

*''(2) METROPOLITAN AREAS.—Funds attributed to an urbanized area under paragraph (1)(A)(i) may be obligated in the metropolitan area established under section 134 that encompasses the urbanized area.*

*''(3) CONSULTATION WITH REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—For purposes of paragraph (1)(A)(iii), before obligating funding attributed to an area with a population greater than 5,000 and less than 200,000, a State shall consult with the regional transportation planning organizations that represent the area, if any.*

*''(4) DISTRIBUTION AMONG URBANIZED AREAS OF OVER 200,000 POPULATION.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of funds that a State is required to obligate under paragraph (1)(A)(i) shall be obligated in urbanized areas described in paragraph (1)(A)(i) based on the relative population of the areas.*

*''(B) OTHER FACTORS.—The State may obligate the funds described in subparagraph (A) based on other factors if the State and the relevant metropolitan planning organizations jointly apply to the Secretary for the permission to base the obligation on other factors and the Secretary grants the request.*

*''(5) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with sections 134 and 135.*

*''(6) PERCENTAGE.—The percentage referred to in paragraph (1)(A) is—*

*''(A) for fiscal year 2016, 51 percent;*

*''(B) for fiscal year 2017, 52 percent;*

*''(C) for fiscal year 2018, 53 percent;*

*''(D) for fiscal year 2019, 54 percent; and*

*''(E) for fiscal year 2020, 55 percent.'';*

*(2) by striking the section heading and inserting ''**Surface transportation block grant program**'';*

*(3) by striking subsection (e);*

*(4) by redesignating subsections (f) through (h) as subsections (e) through (g), respectively;*

*(5) in subsection (e)(1), as redesignated by this subsection—*

*(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and*

*(B) by striking ''fiscal years 2011 through 2014'' and inserting ''fiscal years 2016 through 2020'';*

*(6) in subsection (g)(1), as redesignated by this subsection, by striking ''under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014'' and inserting ''under subsection (d)(1)(A)(ii) for each of fiscal years 2016 through 2020''; and*

*(7) by adding at the end the following:*

*''(h) STP SET-ASIDE.—*

*''(1) RESERVATION OF FUNDS.—Of the funds apportioned to a State under section 104(b)(2) for each fiscal year, the Secretary shall reserve an amount such that—*

*''(A) the Secretary reserves a total under this subsection of—*

*''(i) $835,000,000 for each of fiscal years 2016 and 2017; and*

*''(ii) $850,000,000 for each of fiscal years 2018 through 2020; and*

*''(B) the State's share of that total is determined by multiplying the amount under subparagraph (A) by the ratio that—*

*''(i) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP–21; bears to*

*''(ii) the total amount of funds apportioned to all States for the transportation enhancements program for fiscal year 2009.*

*''(2) ALLOCATION WITHIN A STATE.—Funds reserved for a State under paragraph (1) shall be obligated within that State in the manner described in subsection (d), except that, for purposes of this paragraph (after funds are made available under paragraph (5))—*

*''(A) for each fiscal year, the percentage referred to in paragraph (1)(A) of that subsection shall be deemed to be 50 percent; and*

*''(B) the following provisions shall not apply:*

*''(i) Paragraph (3) of subsection (d).*

*''(ii) Subsection (e).*

*''(3) ELIGIBLE PROJECTS.—Funds reserved under this subsection may be obligated for projects or activities described in section 101(a)(29) or 213, as such provisions were in effect on the day before the date of enactment of the FAST Act.*

*''(4) ACCESS TO FUNDS.—*

*''(A) IN GENERAL.—A State or metropolitan planning organization required to obligate funds in accordance with paragraph (2) shall develop a competitive process to allow eligible entities to submit projects for funding that achieve the objectives of this subsection. A metropolitan planning organization for an area described in subsection (d)(1)(A)(i) shall select projects under such process in consultation with the relevant State.*

*''(B) ELIGIBLE ENTITY DEFINED.—In this paragraph, the term 'eligible entity' means—*

*''(i) a local government;*

*''(ii) a regional transportation authority;*

*''(iii) a transit agency;*

*''(iv) a natural resource or public land agency;*

''(v) a school district, local education agency, or school;

''(vi) a tribal government;

''(vii) a nonprofit entity responsible for the administration of local transportation safety programs; and

''(viii) any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection.

''(5) CONTINUATION OF CERTAIN RECREATIONAL TRAILS PROJECTS.—For each fiscal year, a State shall—

''(A) obligate an amount of funds reserved under this section equal to the amount of the funds apportioned to the State for fiscal year 2009 under section 104(h)(2), as in effect on the day before the date of enactment of MAP–21, for projects relating to recreational trails under section 206;

''(B) return 1 percent of those funds to the Secretary for the administration of that program; and

''(C) comply with the provisions of the administration of the recreational trails program under section 206, including the use of apportioned funds described in subsection (d)(3)(A) of that section.

''(6) STATE FLEXIBILITY.—

''(A) RECREATIONAL TRAILS.—A State may opt out of the recreational trails program under paragraph (5) if the Governor of the State notifies the Secretary not later than 30 days prior to apportionments being made for any fiscal year.

''(B) LARGE URBANIZED AREAS.—A metropolitan planning area may use not to exceed 50 percent of the funds reserved under this subsection for an urbanized area described in subsection (d)(1)(A)(i) for any purpose eligible under subsection (b).

''(7) ANNUAL REPORTS.—

''(A) IN GENERAL.—Each State or metropolitan planning organization responsible for carrying out the requirements of this subsection shall submit to the Secretary an annual report that describes—

''(i) the number of project applications received for each fiscal year, including—

''(I) the aggregate cost of the projects for which applications are received; and

''(II) the types of projects to be carried out, expressed as percentages of the total apportionment of the State under this subsection; and

''(ii) the number of projects selected for funding for each fiscal year, including the aggregate cost and location of projects selected.

''(B) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the Web site of the Department of Transportation, a copy of each annual report submitted under subparagraph (A).

''(i) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects funded under this section (excluding those carried out under subsection (h)(5)) shall be treated as projects on a Federal-aid highway under this chapter.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 126.—Section 126(b)(2) of title 23, United States Code, is amended—

(A) by striking ''section 213'' and inserting ''section 133(h)''; and

(B) by striking ''section 213(c)(1)(B)'' and inserting ''section 133(h)''.

(2) SECTION 213.—Section 213 of title 23, United States Code, is repealed.

(3) SECTION 322.—Section 322(h)(3) of title 23, United States Code, is amended by striking ''surface transportation program'' and inserting ''surface transportation block grant program''.

(4) SECTION 504.—Section 504(a)(4) of title 23, United States Code, is amended—

(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and

(B) by striking ''surface transportation program'' and inserting ''surface transportation block grant program''.

(5) CHAPTER 1.—Chapter 1 of title 23, United States Code, is amended by striking ''surface transportation program'' each place it appears and inserting ''surface transportation block grant program''.

(6) CHAPTER ANALYSES.—

(A) CHAPTER 1.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 133 and inserting the following:

''133. Surface transportation block grant program.''.

(B) CHAPTER 2.—The item relating to section 213 in the analysis for chapter 2 of title 23, United States Code, is repealed.

(7) OTHER REFERENCES.—Any reference in any other law, regulation, document, paper, or other record of the United States to the surface transportation program under section 133 of title 23, United States Code, shall be deemed to be a reference to the surface transportation block grant program under such section.

***SEC. 1110. HIGHWAY USE TAX EVASION PROJECTS.***

Section 143(b) of title 23, United States Code, is amended—

(1) by striking paragraph (2)(A) and inserting the following:

''(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary may deduct such sums as are necessary, not to exceed $4,000,000 for each of fiscal years 2016 through 2020, to carry out this section.'';

(2) in the heading for paragraph (8) by inserting ''BLOCK GRANT'' after ''SURFACE TRANSPORTATION''; and

(3) in paragraph (9) by inserting '', the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate'' after ''the Secretary''.

***SEC. 1111. BUNDLING OF BRIDGE PROJECTS.***

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A) by striking ''the natural condition of the bridge'' and inserting ''the natural condition of the water'';

(2) by redesignating subsection (j) as subsection (k);

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

''(j) BUNDLING OF BRIDGE PROJECTS.—

''(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

''(2) ELIGIBLE ENTITY DEFINED.—In this subsection, the term 'eligible entity' means an entity eligible to carry out a bridge project under section 119 or 133.

''(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

''(A) eligible projects under section 119 or 133;

''(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

''(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

''(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), a bundling of bridge projects under this subsection may be listed as—

''(A) 1 project for purposes of sections 134 and 135; and

''(B) a single project.

''(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

''(A) the same funding category or subcategory; and

''(B) the same Federal share.

''(6) ENGINEERING COST REIMBURSEMENT.—The provisions of section 102(b) do not apply to projects carried out under this subsection.''; and

(4) in subsection (k)(2), as redesignated by paragraph (2) of this section, by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

***SEC. 1112. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.***

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) in subsection (a), in the subsection heading, by striking ''IN GENERAL.—'' and inserting ''PROGRAM.—''; and

(2) by striking subsections (d) through (g) and inserting the following:

''(d) FORMULA.—Of the amounts allocated under subsection (c)—

''(1) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of ferry passengers, including passengers in vehicles, carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of ferry passengers, including passengers in vehicles, carried by all ferry systems in the most recent calendar year for which data is available;

''(2) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of vehicles carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of vehicles carried by all ferry systems in the most recent calendar year for which data is available; and

''(3) 30 percent shall be allocated among eligible entities in the proportion that—

''(A) the total route nautical miles serviced by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the total route nautical miles serviced by all ferry systems in the most recent calendar year for which data is available.

''(e) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

''(1) withdraw amounts allocated to an eligible entity under subsection (c) that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

''(2) in the subsequent fiscal year, redistribute the amounts referred to in paragraph (1) in accordance with the formula under subsection (d) among eligible entities for which no amounts were withdrawn under paragraph (1).

''(f) MINIMUM AMOUNT.—Notwithstanding subsection (c), a State with an eligible entity that meets the requirements of this section shall receive not less than $100,000 under this section for a fiscal year.

''(g) IMPLEMENTATION.—

''(1) DATA COLLECTION.—

''(A) NATIONAL FERRY DATABASE.—Amounts made available for a fiscal year under this section shall be allocated using the most recent data available, as collected and imputed in accordance with the national ferry database established under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note).

''(B) ELIGIBILITY FOR FUNDING.—To be eligible to receive funds under subsection (c), data shall have been submitted in the most recent collection of data for the national ferry database under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note) for at least 1 ferry service within the State.

''(2) ADJUSTMENTS.—On review of the data submitted under paragraph (1)(B), the Secretary may make adjustments to the data as the Secretary determines necessary to correct misreported or inconsistent data.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $80,000,000 for each of fiscal years 2016 through 2020.

''(i) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available to carry out this section shall remain available until expended.

''(j) APPLICABILITY.—All provisions of this chapter that are applicable to the National Highway System, other than provisions relating

*to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined by the Secretary to be inconsistent with this section.''.*

*(b) NATIONAL FERRY DATABASE.—Section 1801(e)(4) of SAFETEA–LU (23 U.S.C. 129 note) is amended by striking subparagraph (D) and inserting the following:*

*''(D) make available, from the amounts made available for each fiscal year to carry out chapter 63 of title 49, not more than $500,000 to maintain the database.''.*

*(c) CONFORMING AMENDMENTS.—Section 129(c) of title 23, United States Code, is amended—*

*(1) in paragraph (2), in the first sentence, by inserting ''or on a public transit ferry eligible under chapter 53 of title 49'' after ''Interstate System'';*

*(2) in paragraph (3)—*

*(A) by striking ''(3) Such ferry'' and inserting ''(3)(A) The ferry''; and*

*(B) by adding at the end the following:*

*''(B) Any Federal participation shall not involve the construction or purchase, for private ownership, of a ferry boat, ferry terminal facility, or other eligible project under this section.'';*

*(3) in paragraph (4) by striking ''and repair,'' and inserting ''repair,''; and*

*(4) by striking paragraph (6) and inserting the following:*

*''(6) The ferry service shall be maintained in accordance with section 116.*

*''(7)(A) No ferry boat or ferry terminal with Federal participation under this title may be sold, leased, or otherwise disposed of, except in accordance with part 200 of title 2, Code of Federal Regulations.*

*''(B) The Federal share of any proceeds from a disposition referred to in subparagraph (A) shall be used for eligible purposes under this title.''.*

***SEC. 1113. HIGHWAY SAFETY IMPROVEMENT PROGRAM.***

*(a) IN GENERAL.—Section 148 of title 23, United States Code, is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (4)(B)—*

*(i) in the matter preceding clause (i), by striking ''includes, but is not limited to,'' and inserting ''only includes''; and*

*(ii) by adding at the end the following:*

*''(xxv) Installation of vehicle-to-infrastructure communication equipment.*

*''(xxvi) Pedestrian hybrid beacons.*

*''(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.*

*''(xxviii) A physical infrastructure safety project not described in clauses (i) through (xxvii).'';*

*(B) by striking paragraph (10); and*

*(C) by redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively;*

*(2) in subsection (c)(1)(A) by striking ''subsections (a)(12)'' and inserting ''subsections (a)(11)'';*

*(3) in subsection (d)(2)(B)(i) by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)''; and*

*(4) by adding at the end the following:*

*''(k) DATA COLLECTION ON UNPAVED PUBLIC ROADS.—*

*''(1) IN GENERAL.—A State may elect not to collect fundamental data elements for the model inventory of roadway elements on public roads that are gravel roads or otherwise unpaved if—*

*''(A) the State does not use funds provided to carry out this section for a project on any such roads until the State completes a collection of the required model inventory of roadway elements for the applicable road segment; and*

*''(B) the State demonstrates that the State consulted with affected Indian tribes before ceasing to collect data with respect to such roads that are included in the National Tribal Transportation Facility Inventory under section 202(b)(1) of this title.*

*''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to allow a State to cease data collection related to serious injuries or fatalities.''.*

*(b) COMMERCIAL MOTOR VEHICLE SAFETY BEST PRACTICES.—*

*(1) REVIEW.—The Secretary shall conduct a review of best practices with respect to the implementation of roadway safety infrastructure improvements that—*

*(A) are cost effective; and*

*(B) reduce the number or severity of accidents involving commercial motor vehicles.*

*(2) CONSULTATION.—In conducting the review under paragraph (1), the Secretary shall consult with State transportation departments and units of local government.*

*(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the results of the review conducted under paragraph (1).*

***SEC. 1114. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.***

*Section 149 of title 23, United States Code, is amended—*

*(1) in subsection (b)—*

*(A) in paragraph (1)(A)(i)(I) by inserting ''in the designated nonattainment area'' after ''air quality standard'';*

*(B) in paragraph (3) by inserting ''or maintenance'' after ''likely to contribute to the attainment'';*

*(C) in paragraph (4) by striking ''attainment of'' and inserting ''attainment or maintenance in the area of'';*

*(D) in paragraph (7) by striking ''or'' at the end;*

*(E) in paragraph (8)—*

*(i) in subparagraph (A)(ii)—*

*(I) in the matter preceding subclause (I) by inserting ''or port-related freight operations'' after ''construction projects''; and*

*(II) in subclause (II) by inserting ''or chapter 53 of title 49'' after ''this title''; and*

*(ii) in subparagraph (B) by striking the period at the end and inserting ''; or''; and*

*(F) by adding at the end the following:*

*''(9) if the project or program is for the installation of vehicle-to-infrastructure communication equipment.'';*

*(2) in subsection (c)(2) by inserting ''(giving priority to corridors designated under section 151)'' after ''at any location in the State'';*

*(3) in subsection (d)—*

*(A) by striking paragraph (1)(B) and inserting the following:*

*''(B) is eligible under the surface transportation block grant program under section 133.'';*

*(B) in paragraph (2)—*

*(i) in subparagraph (A)—*

*(I) in the matter preceding clause (i) by inserting ''would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or'' after ''may use for any project that''; and*

*(II) in clause (i) by striking ''paragraph (l)'' and inserting ''subsection (k)(1)''; and*

*(ii) in subparagraph (B)(i) by striking ''MAP–21t'' and inserting ''MAP–21''; and*

*(C) in paragraph (3) by inserting '', in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP–21,'' after ''the Secretary shall modify'';*

*(4) in subsection (g)(2)(B) by striking ''not later that'' and inserting ''not later than'';*

*(5) in subsection (k) by adding at the end the following:*

*''(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—*

*''(A) EXCEPTION.—In any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, the requirements under subsection (g)(3) and paragraphs (1) and (2) of this subsection shall not apply to a nonattainment or maintenance area in the State if—*

*''(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and*

*''(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.*

*''(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set-aside under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.*

*''(4) PORT-RELATED EQUIPMENT AND VEHICLES.—To meet the requirements under paragraph (1), a State or metropolitan planning organization may elect to obligate funds to the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of a PM2.5 nonattainment or maintenance area.'';*

*(6) in subsection (l)(1)(B) by inserting ''air quality and traffic congestion'' before ''performance targets''; and*

*(7) in subsection (m) by striking ''section 104(b)(2)'' and inserting ''section 104(b)(4)''.*

***SEC. 1115. TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.***

*Section 165(a) of title 23, United States Code, is amended—*

*(1) in paragraph (1) by striking ''$150,000,000'' and inserting ''$158,000,000''; and*

*(2) in paragraph (2) by striking ''$40,000,000'' and inserting ''$42,000,000''.*

***SEC. 1116. NATIONAL HIGHWAY FREIGHT PROGRAM.***

*(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended to read as follows:*

***''§ 167. National highway freight program***

*''(a) IN GENERAL.—*

*''(1) POLICY.—It is the policy of the United States to improve the condition and performance of the National Highway Freight Network established under this section to ensure that the Network provides the foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).*

*''(2) ESTABLISHMENT.—In support of the goals described in subsection (b), the Administrator of the Federal Highway Administration shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the National Highway Freight Network.*

*''(b) GOALS.—The goals of the national highway freight program are—*

*''(1) to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—*

*''(A) strengthen the contribution of the National Highway Freight Network to the economic competitiveness of the United States;*

*''(B) reduce congestion and bottlenecks on the National Highway Freight Network;*

*''(C) reduce the cost of freight transportation;*

*''(D) improve the year-round reliability of freight transportation; and*

*''(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;*

*''(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;*

*''(3) to improve the state of good repair of the National Highway Freight Network;*

*''(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Highway Freight Network;*

*''(5) to improve the efficiency and productivity of the National Highway Freight Network;*

''(6) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address highway freight connectivity; and

''(7) to reduce the environmental impacts of freight movement on the National Highway Freight Network.

''(c) ESTABLISHMENT OF NATIONAL HIGHWAY FREIGHT NETWORK.—

''(1) IN GENERAL.—The Administrator shall establish a National Highway Freight Network in accordance with this section to strategically direct Federal resources and policies toward improved performance of the Network.

''(2) NETWORK COMPONENTS.—The National Highway Freight Network shall consist of—

''(A) the primary highway freight system, as designated under subsection (d);

''(B) critical rural freight corridors established under subsection (e);

''(C) critical urban freight corridors established under subsection (f); and

''(D) the portions of the Interstate System not designated as part of the primary highway freight system.

''(d) DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(1) INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—The initial designation of the primary highway freight system shall be the 41,518-mile network identified during the designation process for the primary freight network under section 167(d) of this title, as in effect on the day before the date of enactment of the FAST Act.

''(2) REDESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Beginning 5 years after the date of enactment of the FAST Act, and every 5 years thereafter, using the designation factors described in subparagraph (E), the Administrator shall redesignate the primary highway freight system.

''(B) REDESIGNATION MILEAGE.—Each redesignation may increase the mileage on the primary highway freight system by not more than 3 percent of the total mileage of the system.

''(C) USE OF MEASURABLE DATA.—In redesignating the primary highway freight system, to the maximum extent practicable, the Administrator shall use measurable data to assess the significance of goods movement, including consideration of points of origin, destinations, and linking components of the United States global and domestic supply chains.

''(D) INPUT.—In redesignating the primary highway freight system, the Administrator shall provide an opportunity for State freight advisory committees, as applicable, to submit additional miles for consideration.

''(E) FACTORS FOR REDESIGNATION.—In redesignating the primary highway freight system, the Administrator shall consider—

''(i) changes in the origins and destinations of freight movement in, to, and from the United States;

''(ii) changes in the percentage of annual daily truck traffic in the annual average daily traffic on principal arterials;

''(iii) changes in the location of key facilities;

''(iv) land and water ports of entry;

''(v) access to energy exploration, development, installation, or production areas;

''(vi) access to other freight intermodal facilities, including rail, air, water, and pipelines facilities;

''(vii) the total freight tonnage and value moved via highways;

''(viii) significant freight bottlenecks, as identified by the Administrator;

''(ix) the significance of goods movement on principal arterials, including consideration of global and domestic supply chains;

''(x) critical emerging freight corridors and critical commerce corridors; and

''(xi) network connectivity.

''(e) CRITICAL RURAL FREIGHT CORRIDORS.—

''(1) IN GENERAL.—A State may designate a public road within the borders of the State as a critical rural freight corridor if the public road is not in an urbanized area and—

''(A) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (Federal Highway Administration vehicle class 8 to 13);

''(B) provides access to energy exploration, development, installation, or production areas;

''(C) connects the primary highway freight system, a roadway described in subparagraph (A) or (B), or the Interstate System to facilities that handle more than—

''(i) 50,000 20-foot equivalent units per year; or

''(ii) 500,000 tons per year of bulk commodities;

''(D) provides access to—

''(i) a grain elevator;

''(ii) an agricultural facility;

''(iii) a mining facility;

''(iv) a forestry facility; or

''(v) an intermodal facility;

''(E) connects to an international port of entry;

''(F) provides access to significant air, rail, water, or other freight facilities in the State; or

''(G) is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.

''(2) LIMITATION.—A State may designate as critical rural freight corridors a maximum of 150 miles of highway or 20 percent of the primary highway freight system mileage in the State, whichever is greater.

''(f) CRITICAL URBAN FREIGHT CORRIDORS.—

''(1) URBANIZED AREA WITH POPULATION OF 500,000 OR MORE.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(2) URBANIZED AREA WITH A POPULATION LESS THAN 500,000.—In an urbanized area with a population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under paragraph (1) or (2) if the public road—

''(A) is in an urbanized area, regardless of population; and

''(B)(i) connects an intermodal facility to—

''(I) the primary highway freight system;

''(II) the Interstate System; or

''(III) an intermodal freight facility;

''(ii) is located within a corridor of a route on the primary highway freight system and provides an alternative highway option important to goods movement;

''(iii) serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or

''(iv) is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.

''(4) LIMITATION.—For each State, a maximum of 75 miles of highway or 10 percent of the primary highway freight system mileage in the State, whichever is greater, may be designated as a critical urban freight corridor under paragraphs (1) and (2).

''(g) DESIGNATION AND CERTIFICATION.—

''(1) DESIGNATION.—States and metropolitan planning organizations may designate corridors under subsections (e) and (f) and submit the designated corridors to the Administrator on a rolling basis.

''(2) CERTIFICATION.—Each State or metropolitan planning organization that designates a corridor under subsection (e) or (f) shall certify to the Administrator that the designated corridor meets the requirements of the applicable subsection.

''(h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the FAST Act, and biennially thereafter, the Administrator shall prepare and submit to Congress a report that describes the conditions and performance of the National Highway Freight Network in the United States.

''(i) USE OF APPORTIONED FUNDS.—

''(1) IN GENERAL.—A State shall obligate funds apportioned to the State under section 104(b)(5) to improve the movement of freight on the National Highway Freight Network.

''(2) FORMULA.—The Administrator shall calculate for each State the proportion that—

''(A) the total mileage in the State designated as part of the primary highway freight system; bears to

''(B) the total mileage of the primary highway freight system in all States.

''(3) USE OF FUNDS.—

''(A) STATES WITH HIGH PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is greater than or equal to 2 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on—

''(i) the primary highway freight system;

''(ii) critical rural freight corridors; and

''(iii) critical urban freight corridors.

''(B) STATES WITH LOW PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is less than 2 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on any component of the National Highway Freight Network.

''(4) FREIGHT PLANNING.—Notwithstanding any other provision of law, effective beginning 2 years after the date of enactment of the FAST Act, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has developed a freight plan in accordance with section 70202 of title 49, except that the multimodal component of the plan may be incomplete before an obligation may be made under this section.

''(5) ELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in this subsection, for a project to be eligible for funding under this section the project shall—

''(i) contribute to the efficient movement of freight on the National Highway Freight Network; and

''(ii) be identified in a freight investment plan included in a freight plan of the State that is in effect.

''(B) OTHER PROJECTS.—For each fiscal year, a State may obligate not more than 10 percent of the total apportionment of the State under section 104(b)(5) for freight intermodal or freight rail projects, including projects—

''(i) within the boundaries of public or private freight rail or water facilities (including ports); and

''(ii) that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into or out of the facility.

''(C) ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(5) for the national highway freight program may be obligated to carry out 1 or more of the following:

''(i) Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.

''(ii) Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.

''(iii) Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.

''(iv) Efforts to reduce the environmental impacts of freight movement.

''(v) Environmental and community mitigation for freight movement.

''(vi) Railway-highway grade separation.

''(vii) Geometric improvements to interchanges and ramps.

''(viii) Truck-only lanes.

''(ix) Climbing and runaway truck lanes.

''(x) Adding or widening of shoulders.

''(xi) Truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note).

''(xii) Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.

''(xiii) Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.

''(xiv) Traffic signal optimization, including synchronized and adaptive signals.

''(xv) Work zone management and information systems.

''(xvi) Highway ramp metering.

''(xvii) Electronic cargo and border security technologies that improve truck freight movement.

''(xviii) Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.

''(xix) Additional road capacity to address highway freight bottlenecks.

''(xx) Physical separation of passenger vehicles from commercial motor freight.

''(xxi) Enhancement of the resiliency of critical highway infrastructure, including highway infrastructure that supports national energy security, to improve the flow of freight.

''(xxii) A highway or bridge project, other than a project described in clauses (i) through (xxi), to improve the flow of freight on the National Highway Freight Network.

''(xxiii) Any other surface transportation project to improve the flow of freight into and out of a facility described in subparagraph (B).

''(6) OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (5), a State may use funds apportioned under section 104(b)(5) for—

''(A) carrying out diesel retrofit or alternative fuel projects under section 149 for class 8 vehicles; and

''(B) the necessary costs of—

''(i) conducting analyses and data collection related to the national highway freight program;

''(ii) developing and updating performance targets to carry out this section; and

''(iii) reporting to the Administrator to comply with the freight performance target under section 150.

''(7) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(j) STATE PERFORMANCE TARGETS.—If the Administrator determines that a State has not met or made significant progress toward meeting the performance targets related to freight movement of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, the State shall include in the next report submitted under section 150(e) a description of the actions the State will undertake to achieve the targets, including—

''(1) an identification of significant freight system trends, needs, and issues within the State;

''(2) a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;

''(3) an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating national highway freight program funds to improve those bottlenecks; and

''(4) a description of the actions the State will undertake to meet the performance targets of the State.

''(k) INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—

''(1) DEFINITION OF INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—In this section, the term 'intelligent freight transportation system' means—

''(A) innovative or intelligent technological transportation systems, infrastructure, or facilities, including elevated freight transportation facilities—

''(i) in proximity to, or within, an existing right of way on a Federal-aid highway; or

''(ii) that connect land ports-of entry to existing Federal-aid highways; or

''(B) communications or information processing systems that improve the efficiency, security, or safety of freight movements on the Federal-aid highway system, including to improve the conveyance of freight on dedicated intelligent freight lanes.

''(2) OPERATING STANDARDS.—The Administrator shall determine whether there is a need for establishing operating standards for intelligent freight transportation systems.

''(l) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project were on a Federal-aid highway.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 167 and inserting the following:

''167. National highway freight program.''.

(c) REPEALS.—Sections 1116, 1117, and 1118 of MAP–21 (23 U.S.C. 167 note), and the items relating to such sections in the table of contents in section 1(c) of such Act, are repealed.

**SEC. 1117. FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.**

(a) TRIBAL DATA COLLECTION.—Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

''(C) TRIBAL DATA COLLECTION.—In addition to the data to be collected under subparagraph (A), not later than 90 days after the last day of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of the Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

''(i) The names of projects and activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

''(ii) A description of the projects and activities identified under clause (i).

''(iii) The current status of the projects and activities identified under clause (i).

''(iv) An estimate of the number of jobs created and the number of jobs retained by the projects and activities identified under clause (i).''.

(b) REPORT ON TRIBAL GOVERNMENT TRANSPORTATION SAFETY DATA.—

(1) FINDINGS.—Congress finds that—

(A) in many States, the Native American population is disproportionately represented in fatalities and crash statistics;

(B) improved crash reporting by tribal law enforcement agencies would facilitate safety planning and would enable Indian tribes to apply more successfully for State and Federal funds for safety improvements;

(C) the causes of underreporting of crashes on Indian reservations include—

(i) tribal law enforcement capacity, including—

(I) staffing shortages and turnover; and

(II) lack of equipment, software, and training; and

(ii) lack of standardization in crash reporting forms and protocols; and

(D) without more accurate reporting of crashes on Indian reservations, it is difficult or impossible to fully understand the nature of the problem and develop appropriate countermeasures, which may include effective transportation safety planning and programs aimed at—

(i) driving under the influence (DUI) prevention;

(ii) pedestrian safety;

(iii) roadway safety improvements;

(iv) seat belt usage; and

(v) proper use of child restraints.

(2) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, after consultation with the Secretary of Interior, the Secretary of Health and Human Services, the Attorney General, and Indian tribes, shall submit to the Committee on Environment and Public Works and the Committee on Indian Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives a report describing the quality of transportation safety data collected by States, counties, and Indian tribes for transportation safety systems and the relevance of that data to improving the collection and sharing of data on crashes on Indian reservations.

(B) PURPOSES.—The purposes of the report are—

(i) to improve the collection and sharing of data on crashes on Indian reservations; and

(ii) to develop data that Indian tribes can use to recover damages to tribal property caused by motorists.

(C) PAPERLESS DATA REPORTING.—In preparing the report, the Secretary shall provide States, counties, and Indian tribes with options and best practices for transition to a paperless transportation safety data reporting system that—

(i) improves the collection of crash reports;

(ii) stores, archives, queries, and shares crash records; and

(iii) uses data exclusively—

(I) to address traffic safety issues on Indian reservations; and

(II) to identify and improve problem areas on public roads on Indian reservations.

(D) ADDITIONAL BUDGETARY RESOURCES.—The Secretary shall include in the report the identification of Federal transportation funds provided to Indian tribes by agencies in addition to the Department and the Department of the Interior.

(c) STUDY ON BUREAU OF INDIAN AFFAIRS ROAD SAFETY.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Interior, the Attorney General, States, and Indian tribes shall—

(1) complete a study that identifies and evaluates options for improving safety on public roads on Indian reservations; and

(2) submit to the Committee on Environment and Public Works and the Committee on Indian Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives a report describing the results of the study.

**SEC. 1118. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.**

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6) by striking ''6 percent'' and inserting ''5 percent''; and

(2) in subsection (d)(2) in the matter preceding subparagraph (A) by striking ''2 percent'' and inserting ''3 percent''.

**SEC. 1119. FEDERAL LANDS TRANSPORTATION PROGRAM.**

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B) by striking ''operation'' and inserting ''capital, operations,''; and

(B) in subparagraph (D) by striking ''subparagraph (A)(iv)'' and inserting ''subparagraph (A)(iv)(I)'';

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv) by striking ''and'' at the end;

*(ii) in clause (v) by striking the period at the end and inserting a semicolon; and*

*(iii) by adding at the end the following:*

*''(vi) the Bureau of Reclamation; and*

*''(vii) independent Federal agencies with natural resource and land management responsibilities.''; and*

*(B) in paragraph (2)(B)—*

*(i) in the matter preceding clause (i) by inserting ''performance management, including'' after ''support''; and*

*(ii) in clause (i)(II) by striking '', and'' and inserting ''; and''; and*

*(3) in subsection (c)(2)(B) by adding at the end the following:*

*''(vi) The Bureau of Reclamation.''.*

***SEC. 1120. FEDERAL LANDS PROGRAMMATIC ACTIVITIES.***

*Section 201(c) of title 23, United States Code, is amended—*

*(1) in paragraph (6)(A)—*

*(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively (and by moving the subclauses 2 ems to the right);*

*(B) in the matter preceding subclause (I) (as so redesignated), by striking ''The Secretaries'' and inserting the following:*

*''(i) IN GENERAL.—The Secretaries'';*

*(C) by inserting a period after ''tribal transportation program''; and*

*(D) by striking ''in accordance with'' and all that follows through ''including—'' and inserting the following:*

*''(ii) REQUIREMENT.—Data collected to implement the tribal transportation program shall be in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).*

*''(iii) INCLUSIONS.—Data collected under this paragraph includes—''; and*

*(2) by striking paragraph (7) and inserting the following—*

*''(7) COOPERATIVE RESEARCH AND TECHNOLOGY DEPLOYMENT.—The Secretary may conduct cooperative research and technology deployment in coordination with Federal land management agencies, as determined appropriate by the Secretary.*

*''(8) FUNDING.—*

*''(A) IN GENERAL.—To carry out the activities described in this subsection for Federal lands transportation facilities, Federal lands access transportation facilities, and other federally owned roads open to public travel (as that term is defined in section 125(e)), the Secretary shall for each fiscal year combine and use not greater than 5 percent of the funds authorized for programs under sections 203 and 204.*

*''(B) OTHER ACTIVITIES.—In addition to the activities described in subparagraph (A), funds described under that subparagraph may be used for—*

*''(i) bridge inspections on any federally owned bridge even if that bridge is not included on the inventory described under section 203; and*

*''(ii) transportation planning activities carried out by Federal land management agencies eligible for funding under this chapter.''.*

***SEC. 1121. TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM.***

*(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 206 the following:*

***''§207. Tribal transportation self-governance program***

*''(a) ESTABLISHMENT.—Subject to the requirements of this section, the Secretary shall establish and carry out a program to be known as the tribal transportation self-governance program. The Secretary may delegate responsibilities for administration of the program as the Secretary determines appropriate.*

*''(b) ELIGIBILITY.—*

*''(1) IN GENERAL.—Subject to paragraphs (2) and (3), an Indian tribe shall be eligible to participate in the program if the Indian tribe requests participation in the program by resolution or other official action by the governing body of the Indian tribe, and demonstrates, for the preceding 3 fiscal years, financial stability and financial management capability, and transportation program management capability.*

*''(2) CRITERIA FOR DETERMINING FINANCIAL STABILITY AND FINANCIAL MANAGEMENT CAPACITY.—For the purposes of paragraph (1), evidence that, during the preceding 3 fiscal years, an Indian tribe had no uncorrected significant and material audit exceptions in the required annual audit of the Indian tribe's self-determination contracts or self-governance funding agreements with any Federal agency shall be conclusive evidence of the required financial stability and financial management capability.*

*''(3) CRITERIA FOR DETERMINING TRANSPORTATION PROGRAM MANAGEMENT CAPABILITY.—The Secretary shall require an Indian tribe to demonstrate transportation program management capability, including the capability to manage and complete projects eligible under this title and projects eligible under chapter 53 of title 49, to gain eligibility for the program.*

*''(c) COMPACTS.—*

*''(1) COMPACT REQUIRED.—Upon the request of an eligible Indian tribe, and subject to the requirements of this section, the Secretary shall negotiate and enter into a written compact with the Indian tribe for the purpose of providing for the participation of the Indian tribe in the program.*

*''(2) CONTENTS.—A compact entered into under paragraph (1) shall set forth the general terms of the government-to-government relationship between the Indian tribe and the United States under the program and other terms that will continue to apply in future fiscal years.*

*''(3) AMENDMENTS.—A compact entered into with an Indian tribe under paragraph (1) may be amended only by mutual agreement of the Indian tribe and the Secretary.*

*''(d) ANNUAL FUNDING AGREEMENTS.—*

*''(1) FUNDING AGREEMENT REQUIRED.—After entering into a compact with an Indian tribe under subsection (c), the Secretary shall negotiate and enter into a written annual funding agreement with the Indian tribe.*

*''(2) CONTENTS.—*

*''(A) IN GENERAL.—*

*''(i) FORMULA FUNDING AND DISCRETIONARY GRANTS.—A funding agreement entered into with an Indian tribe shall authorize the Indian tribe, as determined by the Indian tribe, to plan, conduct, consolidate, administer, and receive full tribal share funding, tribal transit formula funding, and funding to tribes from discretionary and competitive grants administered by the Department for all programs, services, functions, and activities (or portions thereof) that are made available to Indian tribes to carry out tribal transportation programs and programs, services, functions, and activities (or portions thereof) administered by the Secretary that are otherwise available to Indian tribes.*

*''(ii) TRANSFERS OF STATE FUNDS.—*

*''(I) INCLUSION OF TRANSFERRED FUNDS IN FUNDING AGREEMENT.—A funding agreement entered into with an Indian tribe shall include Federal-aid funds apportioned to a State under chapter 1 if the State elects to provide a portion of such funds to the Indian tribe for a project eligible under section 202(a). The provisions of this section shall be in addition to the methods for making funding contributions described in section 202(a)(9). Nothing in this section shall diminish the authority of the Secretary to provide funds to an Indian tribe under section 202(a)(9).*

*''(II) METHOD FOR TRANSFERS.—If a State elects to provide funds described in subclause (I) to an Indian tribe—*

*''(aa) the transfer may occur in accordance with section 202(a)(9); or*

*''(bb) the State shall transfer the funds back to the Secretary and the Secretary shall transfer the funds to the Indian tribe in accordance with this section.*

*''(III) RESPONSIBILITY FOR TRANSFERRED FUNDS.—Notwithstanding any other provision of law, if a State provides funds described in subclause (I) to an Indian tribe—*

*''(aa) the State shall not be responsible for constructing or maintaining a project carried out using the funds or for administering or supervising the project or funds during the applicable statute of limitations period related to the construction of the project; and*

*''(bb) the Indian tribe shall be responsible for constructing and maintaining a project carried out using the funds and for administering and supervising the project and funds in accordance with this section during the applicable statute of limitations period related to the construction of the project.*

*''(B) ADMINISTRATION OF TRIBAL SHARES.—The tribal shares referred to in subparagraph (A) shall be provided without regard to the agency or office of the Department within which the program, service, function, or activity (or portion thereof) is performed.*

*''(C) FLEXIBLE AND INNOVATIVE FINANCING.—*

*''(i) IN GENERAL.—A funding agreement entered into with an Indian tribe under paragraph (1) shall include provisions pertaining to flexible and innovative financing if agreed upon by the parties.*

*''(ii) TERMS AND CONDITIONS.—*

*''(I) AUTHORITY TO ISSUE REGULATIONS.—The Secretary may issue regulations to establish the terms and conditions relating to the flexible and innovative financing provisions referred to in clause (i).*

*''(II) TERMS AND CONDITIONS IN ABSENCE OF REGULATIONS.—If the Secretary does not issue regulations under subclause (I), the terms and conditions relating to the flexible and innovative financing provisions referred to in clause (i) shall be consistent with—*

*''(aa) agreements entered into by the Department under—*

*''(AA) section 202(b)(7); and*

*''(BB) section 202(d)(5), as in effect before the date of enactment of MAP–21 (Public Law 112–141); or*

*''(bb) regulations of the Department of the Interior relating to flexible financing contained in part 170 of title 25, Code of Federal Regulations, as in effect on the date of enactment of the FAST Act.*

*''(3) TERMS.—A funding agreement shall set forth—*

*''(A) terms that generally identify the programs, services, functions, and activities (or portions thereof) to be performed or administered by the Indian tribe; and*

*''(B) for items identified in subparagraph (A)—*

*''(i) the general budget category assigned;*

*''(ii) the funds to be provided, including those funds to be provided on a recurring basis;*

*''(iii) the time and method of transfer of the funds;*

*''(iv) the responsibilities of the Secretary and the Indian tribe; and*

*''(v) any other provision agreed to by the Indian tribe and the Secretary.*

*''(4) SUBSEQUENT FUNDING AGREEMENTS.—*

*''(A) APPLICABILITY OF EXISTING AGREEMENT.—Absent notification from an Indian tribe that the Indian tribe is withdrawing from or retroceding the operation of 1 or more programs, services, functions, or activities (or portions thereof) identified in a funding agreement, or unless otherwise agreed to by the parties, each funding agreement shall remain in full force and effect until a subsequent funding agreement is executed.*

*''(B) EFFECTIVE DATE OF SUBSEQUENT AGREEMENT.—The terms of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement.*

*''(5) CONSENT OF INDIAN TRIBE REQUIRED.—The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian tribe that is subject to the agreement unless such terms are required by Federal law.*

*''(e) GENERAL PROVISIONS.—*

''(1) REDESIGN AND CONSOLIDATION.—

''(A) IN GENERAL.—An Indian tribe, in any manner that the Indian tribe considers to be in the best interest of the Indian community being served, may—

''(i) redesign or consolidate programs, services, functions, and activities (or portions thereof) included in a funding agreement; and

''(ii) reallocate or redirect funds for such programs, services, functions, and activities (or portions thereof), if the funds are—

''(I) expended on projects identified in a transportation improvement program approved by the Secretary; and

''(II) used in accordance with the requirements in—

''(aa) appropriations Acts;

''(bb) this title and chapter 53 of title 49; and

''(cc) any other applicable law.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), if, pursuant to subsection (d), an Indian tribe receives a discretionary or competitive grant from the Secretary or receives State apportioned funds, the Indian tribe shall use the funds for the purpose for which the funds were originally authorized.

''(2) RETROCESSION.—

''(A) IN GENERAL.—

''(i) AUTHORITY OF INDIAN TRIBES.—An Indian tribe may retrocede (fully or partially) to the Secretary programs, services, functions, or activities (or portions thereof) included in a compact or funding agreement.

''(ii) REASSUMPTION OF REMAINING FUNDS.—Following a retrocession described in clause (i), the Secretary may—

''(I) reassume the remaining funding associated with the retroceded programs, functions, services, and activities (or portions thereof) included in the applicable compact or funding agreement;

''(II) out of such remaining funds, transfer funds associated with Department of Interior programs, services, functions, or activities (or portions thereof) to the Secretary of the Interior to carry out transportation services provided by the Secretary of the Interior; and

''(III) distribute funds not transferred under subclause (II) in accordance with applicable law.

''(iii) CORRECTION OF PROGRAMS.—If the Secretary makes a finding under subsection (f)(2)(B) and no funds are available under subsection (f)(2)(A)(ii), the Secretary shall not be required to provide additional funds to complete or correct any programs, functions, services, or activities (or portions thereof).

''(B) EFFECTIVE DATE.—Unless the Indian tribe rescinds a request for retrocession, the retrocession shall become effective within the timeframe specified by the parties in the compact or funding agreement. In the absence of such a specification, the retrocession shall become effective on—

''(i) the earlier of—

''(I) 1 year after the date of submission of the request; or

''(II) the date on which the funding agreement expires; or

''(ii) such date as may be mutually agreed upon by the parties and, with respect to Department of the Interior programs, functions, services, and activities (or portions thereof), the Secretary of the Interior.

''(f) PROVISIONS RELATING TO SECRETARY.—

''(1) DECISIONMAKER.—A decision that relates to an appeal of the rejection of a final offer by the Department shall be made either—

''(A) by an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency in which the decision that is the subject of the appeal was made; or

''(B) by an administrative judge.

''(2) TERMINATION OF COMPACT OR FUNDING AGREEMENT.—

''(A) AUTHORITY TO TERMINATE.—

''(i) PROVISION TO BE INCLUDED IN COMPACT OR FUNDING AGREEMENT.—A compact or funding agreement shall include a provision authorizing the Secretary, if the Secretary makes a finding described in subparagraph (B), to—

''(I) terminate the compact or funding agreement (or a portion thereof); and

''(II) reassume the remaining funding associated with the reassumed programs, functions, services, and activities included in the compact or funding agreement.

''(ii) TRANSFERS OF FUNDS.—Out of any funds reassumed under clause (i)(II), the Secretary may transfer the funds associated with Department of the Interior programs, functions, services, and activities (or portions thereof) to the Secretary of the Interior to provide continued transportation services in accordance with applicable law.

''(B) FINDINGS RESULTING IN TERMINATION.—The finding referred to in subparagraph (A) is a specific finding of—

''(i) imminent jeopardy to a trust asset, natural resources, or public health and safety that is caused by an act or omission of the Indian tribe and that arises out of a failure to carry out the compact or funding agreement, as determined by the Secretary; or

''(ii) gross mismanagement with respect to funds or programs transferred to the Indian tribe under the compact or funding agreement, as determined by the Secretary in consultation with the Inspector General of the Department, as appropriate.

''(C) PROHIBITION.—The Secretary shall not terminate a compact or funding agreement (or portion thereof) unless—

''(i) the Secretary has first provided written notice and a hearing on the record to the Indian tribe that is subject to the compact or funding agreement; and

''(ii) the Indian tribe has not taken corrective action to remedy the mismanagement of funds or programs or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

''(D) EXCEPTION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (C), the Secretary, upon written notification to an Indian tribe that is subject to a compact or funding agreement, may immediately terminate the compact or funding agreement (or portion thereof) if—

''(I) the Secretary makes a finding of imminent substantial and irreparable jeopardy to a trust asset, natural resource, or public health and safety; and

''(II) the jeopardy arises out of a failure to carry out the compact or funding agreement.

''(ii) HEARINGS.—If the Secretary terminates a compact or funding agreement (or portion thereof) under clause (i), the Secretary shall provide the Indian tribe subject to the compact or agreement with a hearing on the record not later than 10 days after the date of such termination.

''(E) BURDEN OF PROOF.—In any hearing or appeal involving a decision to terminate a compact or funding agreement (or portion thereof) under this paragraph, the Secretary shall have the burden of proof in demonstrating by clear and convincing evidence the validity of the grounds for the termination.

''(g) COST PRINCIPLES.—In administering funds received under this section, an Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j–1), other provisions of law, or by any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget. No other audit or accounting standards shall be required by the Secretary. Any claim by the Federal Government against the Indian tribe relating to funds received under a funding agreement based on any audit conducted pursuant to this subsection shall be subject to the provisions of section 106(f) of that Act (25 U.S.C. 450j–1(f)).

''(h) TRANSFER OF FUNDS.—The Secretary shall provide funds to an Indian tribe under a funding agreement in an amount equal to—

''(1) the sum of the funding that the Indian tribe would otherwise receive for the program, function, service, or activity in accordance with a funding formula or other allocation method established under this title or chapter 53 of title 49; and

''(2) such additional amounts as the Secretary determines equal the amounts that would have been withheld for the costs of the Bureau of Indian Affairs for administration of the program or project.

''(i) CONSTRUCTION PROGRAMS.—

''(1) STANDARDS.—Construction projects carried out under programs administered by an Indian tribe with funds transferred to the Indian tribe pursuant to a funding agreement entered into under this section shall be constructed pursuant to the construction program standards set forth in applicable regulations or as specifically approved by the Secretary (or the Secretary's designee).

''(2) MONITORING.—Construction programs shall be monitored by the Secretary in accordance with applicable regulations.

''(j) FACILITATION.—

''(1) SECRETARIAL INTERPRETATION.—Except as otherwise provided by law, the Secretary shall interpret all Federal laws, Executive orders, and regulations in a manner that will facilitate—

''(A) the inclusion of programs, services, functions, and activities (or portions thereof) and funds associated therewith, in compacts and funding agreements; and

''(B) the implementation of the compacts and funding agreements.

''(2) REGULATION WAIVER.—

''(A) IN GENERAL.—An Indian tribe may submit to the Secretary a written request to waive application of a regulation promulgated under this section with respect to a compact or funding agreement. The request shall identify the regulation sought to be waived and the basis for the request.

''(B) APPROVALS AND DENIALS.—

''(i) IN GENERAL.—Not later than 90 days after the date of receipt of a written request under subparagraph (A), the Secretary shall approve or deny the request in writing.

''(ii) REVIEW.—The Secretary shall review any application by an Indian tribe for a waiver bearing in mind increasing opportunities for using flexible policy approaches at the Indian tribal level.

''(iii) DEEMED APPROVAL.—If the Secretary does not approve or deny a request submitted under subparagraph (A) on or before the last day of the 90-day period referred to in clause (i), the request shall be deemed approved.

''(iv) DENIALS.—If the application for a waiver is not granted, the agency shall provide the applicant with the reasons for the denial as part of the written response required in clause (i).

''(v) FINALITY OF DECISIONS.—A decision by the Secretary under this subparagraph shall be final for the Department.

''(k) DISCLAIMERS.—

''(1) EXISTING AUTHORITY.—Notwithstanding any other provision of law, upon the election of an Indian tribe, the Secretary shall—

''(A) maintain current tribal transportation program funding agreements and program agreements; or

''(B) enter into new agreements under the authority of section 202(b)(7).

''(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed to impair or diminish the authority of the Secretary under section 202(b)(7).

''(l) APPLICABILITY OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—Except to the extent in conflict with this section (as determined by the Secretary), the following provisions of the Indian Self-Determination and Education Assistance Act shall apply to compact and funding agreements (except that any

*reference to the Secretary of the Interior or the Secretary of Health and Human Services in such provisions shall be treated as a reference to the Secretary of Transportation):*

*''(1) Subsections (a), (b), (d), (g), and (h) of section 506 of such Act (25 U.S.C. 458aaa–5), relating to general provisions.*

*''(2) Subsections (b) through (e) and (g) of section 507 of such Act (25 U.S.C.458aaa–6), relating to provisions relating to the Secretary of Health and Human Services.*

*''(3) Subsections (a), (b), (d), (e), (g), (h), (i), and (k) of section 508 of such Act (25 U.S.C. 458aaa–7), relating to transfer of funds.*

*''(4) Section 510 of such Act (25 U.S.C. 458aaa–9), relating to Federal procurement laws and regulations.*

*''(5) Section 511 of such Act (25 U.S.C. 458aaa–10), relating to civil actions.*

*''(6) Subsections (a)(1), (a)(2), and (c) through (f) of section 512 of such Act (25 U.S.C. 458aaa–11), relating to facilitation, except that subsection (c)(1) of that section shall be applied by substituting 'transportation facilities and other facilities' for 'school buildings, hospitals, and other facilities'.*

*''(7) Subsections (a) and (b) of section 515 of such Act (25 U.S.C. 458aaa–14), relating to disclaimers.*

*''(8) Subsections (a) and (b) of section 516 of such Act (25 U.S.C. 458aaa–15), relating to application of title I provisions.*

*''(9) Section 518 of such Act (25 U.S.C. 458aaa–17), relating to appeals.*

*''(m) DEFINITIONS.—*

*''(1) IN GENERAL.—In this section, the following definitions apply (except as otherwise expressly provided):*

*''(A) COMPACT.—The term 'compact' means a compact between the Secretary and an Indian tribe entered into under subsection (c).*

*''(B) DEPARTMENT.—The term 'Department' means the Department of Transportation.*

*''(C) ELIGIBLE INDIAN TRIBE.—The term 'eligible Indian tribe' means an Indian tribe that is eligible to participate in the program, as determined under subsection (b).*

*''(D) FUNDING AGREEMENT.—The term 'funding agreement' means a funding agreement between the Secretary and an Indian tribe entered into under subsection (d).*

*''(E) INDIAN TRIBE.—The term 'Indian tribe' means any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. In any case in which an Indian tribe has authorized another Indian tribe, an intertribal consortium, or a tribal organization to plan for or carry out programs, services, functions, or activities (or portions thereof) on its behalf under this section, the authorized Indian tribe, intertribal consortium, or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution or in this title). In such event, the term 'Indian tribe' as used in this section shall include such other authorized Indian tribe, intertribal consortium, or tribal organization.*

*''(F) PROGRAM.—The term 'program' means the tribal transportation self-governance program established under this section.*

*''(G) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.*

*''(H) TRANSPORTATION PROGRAMS.—The term 'transportation programs' means all programs administered or financed by the Department under this title and chapter 53 of title 49.*

*''(2) APPLICABILITY OF OTHER DEFINITIONS.—In this section, the definitions set forth in sections 4 and 505 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b; 458aaa) apply, except as otherwise expressly provided in this section.*

*''(n) REGULATIONS.—*

*''(1) IN GENERAL.—*

*''(A) PROMULGATION.—Not later than 90 days after the date of enactment of the FAST Act, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5 to negotiate and promulgate such regulations as are necessary to carry out this section.*

*''(B) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this section shall be published in the Federal Register by the Secretary not later than 21 months after such date of enactment.*

*''(C) EXPIRATION OF AUTHORITY.—The authority to promulgate regulations under subparagraph (A) shall expire 30 months after such date of enactment.*

*''(D) EXTENSION OF DEADLINES.—A deadline set forth in subparagraph (B) or (C) may be extended up to 180 days if the negotiated rulemaking committee referred to in paragraph (2) concludes that the committee cannot meet the deadline and the Secretary so notifies the appropriate committees of Congress.*

*''(2) COMMITTEE.—*

*''(A) IN GENERAL.—A negotiated rulemaking committee established pursuant to section 565 of title 5 to carry out this subsection shall have as its members only Federal and tribal government representatives, a majority of whom shall be nominated by and be representatives of Indian tribes with funding agreements under this title.*

*''(B) REQUIREMENTS.—The committee shall confer with, and accommodate participation by, representatives of Indian tribes, inter-tribal consortia, tribal organizations, and individual tribal members.*

*''(C) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian tribes.*

*''(3) EFFECT.—The lack of promulgated regulations shall not limit the effect of this section.*

*''(4) EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCE, AND RULES.—Unless expressly agreed to by the participating Indian tribe in the compact or funding agreement, the participating Indian tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except regulations promulgated under this section.''.*

*(b) CLERICAL AMENDMENT.—The analysis for chapter 2 of title 23, United States Code, is amended by inserting after the item relating to section 206 the following:*

*''207. Tribal transportation self-governance program.''.*

***SEC. 1122. STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.***

*(a) NATIONAL HIGHWAY SYSTEM FLEXIBILITY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance relating to working with State departments of transportation that request assistance from the division offices of the Federal Highway Administration—*

*(1) to review roads classified as principal arterials in the State that were added to the National Highway System as of October 1, 2012, so as to comply with section 103 of title 23, United States Code; and*

*(2) to identify any necessary functional classification changes to rural and urban principal arterials.*

*(b) ADMINISTRATIVE ACTIONS.—The Secretary shall direct the division offices of the Federal Highway Administration to work with the applicable State department of transportation that requests assistance under this section—*

*(1) to assist in the review of roads in accordance with guidance issued under subsection (a);*

*(2) to expeditiously review and facilitate requests from States to reclassify roads classified as principal arterials; and*

*(3) in the case of a State that requests the withdrawal of reclassified roads from the National Highway System under section 103(b)(3) of title 23, United States Code, to carry out that withdrawal if the inclusion of the reclassified road in the National Highway System is not consistent with the needs and priorities of the community or region in which the reclassified road is located.*

*(c) NATIONAL HIGHWAY SYSTEM MODIFICATION REGULATIONS.—The Secretary shall—*

*(1) review the National Highway System modification process described in appendix D of part 470 of title 23, Code of Federal Regulations (or successor regulations); and*

*(2) take any action necessary to ensure that a State may submit to the Secretary a request to modify the National Highway System by withdrawing a road from the National Highway System.*

*(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes a description of—*

*(1) each request for reclassification of National Highway System roads;*

*(2) the status of each request; and*

*(3) if applicable, the justification for the denial by the Secretary of a request.*

*(e) MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM.—Section 103(b)(3)(A) of title 23, United States Code, is amended—*

*(1) in the matter preceding clause (i)—*

*(A) by striking '', including any modification consisting of a connector to a major intermodal terminal,''; and*

*(B) by inserting '', including any modification consisting of a connector to a major intermodal terminal or the withdrawal of a road from that system,'' after ''the National Highway System''; and*

*(2) in clause (ii)—*

*(A) by striking ''(ii) enhances'' and inserting ''(ii)(I) enhances'';*

*(B) by striking the period at the end and inserting ''; or''; and*

*(C) by adding at the end the following:*

*''(II) in the case of the withdrawal of a road, is reasonable and appropriate.''.*

***SEC. 1123. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.***

*(a) PURPOSE.—The Secretary shall establish a nationally significant Federal lands and tribal projects program (referred to in this section as the ''program'') to provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects.*

*(b) ELIGIBLE APPLICANTS.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 of title 23, United States Code, may apply for funding under the program.*

*(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the program if sponsored by an eligible Federal land management agency or Indian tribe.*

*(c) ELIGIBLE PROJECTS.—An eligible project under the program shall be a single continuous project—*

*(1) on a Federal lands transportation facility, a Federal lands access transportation facility, or a tribal transportation facility (as those terms are defined in section 101 of title 23, United States Code), except that such facility is not required to be included in an inventory described in section 202 or 203 of such title;*

*(2) for which completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been demonstrated through—*

*(A) a record of decision with respect to the project;*

*(B) a finding that the project has no significant impact; or*

*(C) a determination that the project is categorically excluded; and*

*(3) having an estimated cost, based on the results of preliminary engineering, equal to or ex-*

*ceeding $25,000,000, with priority consideration given to projects with an estimated cost equal to or exceeding $50,000,000.*

*(d) ELIGIBLE ACTIVITIES.—*

*(1) IN GENERAL.—Subject to paragraph (2), an eligible applicant receiving funds under the program may only use the funds for construction, reconstruction, and rehabilitation activities.*

*(2) INELIGIBLE ACTIVITIES.—An eligible applicant may not use funds received under the program for activities relating to project design.*

*(e) APPLICATIONS.—Eligible applicants shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may require.*

*(f) SELECTION CRITERIA.—In selecting a project to receive funds under the program, the Secretary shall consider the extent to which the project—*

*(1) furthers the goals of the Department, including state of good repair, economic competitiveness, quality of life, and safety;*

*(2) improves the condition of critical transportation facilities, including multimodal facilities;*

*(3) needs construction, reconstruction, or rehabilitation;*

*(4) has costs matched by funds that are not provided under this section, with projects with a greater percentage of other sources of matching funds ranked ahead of lesser matches;*

*(5) is included in or eligible for inclusion in the National Register of Historic Places;*

*(6) uses new technologies and innovations that enhance the efficiency of the project;*

*(7) is supported by funds, other than the funds received under the program, to construct, maintain, and operate the facility;*

*(8) spans 2 or more States; and*

*(9) serves land owned by multiple Federal agencies or Indian tribes.*

*(g) FEDERAL SHARE.—*

*(1) IN GENERAL.—The Federal share of the cost of a project shall be up to 90 percent.*

*(2) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, any Federal funds other than those made available under title 23 or title 49, United States Code, may be used to pay the non-Federal share of the cost of a project carried out under this section.*

*(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2016 through 2020. Such sums shall remain available for a period of 3 fiscal years following the fiscal year for which the amounts are appropriated.*

***Subtitle B—Planning and Performance Management***

***SEC. 1201. METROPOLITAN TRANSPORTATION PLANNING.***

*Section 134 of title 23, United States Code, is amended—*

*(1) in subsection (a)(1)—*

*(A) by striking ''people and freight and'' and inserting ''people and freight,'' and*

*(B) by inserting ''and take into consideration resiliency needs'' after ''urbanized areas,'';*

*(2) in subsection (c)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter vanpool providers'';*

*(3) in subsection (d)—*

*(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;*

*(B) by inserting after paragraph (2) the following:*

*''(3) REPRESENTATION.—*

*''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.*

*''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.*

*''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).''; and*

*(C) in paragraph (5) as so redesignated by striking ''paragraph (5)'' and inserting ''paragraph (6)'';*

*(4) in subsection (e)(4)(B) by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';*

*(5) in subsection (g)(3)(A) by inserting ''tourism, natural disaster risk reduction,'' after ''economic development,'';*

*(6) in subsection (h)—*

*(A) in paragraph (1)—*

*(i) in subparagraph (G) by striking ''and'' at the end;*

*(ii) in subparagraph (H) by striking the period at the end and inserting a semicolon; and*

*(iii) by adding at the end the following:*

*''(I) improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and*

*''(J) enhance travel and tourism.''; and*

*(B) in paragraph (2)(A) by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';*

*(7) in subsection (i)—*

*(A) in paragraph (2)—*

*(i) in subparagraph (A)(i) by striking ''transit,'' and inserting ''public transportation facilities, intercity bus facilities,'';*

*(ii) in subparagraph (G)—*

*(I) by striking ''and provide'' and inserting '', provide''; and*

*(II) by inserting '', and reduce the vulnerability of the existing transportation infrastructure to natural disasters'' before the period at the end; and*

*(iii) in subparagraph (H) by inserting ''including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;*

*(B) in paragraph (6)(A)—*

*(i) by inserting ''public ports,'' before ''freight shippers,''; and*

*(ii) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and*

*(C) in paragraph (8) by striking ''paragraph (2)(C)'' and inserting ''paragraph (2)(E)'' each place it appears;*

*(8) in subsection (k)(3)—*

*(A) in subparagraph (A) by inserting ''(including intercity bus operators, employer-based commuting programs such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), job access projects,'' after ''reduction''; and*

*(B) by adding at the end the following:*

*''(C) CONGESTION MANAGEMENT PLAN.—A metropolitan planning organization serving a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—*

*''(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;*

*''(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and*

*''(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.*

*''(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and nonprofit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.'';*

*(9) in subsection (l)—*

*(A) by adding a period at the end of paragraph (1); and*

*(B) in paragraph (2)(D) by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';*

*(10) in subsection (n)(1) by inserting ''49'' after ''chapter 53 of title'';*

*(11) in subsection (p) by striking ''Funds set aside under section 104(f)'' and inserting ''Funds apportioned under paragraphs (5)(D) and (6) of section 104(b)''; and*

*(12) by adding at the end the following:*

*''(r) BI-STATE METROPOLITAN PLANNING ORGANIZATION.—*

*''(1) DEFINITION OF BI-STATE MPO REGION.—In this subsection, the term 'Bi-State MPO Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).*

*''(2) TREATMENT.—For the purpose of this title, the Bi-State MPO Region shall be treated as—*

*''(A) a metropolitan planning organization;*

*''(B) a transportation management area under subsection (k); and*

*''(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.*

*''(3) SUBALLOCATED FUNDING.—*

*''(A) PLANNING.—In determining the amounts under subparagraph (A) of section 133(d)(1) that shall be obligated for a fiscal year in the States of California and Nevada under clauses (i), (ii), and (iii) of that subparagraph, the Secretary shall, for each of those States—*

*''(i) calculate the population under each of those clauses;*

*''(ii) decrease the amount under section 133(d)(1)(A)(iii) by the population specified in paragraph (2) of this subsection for the Bi-State MPO Region in that State; and*

*''(iii) increase the amount under section 133(d)(1)(A)(i) by the population specified in paragraph (2) of this subsection for the Bi-State MPO Region in that State.*

*''(B) STBGP SET ASIDE.—In determining the amounts under paragraph (2) of section 133(h) that shall be obligated for a fiscal year in the States of California and Nevada, the Secretary shall, for the purpose of that subsection, calculate the populations for each of those States in a manner consistent with subparagraph (A).''.*

***SEC. 1202. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.***

*Section 135 of title 23, United States Code, is amended—*

*(1) in subsection (a)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter van pool providers'';*

*(2) in subsection (d)—*

*(A) in paragraph (1)—*

*(i) in subparagraph (G) by striking ''and'' at the end;*

*(ii) in subparagraph (H) by striking the period at the end and inserting a semicolon; and*

*(iii) by adding at the end the following:*

*''(I) improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and*

''(J) enhance travel and tourism.''; and

(B) in paragraph (2)—

(i) in subparagraph (A) by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(ii) in subparagraph (B)(ii) by striking ''urbanized''; and

(iii) in subparagraph (C) by striking ''urbanized'';

(3) in subsection (f)—

(A) in paragraph (3)(A)(ii)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and

(B) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(C) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end; and

(4) in subsection (g)(3)—

(A) by inserting ''public ports,'' before ''freight shippers''; and

(B) by inserting ''(including intercity bus operators),'' after ''private providers of transportation''.

### Subtitle C—Acceleration of Project Delivery

#### SEC. 1301. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

''(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of a historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy subsection (a)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall—

''(i) be included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) be posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy subsection (a)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

(b) PUBLIC TRANSPORTATION.—Section 303 of title 49, United States Code, is amended by adding at the end the following:

''(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of a historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy subsection (c)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (c)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall—

''(i) be included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) be posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy subsection (c)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy subsection (c)(2), the applicable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

#### SEC. 1302. CLARIFICATION OF TRANSPORTATION ENVIRONMENTAL AUTHORITIES.

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, as amended by section 1301, is amended by adding at the end the following:

''(d) REFERENCES TO PAST TRANSPORTATION ENVIRONMENTAL AUTHORITIES.—

''(1) SECTION 4(F) REQUIREMENTS.—The requirements of this section are commonly referred to as section 4(f) requirements (see section 4(f) of the Department of Transportation Act (Public Law 89–670; 80 Stat. 934) as in effect before the repeal of that section).

''(2) SECTION 106 REQUIREMENTS.—The requirements of section 306108 of title 54 are commonly referred to as section 106 requirements (see section 106 of the National Historic Preservation Act of 1966 (Public Law 89–665; 80 Stat. 917) as in effect before the repeal of that section).''.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, as amended by section 1301, is amended by adding at the end the following:

''(f) REFERENCES TO PAST TRANSPORTATION ENVIRONMENTAL AUTHORITIES.—

''(1) SECTION 4(F) REQUIREMENTS.—The requirements of this section are commonly referred to as section 4(f) requirements (see section 4(f) of the Department of Transportation Act (Public Law 89–670; 80 Stat. 934) as in effect before the repeal of that section).

''(2) SECTION 106 REQUIREMENTS.—The requirements of section 306108 of title 54 are commonly referred to as section 106 requirements (see section 106 of the National Historic Preservation Act of 1966 (Public Law 89–665; 80 Stat. 917) as in effect before the repeal of that section).''.

#### SEC. 1303. TREATMENT OF CERTAIN BRIDGES UNDER PRESERVATION REQUIREMENTS.

(a) PRESERVATION OF PARKLANDS.—Section 138 of title 23, United States Code, as amended by section 1302, is amended by adding at the end the following:

''(e) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54 shall be exempt from consideration under this section.''.

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, as amended by section 1302, is amended by adding at the end the following:

''(g) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54 shall be exempt from consideration under this section.''.

#### SEC. 1304. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.

(a) DEFINITIONS.—Section 139(a) of title 23, United States Code, is amended—

(1) by striking paragraph (5) and inserting the following:

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project that requires the approval of more than 1 Department of Transportation operating administration or secretarial office.''; and

(2) by striking paragraph (6) and inserting the following:

''(6) PROJECT.—

''(A) IN GENERAL.—The term 'project' means any highway project, public transportation capital project, or multimodal project that, if implemented as proposed by the project sponsor, would require approval by any operating administration or secretarial office within the Department of Transportation.

''(B) CONSIDERATIONS.—In determining whether a project is a project under subparagraph (A), the Secretary shall take into account, if known, any sources of Federal funding or financing identified by the project sponsor, including any discretionary grant, loan, and loan guarantee programs administered by the Department of Transportation.''.

(b) APPLICABILITY.—Section 139(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A) in the matter preceding clause (i) by striking ''initiate a rulemaking to''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary shall ensure that programmatic reviews—

''(i) promote transparency, including the transparency of—

''(I) the analyses and data used in the environmental reviews;

''(II) the treatment of any deferred issues raised by agencies or the public; and

''(III) the temporal and spatial scales to be used to analyze issues under subclauses (I) and (II);

''(ii) use accurate and timely information, including through establishment of—

''(I) criteria for determining the general duration of the usefulness of the review; and

''(II) a timeline for updating an out-of-date review;

''(iii) describe—

''(I) the relationship between any programmatic analysis and future tiered analysis; and

''(II) the role of the public in the creation of future tiered analysis;

''(iv) are available to other relevant Federal and State agencies, Indian tribes, and the public; and

''(v) provide notice and public comment opportunities consistent with applicable requirements.''.

(c) FEDERAL LEAD AGENCY.—Section 139(c) of title 23, United States Code, is amended—

(1) in paragraph (1)(A) by inserting '', or an operating administration thereof designated by the Secretary,'' after ''Department of Transportation''; and

(2) in paragraph (6)—

(A) in subparagraph (A) by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(C) to consider and respond to comments received from participating agencies on matters within the special expertise or jurisdiction of those agencies.''.

(d) PARTICIPATING AGENCIES.—

(1) INVITATION.—Section 139(d)(2) of title 23, United States Code, is amended by striking ''The lead agency shall identify, as early as practicable in the environmental review process for a project,'' and inserting ''Not later than 45 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the lead agency shall identify''.

(2) SINGLE NEPA DOCUMENT.—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

''(8) SINGLE NEPA DOCUMENT.—

''(A) IN GENERAL.—Except as inconsistent with paragraph (7), to the maximum extent practicable and consistent with Federal law, all Federal permits and reviews for a project shall rely on a single environment document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under the leadership of the lead agency.

''(B) USE OF DOCUMENT.—

''(i) IN GENERAL.—To the maximum extent practicable, the lead agency shall develop an environmental document sufficient to satisfy the requirements for any Federal approval or other Federal action required for the project, including permits issued by other Federal agencies.

''(ii) COOPERATION OF PARTICIPATING AGENCIES.—Other participating agencies shall cooperate with the lead agency and provide timely information to help the lead agency carry out this subparagraph.

''(C) TREATMENT AS PARTICIPATING AND COOPERATING AGENCIES.—A Federal agency required to make an approval or take an action for a project, as described in subparagraph (B), shall work with the lead agency for the project to ensure that the agency making the approval or taking the action is treated as being both a participating and cooperating agency for the project.

''(9) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the environmental review process under this section shall—

''(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the agency; and

''(B) use the process to address any environmental issues of concern to the agency.''.

(e) PROJECT INITIATION.—Section 139(e) of title 23, United States Code, is amended—

(1) in paragraph (1) by inserting ''(including any additional information that the project sponsor considers to be important to initiate the process for the proposed project)'' after ''general location of the proposed project''; and

(2) by adding at the end the following:

''(3) REVIEW OF APPLICATION.—Not later than 45 days after the date on which the Secretary receives notification under paragraph (1), the Secretary shall provide to the project sponsor a written response that, as applicable—

''(A) describes the determination of the Secretary—

''(i) to initiate the environmental review process, including a timeline and an expected date for the publication in the Federal Register of the relevant notice of intent; or

''(ii) to decline the application, including an explanation of the reasons for that decision; or

''(B) requests additional information, and provides to the project sponsor an accounting regarding what documentation is necessary to initiate the environmental review process.

''(4) REQUEST TO DESIGNATE A LEAD AGENCY.—

''(A) IN GENERAL.—Any project sponsor may submit to the Secretary a request to designate the operating administration or secretarial office within the Department of Transportation with the expertise on the proposed project to serve as the Federal lead agency for the project.

''(B) SECRETARIAL ACTION.—

''(i) IN GENERAL.—If the Secretary receives a request under subparagraph (A), the Secretary shall respond to the request not later than 45 days after the date of receipt.

''(ii) REQUIREMENTS.—The response under clause (i) shall—

''(I) approve the request;

''(II) deny the request, with an explanation of the reasons for the denial; or

''(III) require the submission of additional information.

''(iii) ADDITIONAL INFORMATION.—If additional information is submitted in accordance with clause (ii)(III), the Secretary shall respond to the submission not later than 45 days after the date of receipt.

''(5) ENVIRONMENTAL CHECKLIST.—

''(A) DEVELOPMENT.—The lead agency for a project, in consultation with participating agencies, shall develop, as appropriate, a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of the project.

''(B) PURPOSE.—The purposes of the checklist are—

''(i) to identify agencies and organizations that can provide information about natural, cultural, and historic resources;

''(ii) to develop the information needed to determine the range of alternatives; and

''(iii) to improve interagency collaboration to help expedite the permitting process for the lead agency and participating agencies.''.

(f) PURPOSE AND NEED.—Section 139(f) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting ''; ALTERNATIVES ANALYSIS'' after ''NEED''; and

(2) in paragraph (4)—

(A) by striking subparagraph (A) and inserting the following:

''(A) PARTICIPATION.—

''(i) IN GENERAL.—As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in determining the range of alternatives to be considered for a project.

''(ii) COMMENTS OF PARTICIPATING AGENCIES.—To the maximum extent practicable and consistent with applicable law, each participating agency receiving an opportunity for involvement under clause (i) shall limit the comments of the agency to subject matter areas within the special expertise or jurisdiction of the agency.

''(iii) EFFECT OF NONPARTICIPATION.—A participating agency that declines to participate in the development of the purpose and need and range of alternatives for a project shall be required to comply with the schedule developed under subsection (g)(1)(B).'';

(B) in subparagraph (B)—

(i) by striking ''Following participation under paragraph (1)'' and inserting the following:

''(i) DETERMINATION.—Following participation under subparagraph (A)''; and

(ii) by adding at the end the following:

''(ii) USE.—To the maximum extent practicable and consistent with Federal law, the range of alternatives determined for a project under clause (i) shall be used for all Federal environmental reviews and permit processes required for the project unless the alternatives must be modified—

''(I) to address significant new information or circumstances, and the lead agency and participating agencies agree that the alternatives must be modified to address the new information or circumstances; or

''(II) for the lead agency or a participating agency to fulfill the responsibilities of the agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in a timely manner.''; and

(C) by adding at the end the following:

''(E) REDUCTION OF DUPLICATION.—

''(i) IN GENERAL.—In carrying out this paragraph, the lead agency shall reduce duplication, to the maximum extent practicable, between—

''(I) the evaluation of alternatives under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(II) the evaluation of alternatives in the metropolitan transportation planning process under section 134 or an environmental review process carried out under State law (referred to in this subparagraph as a 'State environmental review process').

''(ii) CONSIDERATION OF ALTERNATIVES.—The lead agency may eliminate from detailed consideration an alternative proposed in an environmental impact statement regarding a project if, as determined by the lead agency—

''(I) the alternative was considered in a metropolitan planning process or a State environmental review process by a metropolitan planning organization or a State or local transportation agency, as applicable;

''(II) the lead agency provided guidance to the metropolitan planning organization or State or local transportation agency, as applicable, regarding analysis of alternatives in the metropolitan planning process or State environmental review process, including guidance on the requirements of the National Environmental Pol-

*icy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal law necessary for approval of the project;*

*''(III) the applicable metropolitan planning process or State environmental review process included an opportunity for public review and comment;*

*''(IV) the applicable metropolitan planning organization or State or local transportation agency rejected the alternative after considering public comments;*

*''(V) the Federal lead agency independently reviewed the alternative evaluation approved by the applicable metropolitan planning organization or State or local transportation agency; and*

*''(VI) the Federal lead agency determined—*

*''(aa) in consultation with Federal participating or cooperating agencies, that the alternative to be eliminated from consideration is not necessary for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or*

*''(bb) with the concurrence of Federal agencies with jurisdiction over a permit or approval required for a project, that the alternative to be eliminated from consideration is not necessary for any permit or approval under any other Federal law.''.*

*(g) COORDINATION AND SCHEDULING.—*

*(1) COORDINATION PLAN.—Section 139(g)(1) of title 23, United States Code, is amended—*

*(A) in subparagraph (A) by striking ''The lead agency'' and inserting ''Not later than 90 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the lead agency''; and*

*(B) in subparagraph (B)(i) by striking ''may establish as part of the coordination plan'' and inserting ''shall establish as part of such coordination plan''.*

*(2) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—Section 139(g)(3) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by inserting ''and publish on the Internet'' after ''House of Representatives''.*

*(h) ISSUE IDENTIFICATION AND RESOLUTION.—*

*(1) ISSUE RESOLUTION.—Section 139(h) of title 23, United States Code, is amended—*

*(A) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and*

*(B) by inserting after paragraph (3) the following:*

*''(4) ISSUE RESOLUTION.—Any issue resolved by the lead agency with the concurrence of participating agencies may not be reconsidered unless significant new information or circumstances arise.''.*

*(2) FAILURE TO ASSURE.—Section 139(h)(5)(C) of title 23, United States Code (as redesignated by paragraph (1)(A)), is amended by striking ''paragraph (5) and'' and inserting ''paragraph (6)''.*

*(3) FINANCIAL PENALTY PROVISIONS.—Section 139(h)(7)(B) of title 23, United States Code (as redesignated by paragraph (1)(A)), is amended—*

*(A) in clause (i)(I) by striking ''under section 106(i) is required'' and inserting ''is required under subsection (h) or (i) of section 106''; and*

*(B) by striking clause (ii) and inserting the following:*

*''(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is—*

*''(I) the date that is 30 days after the date for rendering a decision as described in the project schedule established pursuant to subsection (g)(1)(B);*

*''(II) if no schedule exists, the later of—*

*''(aa) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and*

*''(bb) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or*

*''(III) a modified date in accordance with subsection (g)(1)(D).''.*

*(i) ASSISTANCE TO AFFECTED STATE AND FEDERAL AGENCIES.—*

*(1) IN GENERAL.—Section 139(j) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:*

*''(1) IN GENERAL.—*

*''(A) AUTHORITY TO PROVIDE FUNDS.—The Secretary may allow a public entity receiving financial assistance from the Department of Transportation under this title or chapter 53 of title 49 to provide funds to Federal agencies (including the Department), State agencies, and Indian tribes participating in the environmental review process for the project or program.*

*''(B) USE OF FUNDS.—Funds referred to in subparagraph (A) may be provided only to support activities that directly and meaningfully contribute to expediting and improving permitting and review processes, including planning, approval, and consultation processes for the project or program.''.*

*(2) ACTIVITIES ELIGIBLE FOR FUNDING.—Section 139(j)(2) of title 23, United States Code, is amended by inserting ''activities directly related to the environmental review process,'' before ''dedicated staffing,''.*

*(3) AGREEMENT.—Section 139(j) of title 23, United States Code, is amended by striking paragraph (6) and inserting the following:*

*''(6) AGREEMENT.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected agency under paragraphs (1) and (2), the affected agency and the requesting public entity shall enter into an agreement that establishes the projects and priorities to be addressed by the use of the funds.''.*

*(j) ACCELERATED DECISIONMAKING; IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.—*

*(1) IN GENERAL.—Section 139 of title 23, United States Code, is amended by adding at the end the following:*

*''(n) ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—*

*''(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—*

*''(A) cite the sources, authorities, and reasons that support the position of the agency; and*

*''(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.*

*''(2) SINGLE DOCUMENT.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—*

*''(A) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or*

*''(B) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.*

*''(o) IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.—*

*''(1) IN GENERAL.—Not later than 18 months after the date of enactment of this subsection, the Secretary shall—*

*''(A) use the searchable Internet website maintained under section 41003(b) of the FAST Act—*

*''(i) to make publicly available the status and progress of projects requiring an environmental assessment or an environmental impact statement with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal, State, or local approval required for those projects; and*

*''(ii) to make publicly available the names of participating agencies not participating in the development of a project purpose and need and range of alternatives under subsection (f); and*

*''(B) issue reporting standards to meet the requirements of subparagraph (A).*

*''(2) FEDERAL, STATE, AND LOCAL AGENCY PARTICIPATION.—*

*''(A) FEDERAL AGENCIES.—A Federal agency participating in the environmental review or permitting process for a project shall provide to the Secretary information regarding the status and progress of the approval of the project for publication on the Internet website referred to in paragraph (1)(A), consistent with the standards established under paragraph (1)(B).*

*''(B) STATE AND LOCAL AGENCIES.—The Secretary shall encourage State and local agencies participating in the environmental review permitting process for a project to provide information regarding the status and progress of the approval of the project for publication on the Internet website referred to in paragraph (1)(A).*

*''(3) STATES WITH DELEGATED AUTHORITY.—A State with delegated authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) pursuant to section 327 shall be responsible for supplying to the Secretary project development and compliance status for all applicable projects.''.*

*(2) CONFORMING AMENDMENT.—Section 1319 of MAP–21 (42 U.S.C. 4332a), and the item relating to that section in the table of contents contained in section 1(c) of that Act, are repealed.*

*(k) IMPLEMENTATION OF PROGRAMMATIC COMPLIANCE.—*

*(1) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a rulemaking to implement the provisions of section 139(b)(3) of title 23, United States Code, as amended by this section.*

*(2) CONSULTATION.—Before initiating the rulemaking under paragraph (1), the Secretary shall consult with relevant Federal agencies, relevant State resource agencies, State departments of transportation, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches.*

*(3) REQUIREMENTS.—In carrying out this subsection, the Secretary shall ensure that the rulemaking meets the requirements of section 139(b)(3)(B) of title 23, United States Code, as amended by this section.*

*(4) COMMENT PERIOD.—The Secretary shall—*

*(A) allow not fewer than 60 days for public notice and comment on the proposed rule; and*

*(B) address any comments received under this subsection.*

***SEC. 1305. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.***

*Section 168 of title 23, United States Code, is amended to read as follows:*

***''§168. Integration of planning and environmental review***

*''(a) DEFINITIONS.—In this section, the following definitions apply:*

*''(1) ENVIRONMENTAL REVIEW PROCESS.—The term 'environmental review process' has the meaning given the term in section 139(a).*

*''(2) LEAD AGENCY.—The term 'lead agency' has the meaning given the term in section 139(a).*

*''(3) PLANNING PRODUCT.—The term 'planning product' means a decision, analysis, study, or other documented information that is the result of an evaluation or decisionmaking process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or 135, respectively.*

*''(4) PROJECT.—The term 'project' has the meaning given the term in section 139(a).*

*''(5) PROJECT SPONSOR.—The term 'project sponsor' has the meaning given the term in section 139(a).*

*''(6) RELEVANT AGENCY.—The term 'relevant agency' means the agency with authority under subparagraph (A) or (B) of subsection (b)(1).*

*''(b) ADOPTION OR INCORPORATION BY REFERENCE OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—*

''(1) IN GENERAL.—Subject to subsection (d) and to the maximum extent practicable and appropriate, the following agencies may adopt or incorporate by reference and use a planning product in proceedings relating to any class of action in the environmental review process of the project:

''(A) The lead agency for a project, with respect to an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(B) The cooperating agency with responsibility under Federal law, with respect to the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if consistent with that law.

''(2) IDENTIFICATION.—If the relevant agency makes a determination to adopt or incorporate by reference and use a planning product, the relevant agency shall identify the agencies that participated in the development of the planning products.

''(3) ADOPTION OR INCORPORATION BY REFERENCE OF PLANNING PRODUCTS.—The relevant agency may—

''(A) adopt or incorporate by reference an entire planning product under paragraph (1); or

''(B) select portions of a planning project under paragraph (1) for adoption or incorporation by reference.

''(4) TIMING.—A determination under paragraph (1) with respect to the adoption or incorporation by reference of a planning product may—

''(A) be made at the time the relevant agencies decide the appropriate scope of environmental review for the project; or

''(B) occur later in the environmental review process, as appropriate.

''(c) APPLICABILITY.—

''(1) PLANNING DECISIONS.—The relevant agency in the environmental review process may adopt or incorporate by reference decisions from a planning product, including—

''(A) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

''(B) a decision with respect to general travel corridor or modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

''(C) the purpose and the need for the proposed action;

''(D) preliminary screening of alternatives and elimination of unreasonable alternatives;

''(E) a basic description of the environmental setting;

''(F) a decision with respect to methodologies for analysis; and

''(G) an identification of programmatic level mitigation for potential impacts of a project, including a programmatic mitigation plan developed in accordance with section 169, that the relevant agency determines are more effectively addressed on a national or regional scale, including—

''(i) measures to avoid, minimize, and mitigate impacts at a national or regional scale of proposed transportation investments on environmental resources, including regional ecosystem and water resources; and

''(ii) potential mitigation activities, locations, and investments.

''(2) PLANNING ANALYSES.—The relevant agency in the environmental review process may adopt or incorporate by reference analyses from a planning product, including—

''(A) travel demands;

''(B) regional development and growth;

''(C) local land use, growth management, and development;

''(D) population and employment;

''(E) natural and built environmental conditions;

''(F) environmental resources and environmentally sensitive areas;

''(G) potential environmental effects, including the identification of resources of concern and potential direct, indirect, and cumulative effects on those resources; and

''(H) mitigation needs for a proposed project, or for programmatic level mitigation, for potential effects that the lead agency determines are most effectively addressed at a regional or national program level.

''(d) CONDITIONS.—The relevant agency in the environmental review process may adopt or incorporate by reference a planning product under this section if the relevant agency determines, with the concurrence of the lead agency and, if the planning product is necessary for a cooperating agency to issue a permit, review, or approval for the project, with the concurrence of the cooperating agency, that the following conditions have been met:

''(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

''(2) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian tribes.

''(3) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

''(4) The planning process included public notice that the planning products produced in the planning process may be adopted during a subsequent environmental review process in accordance with this section.

''(5) During the environmental review process, the relevant agency has—

''(A) made the planning documents available for public review and comment by members of the general public and Federal, State, local, and tribal governments that may have an interest in the proposed project;

''(B) provided notice of the intention of the relevant agency to adopt or incorporate by reference the planning product; and

''(C) considered any resulting comments.

''(6) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

''(7) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

''(8) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

''(9) The planning product is appropriate for adoption or incorporation by reference and use in the environmental review process for the project and is incorporated in accordance with, and is sufficient to meet the requirements of, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the FAST Act).

''(10) The planning product was approved within the 5-year period ending on the date on which the information is adopted or incorporated by reference.

''(e) EFFECT OF ADOPTION OR INCORPORATION BY REFERENCE.—Any planning product adopted or incorporated by reference by the relevant agency in accordance with this section may be—

''(1) incorporated directly into an environmental review process document or other environmental document; and

''(2) relied on and used by other Federal agencies in carrying out reviews of the project.

''(f) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—This section does not make the environmental review process applicable to the transportation planning process conducted under this title and chapter 53 of title 49.

''(2) TRANSPORTATION PLANNING ACTIVITIES.—Initiation of the environmental review process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the environmental review process.

''(3) PLANNING PRODUCTS.—This section does not affect the use of planning products in the environmental review process pursuant to other authorities under any other provision of law or restrict the initiation of the environmental review process during planning.''.

***SEC. 1306. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.***

*Section 169(f) of title 23, United States Code, is amended—*

*(1) by striking ''may use'' and inserting ''shall give substantial weight to''; and*

*(2) by inserting ''or other Federal environmental law'' before the period at the end.*

***SEC. 1307. TECHNICAL ASSISTANCE FOR STATES.***

*Section 326 of title 23, United States Code, is amended—*

*(1) in subsection (c)—*

*(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and*

*(B) by inserting after paragraph (1) the following:*

*''(2) ASSISTANCE TO STATES.—On request of a Governor of a State, the Secretary shall provide to the State technical assistance, training, or other support relating to—*

*''(A) assuming responsibility under subsection (a);*

*''(B) developing a memorandum of understanding under this subsection; or*

*''(C) addressing a responsibility in need of corrective action under subsection (d)(1)(B).''; and*

*(2) in subsection (d), by striking paragraph (1) and inserting the following:*

*''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—*

*''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;*

*''(B) the Secretary provides to the State—*

*''(i) a notification of the determination of noncompliance;*

*''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and*

*''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and*

*''(C) the State, after the notification and period described in clauses (i) and (ii) of subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.*

***SEC. 1308. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.***

*Section 327 of title 23, United States Code, is amended—*

*(1) in subsection (a)(2)(B)(iii) by striking ''(42 U.S.C. 13 4321 et seq.)'' and inserting ''(42 U.S.C. 4321 et seq.)'';*

*(2) in subsection (c)(4) by inserting ''reasonably'' before ''considers necessary'';*

*(3) in subsection (e) by inserting ''and without further approval of'' after ''in lieu of'';*

*(4) in subsection (g)—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) IN GENERAL.—To ensure compliance by a State with any agreement of the State under subsection (c) (including compliance by the State with all Federal laws for which responsibility is assumed under subsection (a)(2)), for each State participating in the program under this section, the Secretary shall—*

*''(A) not later than 180 days after the date of execution of the agreement, meet with the State to review implementation of the agreement and discuss plans for the first annual audit;*

''(B) conduct annual audits during each of the first 4 years of State participation; and

''(C) ensure that the time period for completing an annual audit, from initiation to completion (including public comment and responses to those comments), does not exceed 180 days.''; and

(B) by adding at the end the following:

''(3) AUDIT TEAM.—

''(A) IN GENERAL.—An audit conducted under paragraph (1) shall be carried out by an audit team determined by the Secretary, in consultation with the State, in accordance with subparagraph (B).

''(B) CONSULTATION.—Consultation with the State under subparagraph (A) shall include a reasonable opportunity for the State to review and provide comments on the proposed members of the audit team.'';

(5) in subsection (j) by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''; and

(6) by adding at the end the following:

''(k) CAPACITY BUILDING.—The Secretary, in cooperation with representatives of State officials, may carry out education, training, peer-exchange, and other initiatives as appropriate—

''(1) to assist States in developing the capacity to participate in the assignment program under this section; and

''(2) to promote information sharing and collaboration among States that are participating in the assignment program under this section.

''(l) RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.—A State granted authority under this section may, as appropriate and at the request of a local government—

''(1) exercise such authority on behalf of the local government for a locally administered project; or

''(2) provide guidance and training on consolidating and minimizing the documentation and environmental analyses necessary for sponsors of a locally administered project to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any comparable requirements under State law.''.

***SEC. 1309. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.***

(a) PURPOSE.—The purpose of this section is to eliminate duplication of environmental reviews and approvals under State laws and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) IN GENERAL.—Chapter 3 of title 23, United States Code, is amended by adding at the end the following:

***''§ 330. Program for eliminating duplication of environmental reviews***

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish a pilot program to authorize States that have assumed responsibilities of the Secretary under section 327 and are approved to participate in the program under this section to conduct environmental reviews and make approvals for projects under State environmental laws and regulations instead of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), consistent with the requirements of this section.

''(2) PARTICIPATING STATES.—The Secretary may select not more than 5 States to participate in the program.

''(3) ALTERNATIVE ENVIRONMENTAL REVIEW AND APPROVAL PROCEDURES DEFINED.—In this section, the term 'alternative environmental review and approval procedures' means—

''(A) substitution of 1 or more State environmental laws for—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) any provisions of section 139 establishing procedures for the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that are under the authority of the Secretary, as the Secretary, in consultation with the State, considers appropriate; and

''(iii) related regulations and Executive orders; and

''(B) substitution of 1 or more State environmental regulations for—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) any provisions of section 139 establishing procedures for the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that are under the authority of the Secretary, as the Secretary, in consultation with the State, considers appropriate; and

''(iii) related regulations and Executive orders.

''(b) APPLICATION.—To be eligible to participate in the program, a State shall submit to the Secretary an application containing such information as the Secretary may require, including—

''(1) a full and complete description of the proposed alternative environmental review and approval procedures of the State, including—

''(A) the procedures the State uses to engage the public and consider alternatives to the proposed action; and

''(B) the extent to which the State considers environmental consequences or impacts on resources potentially impacted by the proposed action (such as air, water, or species);

''(2) each Federal requirement described in subsection (a)(3) that the State is seeking to substitute;

''(3) each State law or regulation that the State intends to substitute for such Federal requirement;

''(4) an explanation of the basis for concluding that the State law or regulation is at least as stringent as the Federal requirement described in subsection (a)(3);

''(5) a description of the projects or classes of projects for which the State anticipates exercising the authority that may be granted under the program;

''(6) verification that the State has the financial resources necessary to carry out the authority that may be granted under the program;

''(7) evidence of having sought, received, and addressed comments on the proposed application from the public; and

''(8) any such additional information as the Secretary, or, with respect to section (d)(1)(A), the Secretary in consultation with the Chair, may require.

''(c) REVIEW OF APPLICATION.—In accordance with subsection (d), the Secretary shall—

''(1) review and accept public comments on an application submitted under subsection (b);

''(2) approve or disapprove the application not later than 120 days after the date of receipt of an application that the Secretary determines is complete; and

''(3) transmit to the State notice of the approval or disapproval, together with a statement of the reasons for the approval or disapproval.

''(d) APPROVAL OF APPLICATION.—

''(1) IN GENERAL.—The Secretary shall approve an application submitted under subsection (b) only if—

''(A) the Secretary, with the concurrence of the Chair and after considering any public comments received pursuant to subsection (c), determines that the laws and regulations of the State described in the application are at least as stringent as the Federal requirements described in subsection (a)(3);

''(B) the Secretary, after considering any public comments received pursuant to subsection (c), determines that the State has the capacity, including financial and personnel, to assume the responsibility;

''(C) the State has executed an agreement with the Secretary in accordance with section 327; and

''(D) the State has executed an agreement with the Secretary under this section that—

''(i) has been executed by the Governor or the top-ranking transportation official in the State who is charged with responsibility for highway construction;

''(ii) is in such form as the Secretary may prescribe;

''(iii) provides that the State—

''(I) agrees to assume the responsibilities, as identified by the Secretary, under this section;

''(II) expressly consents, on behalf of the State, to accept the jurisdiction of the Federal courts under subsection (e)(1) for the compliance, discharge, and enforcement of any responsibility under this section;

''(III) certifies that State laws (including regulations) are in effect that—

''(aa) authorize the State to take the actions necessary to carry out the responsibilities being assumed; and

''(bb) are comparable to section 552 of title 5, including providing that any decision regarding the public availability of a document under those State laws is reviewable by a court of competent jurisdiction; and

''(IV) agrees to maintain the financial resources necessary to carry out the responsibilities being assumed;

''(iv) requires the State to provide to the Secretary any information the Secretary reasonably considers necessary to ensure that the State is adequately carrying out the responsibilities assigned to the State;

''(v) has a term of not more than 5 years; and

''(vi) is renewable.

''(2) EXCLUSION.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to a decision by the Secretary to approve or disapprove an application submitted under this section.

''(e) JUDICIAL REVIEW.—

''(1) IN GENERAL.—The United States district courts shall have exclusive jurisdiction over any civil action against a State relating to the failure of the State—

''(A) to meet the requirements of this section; or

''(B) to follow the alternative environmental review and approval procedures approved pursuant to this section.

''(2) LIMITATION ON REVIEW.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a claim seeking judicial review of a permit, license, or approval issued by a State under this section shall be barred unless the claim is filed not later than 2 years after the date of publication in the Federal Register by the Secretary of a notice that the permit, license, or approval is final pursuant to the law under which the action is taken.

''(B) DEADLINES.—

''(i) NOTIFICATION.—The State shall notify the Secretary of the final action of the State not later than 10 days after the final action is taken.

''(ii) PUBLICATION.—The Secretary shall publish the notice of final action in the Federal Register not later than 30 days after the date of receipt of the notice under clause (i).

''(C) SAVINGS PROVISION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or approval.

''(3) NEW INFORMATION.—

''(A) IN GENERAL.—A State shall consider new information received after the close of a comment period if the information satisfies the requirements for a supplemental environmental impact statement under section 771.130 of title 23, Code of Federal Regulations (or successor regulations).

''(B) TREATMENT OF FINAL AGENCY ACTION.—

''(i) IN GENERAL.—The final agency action that follows preparation of a supplemental environmental impact statement, if required, shall be considered a separate final agency action, and the deadline for filing a claim for judicial review of the action shall be 2 years after the date of publication in the Federal Register by the Secretary of a notice announcing such action.

''(ii) DEADLINES.—

''(I) NOTIFICATION.—The State shall notify the Secretary of the final action of the State not later than 10 days after the final action is taken.

''(II) PUBLICATION.—The Secretary shall publish the notice of final action in the Federal Register not later than 30 days after the date of receipt of the notice under subclause (I).

''(f) ELECTION.—A State participating in the programs under this section and section 327, at the discretion of the State, may elect to apply the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) instead of the alternative environmental review and approval procedures of the State.

''(g) ADOPTION OR INCORPORATION BY REFERENCE OF DOCUMENTS.—To the maximum extent practicable and consistent with Federal law, other Federal agencies with authority over a project subject to this section shall adopt or incorporate by reference documents produced by a participating State under this section to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(h) RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.—

''(1) IN GENERAL.—A State with an approved program under this section, at the request of a local government, may exercise authority under that program on behalf of up to 25 local governments for locally administered projects.

''(2) SCOPE.—For up to 25 local governments selected by a State with an approved program under this section, the State shall be responsible for ensuring that any environmental review, consultation, or other action required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the State program, or both, meets the requirements of such Act or program.

''(i) REVIEW AND TERMINATION.—

''(1) IN GENERAL.—A State program approved under this section shall at all times be in accordance with the requirements of this section.

''(2) REVIEW.—The Secretary shall review each State program approved under this section not less than once every 5 years.

''(3) PUBLIC NOTICE AND COMMENT.—In conducting the review process under paragraph (2), the Secretary shall provide notice and an opportunity for public comment.

''(4) WITHDRAWAL OF APPROVAL.—If the Secretary, in consultation with the Chair, determines at any time that a State is not administering a State program approved under this section in accordance with the requirements of this section, the Secretary shall so notify the State, and if appropriate corrective action is not taken within a reasonable time, not to exceed 90 days, the Secretary shall withdraw approval of the State program.

''(5) EXTENSIONS AND TERMINATIONS.—At the conclusion of the review process under paragraph (2), the Secretary may extend for an additional 5-year period or terminate the authority of a State under this section to substitute the laws and regulations of the State for the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(j) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section, and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the administration of the program, including—

''(1) the number of States participating in the program;

''(2) the number and types of projects for which each State participating in the program has used alternative environmental review and approval procedures;

''(3) a description and assessment of whether implementation of the program has resulted in more efficient review of projects; and

''(4) any recommendations for modifications to the program.

''(k) SUNSET.—The program shall terminate 12 years after the date of enactment of this section.

''(l) DEFINITIONS.—In this section, the following definitions apply:

''(1) CHAIR.—The term 'Chair' means the Chair of the Council on Environmental Quality.

''(2) MULTIMODAL PROJECT.—The term 'multimodal project' has the meaning given that term in section 139(a).

''(3) PROGRAM.—The term 'program' means the pilot program established under this section.

''(4) PROJECT.—The term 'project' means—

''(A) a project requiring approval under this title, chapter 53 of subtitle III of title 49, or subtitle V of title 49; and

''(B) a multimodal project.''.

(c) RULEMAKING.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary, in consultation with the Chair of the Council on Environmental Quality, shall promulgate regulations to implement the requirements of section 330 of title 23, United States Code, as added by this section.

(2) DETERMINATION OF STRINGENCY.—As part of the rulemaking required under this subsection, the Chair shall—

(A) establish the criteria necessary to determine that a State law or regulation is at least as stringent as a Federal requirement described in section 330(a)(3) of title 23, United States Code; and

(B) ensure that the criteria, at a minimum—

(i) provide for protection of the environment;

(ii) provide opportunity for public participation and comment, including access to the documentation necessary to review the potential impact of a project; and

(iii) ensure a consistent review of projects that would otherwise have been covered under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 23, United States Code, is amended by adding at the end the following:

''330. Program for eliminating duplication of environmental reviews.''.

**SEC. 1310. APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.**

Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''operating authority that'' and inserting ''operating administration or secretarial office that has expertise but''; and

(ii) by inserting ''proposed multimodal'' after ''with respect to a''; and

(B) by striking paragraph (2) and inserting the following:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a proposed multimodal project.'';

(2) in subsection (b) by inserting ''or title 23'' after ''under this title'';

(3) by striking subsection (c) and inserting the following:

''(c) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—In considering the environmental impacts of a proposed multimodal project, a lead authority may apply categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in implementing regulations or procedures of a cooperating authority for a proposed multimodal project, subject to the conditions that—

''(1) the lead authority makes a determination, with the concurrence of the cooperating authority—

''(A) on the applicability of a categorical exclusion to a proposed multimodal project; and

''(B) that the project satisfies the conditions for a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and this section;

''(2) the lead authority follows the implementing regulations of the cooperating authority or procedures under that Act; and

''(3) the lead authority determines that—

''(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under that Act.''; and

(4) by striking subsection (d) and inserting the following:

''(d) COOPERATING AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

**SEC. 1311. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.**

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 304 the following:

***''§ 304a. Accelerated decisionmaking in environmental reviews***

''(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement, instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(1) cite the sources, authorities, and reasons that support the position of the agency; and

''(2) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(b) SINGLE DOCUMENT.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(2) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.

''(c) ADOPTION AND INCORPORATION BY REFERENCE OF DOCUMENTS.—

''(1) AVOIDING DUPLICATION.—To prevent duplication of analyses and support expeditious and efficient decisions, the operating administrations of the Department of Transportation shall use adoption and incorporation by reference in accordance with this subsection.

''(2) ADOPTION OF DOCUMENTS OF OTHER OPERATING ADMINISTRATIONS.—An operating administration or a secretarial office within the Department of Transportation may adopt a draft environmental impact statement, an environmental assessment, or a final environmental im-

*pact statement of another operating administration for the use of the adopting operating administration when preparing an environmental assessment or final environmental impact statement for a project without recirculating the document for public review, if—*

*''(A) the adopting operating administration certifies that the proposed action is substantially the same as the project considered in the document to be adopted;*

*''(B) the other operating administration concurs with such decision; and*

*''(C) such actions are consistent with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

*''(3) INCORPORATION BY REFERENCE.—An operating administration or secretarial office within the Department of Transportation may incorporate by reference all or portions of a draft environmental impact statement, an environmental assessment, or a final environmental impact statement for the use of the adopting operating administration when preparing an environmental assessment or final environmental impact statement for a project if—*

*''(A) the incorporated material is cited in the environmental assessment or final environmental impact statement and the contents of the incorporated material are briefly described;*

*''(B) the incorporated material is reasonably available for inspection by potentially interested persons within the time allowed for review and comment; and*

*''(C) the incorporated material does not include proprietary data that is not available for review and comment.''.*

*(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 304 the following:*

*''304a. Accelerated decisionmaking in environmental reviews.''.*

***SEC. 1312. IMPROVING STATE AND FEDERAL AGENCY ENGAGEMENT IN ENVIRONMENTAL REVIEWS.***

*(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:*

***''§307. Improving State and Federal agency engagement in environmental reviews***

*''(a) IN GENERAL.—*

*''(1) REQUESTS TO PROVIDE FUNDS.—A public entity receiving financial assistance from the Department of Transportation for 1 or more projects, or for a program of projects, for a public purpose may request that the Secretary allow the public entity to provide funds to Federal agencies, including the Department, State agencies, and Indian tribes participating in the environmental planning and review process for the project, projects, or program.*

*''(2) USE OF FUNDS.—The funds may be provided only to support activities that directly and meaningfully contribute to expediting and improving permitting and review processes, including planning, approval, and consultation processes for the project, projects, or program.*

*''(b) ACTIVITIES ELIGIBLE FOR FUNDING.—Activities for which funds may be provided under subsection (a) include transportation planning activities that precede the initiation of the environmental review process, activities directly related to the environmental review process, dedicated staffing, training of agency personnel, information gathering and mapping, and development of programmatic agreements.*

*''(c) AMOUNTS.—A request under subsection (a) may be approved only for the additional amounts that the Secretary determines are necessary for the Federal agencies, State agencies, or Indian tribes participating in the environmental review process to timely conduct the review.*

*''(d) AGREEMENTS.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected Federal agency under subsection (a), the affected Federal agency and the requesting public entity shall enter into an agreement that establishes a process to identify projects or priorities to be addressed by the use of the funds.*

*''(e) GUIDANCE.—*

*''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue guidance to implement this section.*

*''(2) FACTORS.—As part of the guidance issued under paragraph (1), the Secretary shall ensure—*

*''(A) to the maximum extent practicable, that expediting and improving the process of environmental review and permitting through the use of funds accepted and expended under this section does not adversely affect the timeline for review and permitting by Federal agencies, State agencies, or Indian tribes of other entities that have not contributed funds under this section;*

*''(B) that the use of funds accepted under this section will not impact impartial decisionmaking with respect to environmental reviews or permits, either substantively or procedurally; and*

*''(C) that the Secretary maintains, and makes publicly available, including on the Internet, a list of projects or programs for which such review or permits have been carried out using funds authorized under this section.*

*''(f) EXISTING AUTHORITY.—Nothing in this section may be construed to conflict with section 139(j) of title 23.''.*

*(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 306 the following:*

*''307. Improving State and Federal agency engagement in environmental reviews.''.*

***SEC. 1313. ALIGNING FEDERAL ENVIRONMENTAL REVIEWS.***

*(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 309 the following:*

***''§310. Aligning Federal environmental reviews***

*''(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year after the date of enactment of this section, the Department of Transportation, in coordination with the heads of Federal agencies likely to have substantive review or approval responsibilities under Federal law, shall develop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (in this section referred to as 'NEPA').*

*''(b) CONTENTS.—The coordinated and concurrent environmental review and permitting process developed under subsection (a) shall—*

*''(1) ensure that the Department of Transportation and agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project's purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely on for concurrent environmental reviews and permitting decisions required for the proposed project;*

*''(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation's statement of a project's purpose and need, and during development of the environmental impact statement on the range of alternatives for analysis, that the lead agency and agencies of jurisdiction will rely on for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction's obligations under a statute or Executive order; and*

*''(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency's environmental or permitting review in order to meet an agency of jurisdiction's obligations under a statute or Executive order.*

*''(c) ENVIRONMENTAL CHECKLIST.—*

*''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project.*

*''(2) PURPOSE.—The purpose of the checklist shall be to—*

*''(A) identify agencies of jurisdiction and cooperating agencies;*

*''(B) develop the information needed for the purpose and need and alternatives for analysis; and*

*''(C) improve interagency collaboration to help expedite the permitting process for the lead agency and agencies of jurisdiction.*

*''(d) INTERAGENCY COLLABORATION.—*

*''(1) IN GENERAL.—Consistent with Federal environmental statutes, the Secretary of Transportation shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management.*

*''(2) PURPOSE OF COLLABORATION SESSIONS.—The interagency collaboration sessions shall ensure that agency staff is—*

*''(A) fully engaged;*

*''(B) utilizing the flexibility of existing regulations, policies, and guidance; and*

*''(C) identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions.*

*''(3) FOCUS OF COLLABORATION SESSIONS.—The interagency collaboration sessions, and the interagency collaborations generated by the sessions, shall focus on methods to—*

*''(A) work with State and local transportation entities to improve project planning, siting, and application quality; and*

*''(B) consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.*

*''(4) CONSULTATION.—The interagency collaboration sessions shall include a consultation with groups or individuals representing State, tribal, and local governments that are engaged in the infrastructure permitting process.*

*''(e) PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation, in coordination with relevant Federal agencies, shall establish a program to measure and report on progress toward aligning Federal reviews and reducing permitting and project delivery time as outlined in this section.*

*''(f) REPORTS.—*

*''(1) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section and biennially thereafter, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—*

*''(A) progress in aligning Federal environmental reviews under this section; and*

*''(B) the impact this section has had on accelerating the environmental review and permitting process.*

*''(2) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of this section, the Inspector General of the Department of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—*

*''(A) progress in aligning Federal environmental reviews under this section; and*

''(B) the impact this section has had on accelerating the environmental review and permitting process.

''(g) SAVINGS PROVISION.—This section shall not apply to any project subject to section 139 of title 23.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 309 the following:

''310. Aligning Federal environmental reviews.''.

**SEC. 1314. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.**

(a) ADJUSTMENT FOR INFLATION.—Section 1317 of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in paragraph (1)(A) by inserting ''(as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor)'' after ''$5,000,000''; and

(2) in paragraph (1)(B) by inserting ''(as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor)'' after ''$30,000,000''.

(b) RETROACTIVE APPLICATION.—The first adjustment made pursuant to the amendments made by subsection (a) shall—

(1) be carried out not later than 60 days after the date of enactment of this Act; and

(2) reflect the increase in the Consumer Price Index since July 1, 2012.

**SEC. 1315. PROGRAMMATIC AGREEMENT TEMPLATE.**

(a) IN GENERAL.—Section 1318 of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended by adding at the end the following:

''(e) PROGRAMMATIC AGREEMENT TEMPLATE.—

''(1) IN GENERAL.—The Secretary shall develop a template programmatic agreement described in subsection (d) that provides for efficient and adequate procedures for evaluating Federal actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(2) USE OF TEMPLATE.—The Secretary—

''(A) on receipt of a request from a State, shall use the template programmatic agreement developed under paragraph (1) in carrying out this section; and

''(B) on consent of the applicable State, may modify the template as necessary to address the unique needs and characteristics of the State.

''(3) OUTCOME MEASUREMENTS.—The Secretary shall establish a method to verify that actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection), are evaluated and documented in a consistent manner by the State that uses the template programmatic agreement under this subsection.''.

(b) CATEGORICAL EXCLUSION DETERMINATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary shall revise section 771.117(g) of title 23, Code of Federal Regulations, to allow a programmatic agreement under this section to include responsibility for making categorical exclusion determinations—

(1) for actions described in subsections (c) and (d) of section 771.117 of title 23, Code of Federal Regulations; and

(2) that meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), and are identified in the programmatic agreement.

**SEC. 1316. ASSUMPTION OF AUTHORITIES.**

(a) IN GENERAL.—The Secretary shall use the authority under section 106(c) of title 23, United States Code, to the maximum extent practicable, to allow a State to assume the responsibilities of the Secretary for project design, plans, specifications, estimates, contract awards, and inspection of projects, on both a project-specific and programmatic basis.

(b) SUBMISSION OF RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary, in cooperation with the States, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate recommendations for legislation to permit the assumption of additional authorities by States, including with respect to real estate acquisition and project design.

**SEC. 1317. MODERNIZATION OF THE ENVIRONMENTAL REVIEW PROCESS.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall examine ways to modernize, simplify, and improve the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the Department.

(b) INCLUSIONS.—In carrying out subsection (a), the Secretary shall consider—

(1) the use of technology in the process, such as—

(A) searchable databases;

(B) geographic information system mapping tools;

(C) integration of those tools with fiscal management systems to provide more detailed data; and

(D) other innovative technologies;

(2) ways to prioritize use of programmatic environmental impact statements;

(3) methods to encourage cooperating agencies to present analyses in a concise format; and

(4) any other improvements that can be made to modernize process implementation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the results of the review carried out under subsection (a).

**SEC. 1318. ASSESSMENT OF PROGRESS ON ACCELERATING PROJECT DELIVERY.**

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall assess the progress made under this Act, MAP–21 (Public Law 112–141), and SAFETEA–LU (Public Law 109–59), including the amendments made by those Acts, to accelerate the delivery of Federal-aid highway and highway safety construction projects and public transportation capital projects by streamlining the environmental review and permitting process.

(b) CONTENTS.—The assessment required under subsection (a) shall evaluate—

(1) how often the various streamlining provisions have been used;

(2) which of the streamlining provisions have had the greatest impact on streamlining the environmental review and permitting process;

(3) what, if any, impact streamlining of the process has had on environmental protection;

(4) how, and the extent to which, streamlining provisions have improved and accelerated the process for permitting under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable Federal laws;

(5) what impact actions by the Council on Environmental Quality have had on accelerating Federal-aid highway and highway safety construction projects and public transportation capital projects;

(6) the number and percentage of projects that proceed under a traditional environmental assessment or environmental impact statement, and the number and percentage of projects that proceed under categorical exclusions;

(7) the extent to which the environmental review and permitting process remains a significant source of project delay and the sources of delays; and

(8) the costs of conducting environmental reviews and issuing permits or licenses for a project, including the cost of contractors and dedicated agency staff.

(c) RECOMMENDATIONS.—The assessment required under subsection (a) shall include recommendations with respect to—

(1) additional opportunities for streamlining the environmental review process, including regulatory or statutory changes to accelerate the processes of Federal agencies (other than the Department) with responsibility for reviewing Federal-aid highway and highway safety construction projects and public transportation capital projects without negatively impacting the environment; and

(2) best practices of other Federal agencies that should be considered for adoption by the Department.

(d) REPORT TO CONGRESS.—The Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the assessment and recommendations required under this section.

***Subtitle D—Miscellaneous***

**SEC. 1401. PROHIBITION ON THE USE OF FUNDS FOR AUTOMATED TRAFFIC ENFORCEMENT.**

(a) PROHIBITION.—Except as provided in subsection (b), for fiscal years 2016 through 2020, funds apportioned to a State under section 104(b)(3) of title 23, United States Code, may not be used to purchase, operate, or maintain an automated traffic enforcement system.

(b) EXCEPTION.—Subsection (a) does not apply to an automated traffic enforcement system located in a school zone.

(c) AUTOMATED TRAFFIC ENFORCEMENT SYSTEM DEFINED.—In this section, the term ''automated traffic enforcement system'' means any camera that captures an image of a vehicle for the purposes of traffic law enforcement.

**SEC. 1402. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.**

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORTS.—

''(1) COMPILATION OF DATA.—Not later than 180 days after the date of enactment of the FAST Act, the Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway funds made available under this title.

''(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public Internet website of the Department of Transportation and can be searched and downloaded by users of the website.

''(3) CONTENTS OF REPORTS.—

''(A) APPORTIONED AND ALLOCATED PROGRAMS.—On a semiannual basis, the Secretary shall make available a report on funding apportioned and allocated to the States under this title that describes—

''(i) the amount of funding obligated by each State, year-to-date, for the current fiscal year;

''(ii) the amount of funds remaining available for obligation by each State;

''(iii) changes in the obligated, unexpended balance for each State, year-to-date, during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures;

''(iv) the amount and program category of unobligated funding, year-to-date, available for expenditure at the discretion of the Secretary;

''(v) the rates of obligation on and off the National Highway System, year-to-date, for the current fiscal year of funds apportioned, allocated, or set aside under this section, according to—

''(I) program;

''(II) funding category or subcategory;

''(III) type of improvement;

''(IV) State; and

''(V) sub-State geographical area, including urbanized and rural areas, on the basis of the population of each such area; and

''(vi) the amount of funds transferred by each State, year-to-date, for the current fiscal year between programs under section 126.

''(B) PROJECT DATA.—On an annual basis, the Secretary shall make available a report that provides, for any project funded under this title (excluding projects for which funds are transferred to agencies other than the Federal Highway Administration) with an estimated total cost as of the start of construction greater than $25,000,000, and to the maximum extent practicable, other projects funded under this title, project data describing—

''(i) the specific location of the project;

''(ii) the total cost of the project;

''(iii) the amount of Federal funding obligated for the project;

''(iv) the program or programs from which Federal funds have been obligated for the project;

''(v) the type of improvement being made, such as categorizing the project as—

''(I) a road reconstruction project;

''(II) a new road construction project;

''(III) a new bridge construction project;

''(IV) a bridge rehabilitation project; or

''(V) a bridge replacement project;

''(vi) the ownership of the highway or bridge;

''(vii) whether the project is located in an area of the State with a population of—

''(I) less than 5,000 individuals;

''(II) 5,000 or more individuals but less than 50,000 individuals;

''(III) 50,000 or more individuals but less than 200,000 individuals; or

''(IV) 200,000 or more individuals; and

''(viii) available information on the estimated cost of the project as of the start of project construction, or the revised cost estimate based on a description of revisions to the scope of work or other factors affecting project cost other than cost overruns.''.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended by striking subsection (c).

**SEC. 1403. ADDITIONAL DEPOSITS INTO HIGHWAY TRUST FUND.**

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 104 the following:

**''§ 105. Additional deposits into Highway Trust Fund**

''(a) IN GENERAL.—If monies are deposited into the Highway Account or Mass Transit Account pursuant to a law enacted subsequent to the date of enactment of the FAST Act, the Secretary shall make available additional amounts of contract authority under subsections (b) and (c).

''(b) AMOUNT OF ADJUSTMENT.—If monies are deposited into the Highway Account or the Mass Transit Account as described in subsection (a), on October 1 of the fiscal year following the deposit of such monies, the Secretary shall—

''(1) make available for programs authorized from such account for such fiscal year a total amount equal to—

''(A) the amount otherwise authorized to be appropriated for such programs for such fiscal year; plus

''(B) an amount equal to such monies deposited into such account during the previous fiscal year as described in subsection (a); and

''(2) distribute the additional amount under paragraph (1)(B) to each of such programs in accordance with subsection (c).

''(c) DISTRIBUTION OF ADJUSTMENT AMONG PROGRAMS.—

''(1) IN GENERAL.—In making an adjustment for programs authorized to be appropriated from the Highway Account or the Mass Transit Account for a fiscal year under subsection (b), the Secretary shall—

''(A) determine the ratio that—

''(i) the amount authorized to be appropriated for a program from the account for the fiscal year; bears to

''(ii) the total amount authorized to be appropriated for such fiscal year for all programs under such account;

''(B) multiply the ratio determined under subparagraph (A) by the amount of the adjustment determined under subsection (b)(1)(B); and

''(C) adjust the amount that the Secretary would otherwise have allocated for the program for such fiscal year by the amount calculated under subparagraph (B).

''(2) FORMULA PROGRAMS.—For a program for which funds are distributed by formula, the Secretary shall add the adjustment to the amount authorized for the program but for this section and make available the adjusted program amount for such program in accordance with such formula.

''(3) AVAILABILITY FOR OBLIGATION.—Adjusted amounts under this subsection shall be available for obligation and administered in the same manner as other amounts made available for the program for which the amount is adjusted.

''(d) EXCLUSION OF EMERGENCY RELIEF PROGRAM AND COVERED ADMINISTRATIVE EXPENSES.—The Secretary shall exclude the emergency relief program under section 125 and covered administrative expenses from an adjustment of funding under subsection (c)(1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the appropriate account or accounts of the Highway Trust Fund an amount equal to the amount of an adjustment for a fiscal year under subsection (b) for any of fiscal years 2017 through 2020.

''(f) REVISION TO OBLIGATION LIMITATIONS.—

''(1) IN GENERAL.—If the Secretary makes an adjustment under subsection (b) for a fiscal year to an amount subject to a limitation on obligations imposed by section 1102 or 3018 of the FAST Act—

''(A) such limitation on obligations for such fiscal year shall be revised by an amount equal to such adjustment; and

''(B) the Secretary shall distribute such limitation on obligations, as revised under subparagraph (A), in accordance with such sections.

''(2) EXCLUSION OF COVERED ADMINISTRATIVE EXPENSES.—The Secretary shall exclude covered administrative expenses from—

''(A) any calculation relating to a revision of a limitation on obligations under paragraph (1)(A); and

''(B) any distribution of a revised limitation on obligations under paragraph (1)(B).

''(g) DEFINITIONS.—In this section, the following definitions apply:

''(1) COVERED ADMINISTRATIVE EXPENSES.—The term 'covered administrative expenses' means the administrative expenses of—

''(A) the Federal Highway Administration, as authorized under section 104(a);

''(B) the National Highway Traffic Safety Administration, as authorized under section 4001(a)(6) of the FAST Act; and

''(C) the Federal Motor Carrier Safety Administration, as authorized under section 31110 of title 49.

''(2) HIGHWAY ACCOUNT.—The term 'Highway Account' means the portion of the Highway Trust Fund that is not the Mass Transit Account.

''(3) MASS TRANSIT ACCOUNT.—The term 'Mass Transit Account' means the Mass Transit Account of the Highway Trust Fund established under section 9503(e)(1) of the Internal Revenue Code of 1986.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 104 the following:

''105. Additional deposits into Highway Trust Fund.''.

**SEC. 1404. DESIGN STANDARDS.**

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ''may take into account'' and inserting ''shall consider'';

(ii) in subparagraph (B) by striking ''and'' at the end;

(iii) by redesignating subparagraph (C) as subparagraph (D); and

(iv) by inserting after subparagraph (B) the following:

''(C) cost savings by utilizing flexibility that exists in current design guidance and regulations; and''; and

(B) in paragraph (2)—

(i) in subparagraph (C) by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

''(D) the publication entitled 'Highway Safety Manual' of the American Association of State Highway and Transportation Officials;

''(E) the publication entitled 'Urban Street Design Guide' of the National Association of City Transportation Officials; and''; and

(2) in subsection (f) by inserting ''pedestrian walkways,'' after ''bikeways,''.

(b) DESIGN STANDARD FLEXIBILITY.—Notwithstanding section 109(o) of title 23, United States Code, a State may allow a local jurisdiction to use a roadway design publication that is different from the roadway design publication used by the State in which the local jurisdiction is located for the design of a project on a roadway under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is a direct recipient of Federal funds for the project;

(2) the roadway design publication—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

**SEC. 1405. JUSTIFICATION REPORTS FOR ACCESS POINTS ON THE INTERSTATE SYSTEM.**

Section 111(e) of title 23, United States Code, is amended by inserting ''(including new or modified freeway-to-crossroad interchanges inside a transportation management area)'' after ''the Interstate System''.

**SEC. 1406. PERFORMANCE PERIOD ADJUSTMENT.**

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7), by striking ''for 2 consecutive reports submitted under this paragraph shall include in the next report submitted'' and inserting ''shall include as part of the performance target report under section 150(e)''; and

(2) in subsection (f)(1)(A) in the matter preceding clause (i) by striking ''If, during 2 consecutive reporting periods, the condition of the Interstate System, excluding bridges on the Interstate System, in a State falls'' and inserting ''If a State reports that the condition of the Interstate System, excluding bridges on the Interstate System, has fallen''.

(b) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—Section 148(i) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets'' and inserting ''safety performance targets of the State established under section 150(d)''; and

(2) in paragraphs (1) and (2), by inserting ''safety'' before ''performance targets'' each place it appears.

**SEC. 1407. VEHICLE-TO-INFRASTRUCTURE EQUIPMENT.**

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119(d)(2)(L) of title 23, United States Code, is amended by inserting '', including the installation of vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

(b) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—Section 133(b)(1)(D) of title 23,

*United States Code, is amended by inserting ''including the installation of vehicle-to-infrastructure communication equipment'' after ''capital improvements''.*

***SEC. 1408. FEDERAL SHARE PAYABLE.***

*(a) INNOVATIVE PROJECT DELIVERY METHODS.—Section 120(c)(3) of title 23, United States Code, is amended—*

*(1) in subparagraph (A)(ii)—*

*(A) by inserting ''engineering or design approaches,'' after ''technologies,''; and*

*(B) by inserting ''or project delivery'' after ''or contracting'';*

*(2) in subparagraph (B)—*

*(A) in clause (iii) by inserting ''and alternative bidding'' before the semicolon at the end;*

*(B) in clause (iv) by striking ''or'' at the end;*

*(C) by redesignating clause (v) as clause (vi); and*

*(D) by inserting after clause (iv) the following:*

*''(v) innovative pavement materials that have a demonstrated life cycle of 75 or more years, are manufactured with reduced greenhouse gas emissions, and reduce construction-related congestion by rapidly curing; or''; and*

*(b) EMERGENCY RELIEF.—Section 120(e)(2) of title 23, United States Code, is amended by striking ''Federal land access transportation facilities'' and inserting ''other Federally owned roads that are open to public travel''.*

***SEC. 1409. MILK PRODUCTS.***

*Section 127(a) of title 23, United States Code, is amended by adding at the end the following:*

*''(13) MILK PRODUCTS.—A vehicle carrying fluid milk products shall be considered a load that cannot be easily dismantled or divided.''.*

***SEC. 1410. INTERSTATE WEIGHT LIMITS.***

*Section 127 of title 23, United States Code, is amended by adding at the end the following:*

*''(m) COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLES.—*

*''(1) IN GENERAL.—The vehicle weight limitations set forth in this section do not apply to a covered heavy-duty tow and recovery vehicle.*

*''(2) COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLE DEFINED.—In this subsection, the term 'covered heavy-duty tow and recovery vehicle' means a vehicle that—*

*''(A) is transporting a disabled vehicle from the place where the vehicle became disabled to the nearest appropriate repair facility; and*

*''(B) has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.*

*''(n) OPERATION OF VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF TEXAS.—If any segment in the State of Texas of United States Route 59, United States Route 77, United States Route 281, United States Route 84, Texas State Highway 44, or another roadway is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of the designation may continue to operate on that segment, without regard to any requirement under this section.*

*''(o) CERTAIN LOGGING VEHICLES IN THE STATE OF WISCONSIN.—*

*''(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.*

*''(2) COVERED LOGGING VEHICLE DEFINED.—In this subsection, the term 'covered logging vehicle' means a vehicle that—*

*''(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;*

*''(B) has a gross vehicle weight of not more than 98,000 pounds;*

*''(C) has not less than 6 axles; and*

*''(D) is operating on a segment of Interstate Route 39 in the State of Wisconsin from mile marker 175.8 to mile marker 189.*

*''(p) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System, the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits under subsection (a) and the width limitation under section 31113(a) of title 49 shall not apply to that segment with respect to the operation of any vehicle that could operate legally on that segment before the date of the designation.*

*''(q) CERTAIN LOGGING VEHICLES IN THE STATE OF MINNESOTA.—*

*''(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.*

*''(2) COVERED LOGGING VEHICLE DEFINED.—In this subsection, the term 'covered logging vehicle' means a vehicle that—*

*''(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;*

*''(B) has a gross vehicle weight of not more than 99,000 pounds;*

*''(C) has not less than 6 axles; and*

*''(D) is operating on a segment of Interstate Route 35 in the State of Minnesota from mile marker 235.4 to mile marker 259.552.*

*''(r) EMERGENCY VEHICLES.—*

*''(1) IN GENERAL.—Notwithstanding subsection (a), a State shall not enforce against an emergency vehicle a vehicle weight limit (up to a maximum gross vehicle weight of 86,000 pounds) of less than—*

*''(A) 24,000 pounds on a single steering axle;*

*''(B) 33,500 pounds on a single drive axle;*

*''(C) 62,000 pounds on a tandem axle; or*

*''(D) 52,000 pounds on a tandem rear drive steer axle.*

*''(2) EMERGENCY VEHICLE DEFINED.—In this subsection, the term 'emergency vehicle' means a vehicle designed to be used under emergency conditions—*

*''(A) to transport personnel and equipment; and*

*''(B) to support the suppression of fires and mitigation of other hazardous situations.*

*''(s) NATURAL GAS VEHICLES.—A vehicle, if operated by an engine fueled primarily by natural gas, may exceed any vehicle weight limit (up to a maximum gross vehicle weight of 82,000 pounds) under this section by an amount that is equal to the difference between—*

*''(1) the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and*

*''(2) the weight of a comparable diesel tank and fueling system.''.*

***SEC. 1411. TOLLING; HOV FACILITIES; INTERSTATE RECONSTRUCTION AND REHABILITATION.***

*(a) TOLLING.—Section 129(a) of title 23, United States Code, is amended—*

*(1) in paragraph (3)(A), in the matter preceding clause (i)—*

*(A) by striking ''shall use'' and inserting ''shall ensure that''; and*

*(B) by inserting ''are used'' before ''only for'';*

*(2) by striking paragraph (4) and redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively; and*

*(3) in subparagraph (B) of paragraph (4) (as so redesignated) by striking ''Federal-aid system'' and inserting ''Federal-aid highways'';*

*(4) by inserting after paragraph (8) (as so redesignated)—*

*''(9) EQUAL ACCESS FOR OVER-THE-ROAD BUSES.—An over-the-road bus that serves the public shall be provided access to a toll facility under the same rates, terms, and conditions as public transportation buses.''; and*

*(5) in paragraph (10)—*

*(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and*

*(B) by inserting after subparagraph (B) the following:*

*''(C) OVER-THE-ROAD BUS.—The term 'over-the-road bus' has the meaning given the term in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).''.*

*(b) HOV FACILITIES.—Section 166 of title 23, United States Code, is amended—*

*(1) by striking ''the agency'' each place it appears and inserting ''the authority'';*

*(2) in subsection (a)(1)—*

*(A) by striking the paragraph heading and inserting ''**AUTHORITY OF PUBLIC AUTHORITIES**''; and*

*(B) by striking ''State agency'' and inserting ''public authority'';*

*(3) in subsection (b)—*

*(A) by striking ''State agency'' each place it appears and inserting ''public authority'';*

*(B) in paragraph (3)—*

*(i) in subparagraph (A) by striking ''and'' at the end;*

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

*(iii) by adding at the end the following:*

*''(C) provides equal access under the same rates, terms, and conditions for all public transportation vehicles and over-the-road buses serving the public.'';*

*(C) in paragraph (4)(C)—*

*(i) in clause (i) by striking ''and'' at the end;*

*(ii) in clause (ii) by striking the period at the end and inserting ''; and''; and*

*(iii) by adding at the end the following:*

*''(iii) ensure that over-the-road buses serving the public are provided access to the facility under the same rates, terms, and conditions as public transportation buses.''; and*

*(D) in paragraph (5)—*

*(i) by striking subparagraph (A) and inserting the following:*

*''(A) SPECIAL RULE.—Before September 30, 2025, if a public authority establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles described in clauses (i) and (ii), the public authority may allow the use of the HOV facility by—*

*''(i) alternative fuel vehicles; and*

*''(ii) any motor vehicle described in section 30D(d)(1) of the Internal Revenue Code of 1986.''; and*

*(ii) in subparagraph (B) by striking ''2017'' and inserting ''2019'';*

*(4) in subsection (c)—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) IN GENERAL.—Notwithstanding section 301, tolls may be charged under paragraphs (4) and (5) of subsection (b), subject to the requirements of section 129.''; and*

*(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);*

*(5) in subsection (d)—*

*(A) by striking ''State agency'' each place it appears and inserting ''public authority'';*

*(B) in paragraph (1)—*

*(i) by striking subparagraphs (D) and (E); and*

*(ii) by inserting after subparagraph (C) the following:*

*''(D) MAINTENANCE OF OPERATING PERFORMANCE.—*

*''(i) SUBMISSION OF PLAN.—Not later than 180 days after the date on which a facility is degraded under paragraph (2), the public authority with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the public authority will take to make significant progress toward bringing the facility into compliance with the minimum average operating speed performance standard through changes to the operation of the facility, including—*

*''(I) increasing the occupancy requirement for HOV lanes;*

*''(II) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;*

*''(III) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or*

*''(IV) increasing the available capacity of the HOV facility.*

*''(ii) NOTICE OF APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date of receipt of a plan under clause (i), the Secretary shall provide to the public authority a written notice indicating whether the Secretary has approved*

*or disapproved the plan based on a determination of whether the implementation of the plan will make significant progress toward bringing the HOV facility into compliance with the minimum average operating speed performance standard.*

*''(iii) ANNUAL PROGRESS UPDATES.—Until the date on which the Secretary determines that the public authority has brought the HOV facility into compliance with this subsection, the public authority shall submit annual updates that describe—*

*''(I) the actions taken to bring the HOV facility into compliance; and*

*''(II) the progress made by those actions.*

*''(E) COMPLIANCE.—If the public authority fails to bring a facility into compliance under subparagraph (D), the Secretary shall subject the public authority to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded.*

*''(F) WAIVER.—*

*''(i) IN GENERAL.—Upon the request of a public authority, the Secretary may waive the compliance requirements of subparagraph (E), if the Secretary determines that—*

*''(I) the waiver is in the best interest of the traveling public;*

*''(II) the public authority is meeting the conditions under subparagraph (D); and*

*''(III) the public authority has made a good faith effort to improve the performance of the facility.*

*''(ii) CONDITION.—The Secretary may require, as a condition of providing a waiver under this subparagraph, that a public authority take additional actions, as determined by the Secretary, to maximize the operating speed performance of the facility, even if such performance is below the level set under paragraph (2).'';*

*(6) in subsection (f)—*

*(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''solely'' before ''operating'';*

*(B) in paragraph (4)(B)(iii) by striking ''State agency'' and inserting ''public authority'';*

*(C) by striking paragraph (5);*

*(D) by redesignating paragraph (4) as paragraph (6); and*

*(E) by inserting after paragraph (3) the following:*

*''(4) OVER-THE-ROAD BUS.—The term 'over-the-road bus' has the meaning given the term in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).*

*''(5) PUBLIC AUTHORITY.—The term 'public authority' as used with respect to a HOV facility, means a State, interstate compact of States, public entity designated by a State, or local government having jurisdiction over the operation of the facility.''; and*

*(7) by adding at the end the following:*

*''(g) CONSULTATION OF MPO.—If a HOV facility charging tolls under paragraph (4) or (5) of subsection (b) is on the Interstate System and located in a metropolitan planning area established in accordance with section 134, the public authority shall consult with the metropolitan planning organization for the area concerning the placement and amount of tolls on the facility.''.*

*(c) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105–178) is amended—*

*(1) in paragraph (4)—*

*(A) in subparagraph (D) by striking ''and'' at the end;*

*(B) in subparagraph (E) by striking the period and inserting ''; and''; and*

*(C) by adding at the end the following:*

*''(F) the State has the authority required for the project to proceed.'';*

*(2) by redesignating paragraphs (6) through (8) as paragraphs (8) through (10), respectively; and*

*(3) by inserting after paragraph (5) the following:*

*''(6) REQUIREMENTS FOR PROJECT COMPLETION.—*

*''(A) GENERAL TERM FOR EXPIRATION OF PROVISIONAL APPLICATION.—An application provisionally approved by the Secretary under this subsection shall expire 3 years after the date on which the application was provisionally approved if the State has not—*

*''(i) submitted a complete application to the Secretary that fully satisfies the eligibility criteria under paragraph (3) and the selection criteria under paragraph (4);*

*''(ii) completed the environmental review and permitting process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the pilot project; and*

*''(iii) executed a toll agreement with the Secretary.*

*''(B) EXCEPTIONS TO EXPIRATION.—Notwithstanding subparagraph (A), the Secretary may extend the provisional approval for not more than 1 additional year if the State demonstrates material progress toward implementation of the project as evidenced by—*

*''(i) substantial progress in completing the environmental review and permitting process for the pilot project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);*

*''(ii) funding and financing commitments for the pilot project;*

*''(iii) expressions of support for the pilot project from State and local governments, community interests, and the public; and*

*''(iv) submission of a facility management plan pursuant to paragraph (3)(D).*

*''(C) CONDITIONS FOR PREVIOUSLY PROVISIONALLY APPROVED APPLICATIONS.—A State with a provisionally approved application for a pilot project as of the date of enactment of the FAST Act shall have 1 year after that date of enactment to meet the requirements of subparagraph (A) or receive an extension from the Secretary under subparagraph (B), or the application will expire.*

*''(7) DEFINITION.—In this subsection, the term 'provisional approval' or 'provisionally approved' means the approval by the Secretary of a partial application under this subsection, including the reservation of a slot in the pilot program.''.*

*(d) APPROVAL OF APPLICATIONS.—The Secretary may approve an application submitted under section 1604(c) of SAFETEA–LU (Public Law 109–59; 119 Stat. 1253) if the application, or any part of the application, was submitted before the deadline specified in section 1604(c)(8) of that Act.*

***SEC. 1412. PROJECTS FOR PUBLIC SAFETY RELATING TO IDLING TRAINS.***

*Section 130(a) of title 23, United States Code, is amended by striking ''and the relocation of highways to eliminate grade crossings'' and inserting ''the relocation of highways to eliminate grade crossings, and projects at grade crossings to eliminate hazards posed by blocked grade crossings due to idling trains''.*

***SEC. 1413. NATIONAL ELECTRIC VEHICLE CHARGING AND HYDROGEN, PROPANE, AND NATURAL GAS FUELING CORRIDORS.***

*(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:*

***''§ 151. National electric vehicle charging and hydrogen, propane, and natural gas fueling corridors***

*''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the FAST Act, the Secretary shall designate national electric vehicle charging and hydrogen, propane, and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric, hydrogen fuel cell, propane, and natural gas fueling technologies across the United States.*

*''(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—*

*''(1) solicit nominations from State and local officials for facilities to be included in the corridors;*

*''(2) incorporate existing electric vehicle charging, hydrogen fueling, propane fueling, and natural gas fueling corridors designated by a State or group of States; and*

*''(3) consider the demand for, and location of, existing electric vehicle charging stations, hydrogen fueling stations, propane fueling stations, and natural gas fueling infrastructure.*

*''(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—*

*''(1) the heads of other Federal agencies;*

*''(2) State and local officials;*

*''(3) representatives of—*

*''(A) energy utilities;*

*''(B) the electric, fuel cell electric, propane, and natural gas vehicle industries;*

*''(C) the freight and shipping industry;*

*''(D) clean technology firms;*

*''(E) the hospitality industry;*

*''(F) the restaurant industry;*

*''(G) highway rest stop vendors; and*

*''(H) industrial gas and hydrogen manufacturers; and*

*''(4) such other stakeholders as the Secretary determines to be necessary.*

*''(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.*

*''(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—*

*''(1) identifies electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and*

*''(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure in those corridors by the end of fiscal year 2020.''.*

*(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 150 the following:*

*''151. National electric vehicle charging and hydrogen, propane, and natural gas fueling corridors.''.*

*(c) OPERATION OF BATTERY RECHARGING STATIONS IN PARKING AREAS USED BY FEDERAL EMPLOYEES.—*

*(1) AUTHORIZATION.—*

*(A) IN GENERAL.—The Administrator of General Services may install, construct, operate, and maintain on a reimbursable basis a battery recharging station (or allow, on a reimbursable basis, the use of a 120-volt electrical receptacle for battery recharging) in a parking area that is in the custody, control, or administrative jurisdiction of the General Services Administration for the use of only privately owned vehicles of employees of the General Services Administration, tenant Federal agencies, and others who are authorized to park in such area to the extent such use by only privately owned vehicles does not interfere with or impede access to the equipment by Federal fleet vehicles.*

*(B) AREAS UNDER OTHER FEDERAL AGENCIES.—The Administrator of General Services (on the request of a Federal agency) or the head of a Federal agency may install, construct, operate, and maintain on a reimbursable basis a battery*

*recharging station (or allow, on a reimbursable basis, the use of a 120-volt electrical receptacle for battery recharging) in a parking area that is in the custody, control, or administrative jurisdiction of the requesting Federal agency, to the extent such use by only privately owned vehicles does not interfere with or impede access to the equipment by Federal fleet vehicles.*

*(C) USE OF VENDORS.—The Administrator of General Services, with respect to subparagraph (A) or (B), or the head of a Federal agency, with respect to subparagraph (B), may carry out such subparagraph through a contract with a vendor, under such terms and conditions (including terms relating to the allocation between the Federal agency and the vendor of the costs of carrying out the contract) as the Administrator or the head of the Federal agency, as the case may be, and the vendor may agree to.*

*(2) IMPOSITION OF FEES TO COVER COSTS.—*

*(A) FEES.—The Administrator of General Services or the head of the Federal agency under paragraph (1)(B) shall charge fees to the individuals who use the battery recharging station in such amount as is necessary to ensure that the respective agency recovers all of the costs such agency incurs in installing, constructing, operating, and maintaining the station.*

*(B) DEPOSIT AND AVAILABILITY OF FEES.—Any fees collected by the Administrator of General Services or the Federal agency, as the case may be, under this paragraph shall be—*

*(i) deposited monthly in the Treasury to the credit of the respective agency's appropriations account for the operations of the building where the battery recharging station is located; and*

*(ii) available for obligation without further appropriation during—*

*(I) the fiscal year collected; and*

*(II) the fiscal year following the fiscal year collected.*

*(3) NO EFFECT ON EXISTING PROGRAMS FOR HOUSE AND SENATE.—Nothing in this subsection affects the installation, construction, operation, or maintenance of battery recharging stations by the Architect of the Capitol—*

*(A) under Public Law 112–170 (2 U.S.C. 2171), relating to employees of the House of Representatives and individuals authorized to park in any parking area under the jurisdiction of the House of Representatives on the Capitol Grounds; or*

*(B) under Public Law 112–167 (2 U.S.C. 2170), relating to employees of the Senate and individuals authorized to park in any parking area under the jurisdiction of the Senate on the Capitol Grounds.*

*(4) NO EFFECT ON SIMILAR AUTHORITIES.—Nothing in this subsection—*

*(A) repeals or limits any existing authorities of a Federal agency to install, construct, operate, or maintain battery recharging stations; or*

*(B) requires a Federal agency to seek reimbursement for the costs of installing or constructing a battery recharging station—*

*(i) that has been installed or constructed prior to the date of enactment of this Act;*

*(ii) that is installed or constructed for Federal fleet vehicles, but that receives incidental use to recharge privately owned vehicles; or*

*(iii) that is otherwise installed or constructed pursuant to appropriations for that purpose.*

*(5) ANNUAL REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter for 10 years, the Administrator of General Services shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing—*

*(A) the number of battery recharging stations installed by the Administrator on the Administrator's own initiative under this subsection;*

*(B) requests from other Federal agencies to install battery recharging stations; and*

*(C) the status and disposition of requests from other Federal agencies.*

*(6) FEDERAL AGENCY DEFINED.—In this subsection, the term ''Federal agency'' has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code, and includes—*

*(A) the United States Postal Service;*

*(B) the Executive Office of the President;*

*(C) the military departments (as defined in section 102 of title 5, United States Code); and*

*(D) the judicial branch.*

*(7) EFFECTIVE DATE.—This subsection shall apply with respect to fiscal year 2016 and each succeeding fiscal year.*

***SEC. 1414. REPEAT OFFENDER CRITERIA.***

*Section 164(a) of title 23, United States Code, is amended—*

*(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;*

*(2) by inserting before paragraph (2), as redesignated, the following:*

*''(1) 24-7 SOBRIETY PROGRAM.—The term '24-7 sobriety program' has the meaning given the term in section 405(d)(7)(A).'';*

*(3) in paragraph (5), as redesignated—*

*(A) in the matter preceding subparagraph (A), by inserting ''or combination of laws or programs'' after ''State law'';*

*(B) by amending subparagraph (A) to read as follows:*

*''(A) receive, for a period of not less than 1 year—*

*''(i) a suspension of all driving privileges;*

*''(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock device installed, unless a special exception applies;*

*''(iii) a restriction on driving privileges that limits the individual to operating motor vehicles only if participating in, and complying with, a 24-7 sobriety program; or*

*''(iv) any combination of clauses (i) through (iii);'';*

*(C) by striking subparagraph (B);*

*(D) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and*

*(E) in subparagraph (C), as redesignated—*

*(i) in clause (i)(II) by inserting before the semicolon the following: ''(unless the State certifies that the general practice is that such an individual will be incarcerated)''; and*

*(ii) in clause (ii)(II) by inserting before the period at the end the following: ''(unless the State certifies that the general practice is that such an individual will receive 10 days of incarceration)''; and*

*(4) by adding at the end the following:*

*''(6) SPECIAL EXCEPTION.—The term 'special exception' means an exception under a State alcohol-ignition interlock law for the following circumstances:*

*''(A) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.*

*''(B) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''.*

***SEC. 1415. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.***

*(a) IN GENERAL.—Section 319 of title 23, United States Code, is amended—*

*(1) in subsection (a) by inserting ''(including the enhancement of habitat and forage for pollinators)'' before ''adjacent''; and*

*(2) by adding at the end the following:*

*''(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—*

*''(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and*

*''(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.''.*

*(b) PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.—Section 329(a)(1) of title 23, United States Code, is amended by inserting ''provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,'' before ''and aesthetic enhancement''.*

***SEC. 1416. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.***

*(a) IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 112 Stat. 190; 119 Stat. 1213) is amended—*

*(1) by striking paragraph (13) and inserting the following:*

*''(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston, and Elizabeth City, North Carolina, to Norfolk, Virginia.'';*

*(2) in paragraph (18)(D)—*

*(A) in clause (ii) by striking ''and'' at the end;*

*(B) in clause (iii) by striking the period at the end and inserting ''; and''; and*

*(C) by adding at the end the following:*

*''(iv) include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358.'';*

*(3) by striking paragraph (68) and inserting the following:*

*''(68) The Washoe County Corridor and the Intermountain West Corridor, which shall generally follow—*

*''(A) for the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A from Reno, Nevada, to Las Vegas, Nevada; and*

*''(B) for the Intermountain West Corridor, from the vicinity of Las Vegas, Nevada, north along United States Route 95 terminating at Interstate Route 80.''; and*

*(4) by adding at the end the following:*

*''(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.*

*''(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.*

*''(83) The Sonoran Corridor along State Route 410 connecting Interstate Route 19 and Interstate Route 10 south of the Tucson International Airport.*

*''(84) The Central Texas Corridor commencing at the logical terminus of Interstate Route 10, generally following portions of United States Route 190 eastward, passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, and Woodville, to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.*

*''(85) Interstate Route 81 in New York from its intersection with Interstate Route 86 to the United States-Canadian border.*

*''(86) Interstate Route 70 from Denver, Colorado, to Salt Lake City, Utah.*

*''(87) The Oregon 99W Newberg-Dundee Bypass Route between Newberg, Oregon, and Dayton, Oregon.*

*''(88) Interstate Route 205 in Oregon from its intersection with Interstate Route 5 to the Columbia River.''.*

*(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (109 Stat. 597; 118 Stat. 293; 119 Stat. 1213) is amended in the first sentence—*

*(1) by inserting ''subsection (c)(13),'' after ''subsection (c)(9),'';*

*(2) by striking ''subsections (c)(18)'' and all that follows through ''subsection (c)(36)'' and inserting ''subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36)''; and*

*(3) by striking ''and subsection (c)(57)'' and inserting ''subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), subsection (c)(82), and subsection (c)(83)''.*

*(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (109 Stat. 598; 126 Stat. 427) is amended by striking the final sentence and inserting the following: ''The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I–11. The route referred to in subsection (c)(84) is designated as Interstate Route I–14.''.*

*(d) FUTURE INTERSTATE DESIGNATION.—Section 119(a) of the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1608) is amended by striking ''and, as a future Interstate Route 66 Spur, the Natcher Parkway in Owensboro, Kentucky'' and inserting ''between Henderson, Kentucky, and Owensboro, Kentucky, and, as a future Interstate Route 65 and 66 Spur, the William H. Natcher Parkway between Bowling Green, Kentucky, and Owensboro, Kentucky''.*

***SEC. 1417. WORK ZONE AND GUARD RAIL SAFETY TRAINING.***

*(a) IN GENERAL.—Section 1409 of SAFETEA–LU (23 U.S.C. 401 note) is amended—*

*(1) by striking the section heading and inserting ''**WORK ZONE AND GUARD RAIL SAFETY TRAINING**''; and*

*(2) in subsection (b) by adding at the end the following:*

*''(4) Development, updating, and delivery of training courses on guard rail installation, maintenance, and inspection.''.*

*(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 1409 and inserting the following:*

*''Sec. 1409. Work zone and guard rail safety training.''.*

***SEC. 1418. CONSOLIDATION OF PROGRAMS.***

*Section 1519(a) of MAP–21 (126 Stat. 574) is amended by striking ''From administrative funds'' and all that follows through ''shall be made available'' and inserting ''For each of fiscal years 2016 through 2020, before making an apportionment under section 104(b)(3) of title 23, United States Code, the Secretary shall set aside, from amounts made available to carry out the highway safety improvement program under section 148 of such title for the fiscal year, $3,500,000''.*

***SEC. 1419. ELIMINATION OR MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.***

*(a) FUNDAMENTAL PROPERTIES OF ASPHALTS REPORT.—Section 6016(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2183) is repealed.*

*(b) EXPRESS LANES DEMONSTRATION PROGRAM REPORTS.—Section 1604(b)(7)(B) of SAFETEA–LU (23 U.S.C. 129 note) is repealed.*

***SEC. 1420. FLEXIBILITY FOR PROJECTS.***

*(a) AUTHORITY.—With respect to projects eligible for funding under title 23, United States Code, subject to subsection (b) and on request by a State, the Secretary may—*

*(1) exercise all existing flexibilities under and exceptions to—*

*(A) the requirements of title 23, United States Code; and*

*(B) other requirements administered by the Secretary, in whole or part; and*

*(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).*

*(b) MAINTAINING PROTECTIONS.—Nothing in this section—*

*(1) waives the requirements of section 113 or 138 of title 23, United States Code;*

*(2) supersedes, amends, or modifies—*

*(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or*

*(B) any requirement of title 23 or title 49, United States Code; or*

*(3) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this subsection.*

***SEC. 1421. PRODUCTIVE AND TIMELY EXPENDITURE OF FUNDS.***

*(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop guidance that encourages the use of programmatic approaches to project delivery, expedited and prudent procurement techniques, and other best practices to facilitate productive, effective, and timely expenditure of funds for projects eligible for funding under title 23, United States Code.*

*(b) IMPLEMENTATION.—The Secretary shall work with States to ensure that any guidance developed under subsection (a) is consistently implemented by States and the Federal Highway Administration to—*

*(1) avoid unnecessary delays in completing projects;*

*(2) minimize cost overruns; and*

*(3) ensure the effective use of Federal funding.*

***SEC. 1422. STUDY ON PERFORMANCE OF BRIDGES.***

*(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that received funding under the innovative bridge research and construction program (referred to in this section as the ''program'') under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59; 119 Stat. 1144)) in meeting the goals of that program, which included—*

*(1) the development of new, cost-effective innovative material highway bridge applications;*

*(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;*

*(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;*

*(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;*

*(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;*

*(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and*

*(7) the development of new nondestructive bridge evaluation technologies and techniques.*

*(b) CONTENTS.—The study commissioned under subsection (a) shall include—*

*(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);*

*(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;*

*(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and*

*(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.*

*(c) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.*

*(d) DATA FROM STATES.—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).*

*(e) DEADLINE.—The Administrator shall submit to Congress the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.*

***SEC. 1423. RELINQUISHMENT OF PARK-AND-RIDE LOT FACILITIES.***

*A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law if the agreement providing for the relinquishment provides that—*

*(1) rights-of-way on the Interstate System will remain available for future highway improvements; and*

*(2) modifications to the facilities that could impair the highway or interfere with the free and safe flow of traffic are subject to the approval of the Secretary.*

***SEC. 1424. PILOT PROGRAM.***

*(a) IN GENERAL.—The Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') may establish a pilot program that allows a State to utilize innovative approaches to maintain the right-of-way of Federal-aid highways within the State.*

*(b) LIMITATION.—A pilot program established under subsection (a) shall—*

*(1) terminate after not more than 4 years;*

*(2) include not more than 5 States; and*

*(3) be subject to guidelines published by the Administrator.*

*(c) REPORT.—If the Administrator establishes a pilot program under subsection (a), the Administrator shall, not more than 1 year after the completion of the pilot program, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the pilot program.*

*(d) SAVINGS PROVISION.—Nothing in this section may be construed to affect the requirements of section 111 of title 23, United States Code.*

***SEC. 1425. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.***

*Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), if a State notifies the Federal Highway Administration, the State may allow the maintenance of a sign of a service club, charitable association, or religious service organization—*

*(1) that exists on the date of enactment of this Act (or was removed in the 3-year period ending on such date of enactment); and*

*(2) the area of which is less than or equal to 32 square feet.*

***SEC. 1426. MOTORCYCLIST ADVISORY COUNCIL.***

*The Secretary, acting through the Administrator of the Federal Highway Administration, shall appoint a Motorcyclist Advisory Council to coordinate with and advise the Administrator on infrastructure issues of concern to motorcyclists, including—*

*(1) barrier design;*

*(2) road design, construction, and maintenance practices; and*

*(3) the architecture and implementation of intelligent transportation system technologies.*

***SEC. 1427. HIGHWAY WORK ZONES.***

*It is the sense of Congress that the Federal Highway Administration should—*

*(1) do all within its power to protect workers in highway work zones; and*

*(2) move rapidly to finalize regulations, as directed in section 1405 of MAP–21 (126 Stat. 560), to protect the lives and safety of construction workers in highway work zones from vehicle intrusions.*

***SEC. 1428. USE OF DURABLE, RESILIENT, AND SUSTAINABLE MATERIALS AND PRACTICES.***

*To the extent practicable, the Secretary shall encourage the use of durable, resilient, and sustainable materials and practices, including the use of geosynthetic materials and other innovative technologies, in carrying out the activities of the Federal Highway Administration.*

***SEC. 1429. IDENTIFICATION OF ROADSIDE HIGHWAY SAFETY HARDWARE DEVICES.***

*(a) STUDY.—The Secretary shall conduct a study on methods for identifying roadside highway safety hardware devices to improve the data collected on the devices, as necessary for in-service evaluation of the devices.*

*(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate identification methods based on the ability of the method—*

*(1) to convey information on the devices, including manufacturing date, factory of origin, product brand, and model;*

*(2) to withstand roadside conditions; and*

*(3) to connect to State and regional inventories of similar devices.*

*(c) IDENTIFICATION METHODS.—The identification methods to be studied under this section include stamped serial numbers, radio-frequency identification, and such other methods as the Secretary determines appropriate.*

*(d) REPORT TO CONGRESS.—Not later than January 1, 2018, the Secretary shall submit to Congress a report on the results of the study under subsection (a).*

***SEC. 1430. USE OF MODELING AND SIMULATION TECHNOLOGY.***

*It is the sense of Congress that the Department should utilize, to the fullest and most economically feasible extent practicable, modeling and simulation technology to analyze highway and public transportation projects authorized by this Act to ensure that these projects—*

*(1) will increase transportation capacity and safety, alleviate congestion, and reduce travel time and environmental impacts; and*

*(2) are as cost effective as practicable.*

***SEC. 1431. NATIONAL ADVISORY COMMITTEE ON TRAVEL AND TOURISM INFRASTRUCTURE.***

*(a) FINDINGS.—Congress finds that—*

*(1) 1 out of every 9 jobs in the United States depends on travel and tourism, and the industry supports 15,000,000 jobs in the United States;*

*(2) the travel and tourism industry employs individuals in all 50 States, the District of Columbia, and all of the territories of the United States;*

*(3) international travel to the United States is the single largest export industry in the United States, generating a trade surplus balance of approximately $74,000,000,000;*

*(4) travel and tourism provide significant economic benefits to the United States by generating nearly $2,100,000,000,000 in annual economic output; and*

*(5) the United States intermodal transportation network facilitates the large-scale movement of business and leisure travelers, and is the most important asset of the travel industry.*

*(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to be known as the National Advisory Committee on Travel and Tourism Infrastructure (referred to in this section as the ''Committee'') to provide information, advice, and recommendations to the Secretary on matters relating to the role of intermodal transportation in facilitating mobility related to travel and tourism activities.*

*(c) MEMBERSHIP.—The Committee shall—*

*(1) be composed of members appointed by the Secretary for terms of not more than 3 years; and*

*(2) include a representative cross-section of public and private sector stakeholders involved in the travel and tourism industry, including representatives of—*

*(A) the travel and tourism industry, product and service providers, and travel and tourism-related associations;*

*(B) travel, tourism, and destination marketing organizations;*

*(C) the travel and tourism-related workforce;*

*(D) State tourism offices;*

*(E) State departments of transportation;*

*(F) regional and metropolitan planning organizations; and*

*(G) local governments.*

*(d) ROLE OF COMMITTEE.—The Committee shall—*

*(1) advise the Secretary on current and emerging priorities, issues, projects, and funding needs related to the use of the intermodal transportation network of the United States to facilitate travel and tourism;*

*(2) serve as a forum for discussion for travel and tourism stakeholders on transportation issues affecting interstate and interregional mobility of passengers;*

*(3) promote the sharing of information between the private and public sectors on transportation issues impacting travel and tourism;*

*(4) gather information, develop technical advice, and make recommendations to the Secretary on policies that improve the condition and performance of an integrated national transportation system that—*

*(A) is safe, economical, and efficient; and*

*(B) maximizes the benefits to the United States generated through the travel and tourism industry;*

*(5) identify critical transportation facilities and corridors that facilitate and support the interstate and interregional transportation of passengers for tourism, commercial, and recreational activities;*

*(6) provide for development of measures of condition, safety, and performance for transportation related to travel and tourism;*

*(7) provide for development of transportation investment, data, and planning tools to assist Federal, State, and local officials in making investment decisions relating to transportation projects that improve travel and tourism; and*

*(8) address other issues of transportation policy and programs impacting the movement of travelers for tourism and recreational purposes, including by making legislative recommendations.*

*(e) NATIONAL TRAVEL AND TOURISM INFRASTRUCTURE STRATEGIC PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Committee, State departments of transportation, and other appropriate public and private transportation stakeholders, shall develop and post on the public Internet website of the Department a national travel and tourism infrastructure strategic plan that includes—*

*(1) an assessment of the condition and performance of the national transportation network;*

*(2) an identification of the issues on the national transportation network that create significant congestion problems and barriers to long-haul passenger travel and tourism,*

*(3) forecasts of long-haul passenger travel and tourism volumes for the 20-year period beginning in the year during which the plan is issued;*

*(4) an identification of the major transportation facilities and corridors for current and forecasted long-haul travel and tourism volumes, the identification of which shall be revised, as appropriate, in subsequent plans;*

*(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved long-haul passenger travel performance (including opportunities for overcoming the barriers);*

*(6) best practices for improving the performance of the national transportation network; and*

*(7) strategies to improve intermodal connectivity for long-haul passenger travel and tourism.*

***SEC. 1432. EMERGENCY EXEMPTIONS.***

*(a) IN GENERAL.—Any road, highway, railway, bridge, or transit facility that is damaged by an emergency that is declared by the Governor of the State, with the concurrence of the Secretary of Homeland Security, or declared as an emergency by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), and that is in operation or under construction on the date on which the emergency occurs may be reconstructed in the same location with the same capacity, dimensions, and design as before the emergency subject to the exemptions and expedited procedures under subsection (b).*

*(b) EXEMPTIONS AND EXPEDITED PROCEDURES.—*

*(1) ALTERNATIVE ARRANGEMENTS.—Alternative arrangements for an emergency under section 1506.11 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act) shall apply to reconstruction under subsection (a), and the reconstruction shall be considered necessary to control the immediate impacts of the emergency.*

*(2) STORMWATER DISCHARGE PERMITS.—A general permit for stormwater discharges from construction activities, if available, issued by the Administrator of the Environmental Protection Agency or the director of a State program under section 402(p) of the Federal Water Pollution Control Act (33 U.S.C. 1342(p)), as applicable, shall apply to reconstruction under subsection (a), on submission of a notice of intent to be subject to the permit.*

*(3) EMERGENCY PROCEDURES.—The emergency procedures for issuing permits in accordance with section 325.2(e)(4) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act) shall apply to reconstruction under subsection (a), and the reconstruction shall be considered an emergency under that regulation.*

*(4) NATIONAL HISTORIC PRESERVATION ACT EXEMPTION.—Reconstruction under subsection (a) is eligible for an exemption from the requirements of the National Historic Preservation Act of 1966 pursuant to part 78 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).*

*(5) ENDANGERED SPECIES ACT EXEMPTION.—An exemption from the requirements of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) pursuant to section 7(p) of that Act (16 U.S.C. 1536(p)) shall apply to reconstruction under subsection (a) and, if the President makes the determination required under section 7(p) of that Act, the determinations required under subsections (g) and (h) of that section shall be deemed to be made.*

*(6) EXPEDITED CONSULTATION UNDER ENDANGERED SPECIES ACT.—Expedited consultation pursuant to section 402.05 of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act) shall apply to reconstruction under subsection (a).*

*(7) OTHER EXEMPTIONS.—Any reconstruction that is exempt under paragraph (5) shall also be exempt from requirements under—*

*(A) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);*

*(B) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.); and*

*(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).*

***SEC. 1433. REPORT ON HIGHWAY TRUST FUND ADMINISTRATIVE EXPENDITURES.***

*(a) INITIAL REPORT.—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the administrative expenses of the Federal Highway Administration funded from the Highway Trust Fund during the 3 most recent fiscal years.*

*(b) UPDATES.—Not later than 5 years after the date on which the report is submitted under*

*subsection (a) and every 5 years thereafter, the Comptroller General shall submit to Congress a report that updates the information provided in the report under that subsection for the preceding 5-year period.*

*(c) INCLUSIONS.—Each report submitted under subsection (a) or (b) shall include a description of—*

*(1) the types of administrative expenses of programs and offices funded by the Highway Trust Fund;*

*(2) the tracking and monitoring of administrative expenses;*

*(3) the controls in place to ensure that funding for administrative expenses is used as efficiently as practicable; and*

*(4) the flexibility of the Department to reallocate amounts from the Highway Trust Fund between full-time equivalent employees and other functions.*

***SEC. 1434. AVAILABILITY OF REPORTS.***

*(a) IN GENERAL.—The Secretary shall make available to the public on the website of the Department any report required to be submitted by the Secretary to Congress after the date of enactment of this Act.*

*(b) DEADLINE.—Each report described in subsection (a) shall be made available on the website not later than 30 days after the report is submitted to Congress.*

***SEC. 1435. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.***

*Section 1528 of MAP–21 (40 U.S.C. 14501 note; Public Law 112–141) is amended—*

*(1) by striking ''2021'' each place it appears and inserting ''2050''; and*

*(2) by striking ''shall be 100 percent'' each place it appears and inserting ''shall be up to 100 percent, as determined by the State''.*

***SEC. 1436. APPALACHIAN REGIONAL DEVELOPMENT PROGRAM.***

*(a) HIGH-SPEED BROADBAND DEVELOPMENT INITIATIVE.—*

*(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:*

***''§ 14509. High-speed broadband deployment initiative***

*''(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—*

*''(1) to increase affordable access to broadband networks throughout the Appalachian region;*

*''(2) to conduct research, analysis, and training to increase broadband adoption efforts in the Appalachian region;*

*''(3) to provide technology assets, including computers, smartboards, and video projectors to educational systems throughout the Appalachian region;*

*''(4) to increase distance learning opportunities throughout the Appalachian region;*

*''(5) to increase the use of telehealth technologies in the Appalachian region; and*

*''(6) to promote e-commerce applications in the Appalachian region.*

*''(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—*

*''(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and*

*''(2) notwithstanding paragraph (1)—*

*''(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and*

*''(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.*

*''(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—*

*''(1) under any other Federal program; or*

*''(2) from any other source.*

*''(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.*

*(2) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14508 the following:*

*''14509. High-speed broadband deployment initiative.''.*

*(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—*

*(1) in subsection (a)(5), by striking ''fiscal year 2012'' and inserting ''each of fiscal years 2012 through 2020'';*

*(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and*

*(3) by inserting after subsection (b) the following:*

*''(c) HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.—Of the amounts made available under subsection (a), $10,000,000 may be used to carry out section 14509 for each of fiscal years 2016 through 2020.''.*

*(c) TERMINATION.—Section 14704 of title 40, United States Code, is amended by striking ''2012'' and inserting ''2020''.*

*(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2015.*

***SEC. 1437. BORDER STATE INFRASTRUCTURE.***

*(a) IN GENERAL.—After consultation with relevant transportation planning organizations, the Governor of a State that shares a land border with Canada or Mexico may designate for each fiscal year not more than 5 percent of the funds made available to the State under section 133(d)(1)(B) of title 23, United States Code, for border infrastructure projects eligible under section 1303 of SAFETEA–LU (23 U.S.C. 101 note; 119 Stat. 1207).*

*(b) USE OF FUNDS.—Funds designated under this section shall be available under the requirements of section 1303 of SAFETEA–LU (23 U.S.C. 101 note; 119 Stat. 1207).*

*(c) CERTIFICATION.—Before making a designation under subsection (a), the Governor shall certify that the designation is consistent with transportation planning requirements under title 23, United States Code.*

*(d) NOTIFICATION.—Not later than 30 days after making a designation under subsection (a), the Governor shall submit to the relevant transportation planning organizations within the border region a written notification of any suballocated or distributed amount of funds available for obligation by jurisdiction.*

*(e) LIMITATION.—This section applies only to funds apportioned to a State after the date of enactment of this Act.*

*(f) DEADLINE FOR DESIGNATION.—A designation under subsection (a) shall—*

*(1) be submitted to the Secretary not later than 30 days before the first day of the fiscal year for which the designation is being made; and*

*(2) remain in effect for the funds designated under subsection (a) for a fiscal year until the Governor of the State notifies the Secretary of the termination of the designation.*

*(g) UNOBLIGATED FUNDS AFTER TERMINATION.—Effective beginning on the date of a termination under subsection (f)(2), all remaining unobligated funds that were designated under subsection (a) for the fiscal year for which the designation is being terminated shall be made available to the State for the purposes described in section 133(d)(1)(B) of title 23, United States Code.*

***SEC. 1438. ADJUSTMENTS.***

*(a) IN GENERAL.—On July 1, 2020, of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of $7,569,000,000 is permanently rescinded.*

*(b) EXCLUSIONS FROM RESCISSION.—The rescission under subsection (a) shall not apply to funds distributed in accordance with—*

*(1) sections 104(b)(3) and 130(f) of title 23, United States Code;*

*(2) section 133(d)(1)(A) of such title;*

*(3) the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141);*

*(4) sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59); and*

*(5) section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141).*

*(c) DISTRIBUTION AMONG STATES.—The amount to be rescinded under this section from a State shall be determined by multiplying the total amount of the rescission in subsection (a) by the ratio that—*

*(1) the unobligated balances subject to the rescission as of September 30, 2019, for the State; bears to*

*(2) the unobligated balances subject to the rescission as of September 30, 2019, for all States.*

*(d) DISTRIBUTION WITHIN EACH STATE.—The amount to be rescinded under this section from each program to which the rescission applies within a State shall be determined by multiplying the required rescission amount calculated under subsection (c) for such State by the ratio that—*

*(1) the unobligated balance as of September 30, 2019, for such program in such State; bears to*

*(2) the unobligated balances as of September 30, 2019, for all programs to which the rescission applies in such State.*

***SEC. 1439. ELIMINATION OF BARRIERS TO IMPROVE AT-RISK BRIDGES.***

*(a) TEMPORARY AUTHORIZATION.—*

*(1) IN GENERAL.—Until the Secretary of the Interior takes the action described in subsection (b), the take of nesting swallows to facilitate a construction project on a bridge eligible for funding under title 23, United States Code, with any component condition rating of 3 or less (as defined by the National Bridge Inventory General Condition Guidance issued by the Federal Highway Administration) is authorized under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) between April 1 and August 31.*

*(2) MEASURES TO MINIMIZE IMPACTS.—*

*(A) NOTIFICATION BEFORE TAKING.—Prior to the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains—*

*(i) the name of the person acting under the authority of paragraph (1) to take nesting swallows;*

*(ii) a list of practicable measures that will be undertaken to minimize or mitigate significant adverse impacts on the population of that species;*

*(iii) the time period during which activities will be carried out that will result in the taking of that species; and*

*(iv) an estimate of the number of birds, by species, to be taken in the proposed action.*

*(B) NOTIFICATION AFTER TAKING.—Not later than 60 days after the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains the number of birds, by species, taken in the action.*

*(b) AUTHORIZATION OF TAKE.—*

*(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary, shall promulgate a regulation under the authority of section 3 of the Migratory Bird Treaty Act (16*

*U.S.C. 704) authorizing the take of nesting swallows to facilitate bridge repair, maintenance, or construction—*

*(A) without individual permit requirements; and*

*(B) under terms and conditions determined to be consistent with treaties relating to migratory birds that protect swallow species occurring in the United States.*

*(2) TERMINATION.—On the effective date of a final rule under this subsection by the Secretary of the Interior, subsection (a) shall have no force or effect.*

*(c) SUSPENSION OR WITHDRAWAL OF TAKE AUTHORIZATION.—If the Secretary of the Interior, in consultation with the Secretary, determines that taking of nesting swallows carried out under the authority provided in subsection (a)(1) is having a significant adverse impact on swallow populations, the Secretary of the Interior may suspend that authority through publication in the Federal Register.*

***SEC. 1440. AT-RISK PROJECT PREAGREEMENT AUTHORITY.***

*(a) DEFINITION OF PRELIMINARY ENGINEERING.—In this section, the term ''preliminary engineering'' means allowable preconstruction project development and engineering costs.*

*(b) AT-RISK PROJECT PREAGREEMENT AUTHORITY.—A recipient or subrecipient of Federal-aid funds under title 23, United States Code, may—*

*(1) incur preliminary engineering costs for an eligible project under title 23, United States Code, before receiving project authorization from the State, in the case of a subrecipient, and the Secretary to proceed with the project; and*

*(2) request reimbursement of applicable Federal funds after the project authorization is received.*

*(c) ELIGIBILITY.—The Secretary may reimburse preliminary engineering costs incurred by a recipient or subrecipient under subsection (b)—*

*(1) if the costs meet all applicable requirements under title 23, United States Code, at the time the costs are incurred and the Secretary concurs that the requirements have been met;*

*(2) in the case of a project located within a designated nonattainment or maintenance area for air quality, if the conformity requirements of the Clean Air Act (42 U.S.C. 7401 et seq.) have been met; and*

*(3) if the costs would have been allowable if incurred after the date of the project authorization by the Department.*

*(d) AT-RISK.—A recipient or subrecipient that elects to use the authority provided under this section shall—*

*(1) assume all risk for preliminary engineering costs incurred prior to project authorization; and*

*(2) be responsible for ensuring and demonstrating to the Secretary that all applicable cost eligibility conditions are met after the authorization is received.*

*(e) RESTRICTIONS.—Nothing in this section—*

*(1) allows a recipient or subrecipient to use the authority under this section to advance a project beyond preliminary engineering prior to the completion of the environmental review process;*

*(2) waives the applicability of Federal requirements to a project other than the reimbursement of preliminary engineering costs incurred prior to an authorization to proceed in accordance with this section; or*

*(3) guarantees Federal funding of the project or the eligibility of the project for future Federal-aid highway funding.*

***SEC. 1441. REGIONAL INFRASTRUCTURE ACCELERATOR DEMONSTRATION PROGRAM.***

*(a) IN GENERAL.—The Secretary shall establish a regional infrastructure demonstration program (referred to in this section as the ''program'') to assist entities in developing improved infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the TIFIA program under chapter 6 of title 23, United States Code.*

*(b) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program, the Secretary may designate regional infrastructure accelerators that will—*

*(1) serve a defined geographic area; and*

*(2) act as a resource in the geographic area to qualified entities in accordance with this section.*

*(c) APPLICATION.—To be eligible for a designation under subsection (b), a proposed regional infrastructure accelerator shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.*

*(d) CRITERIA.—In evaluating a proposal submitted under subsection (c), the Secretary shall consider—*

*(1) the need for geographic diversity among regional infrastructure accelerators; and*

*(2) the ability of the proposal to promote investment in covered infrastructure projects, which shall include a plan—*

*(A) to evaluate and promote innovative financing methods for local projects, including the use of the TIFIA program under chapter 6 of title 23, United States Code;*

*(B) to build capacity of State, local, and tribal governments to evaluate and structure projects involving the investment of private capital;*

*(C) to provide technical assistance and information on best practices with respect to financing the projects;*

*(D) to increase transparency with respect to infrastructure project analysis and using innovative financing for public infrastructure projects;*

*(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;*

*(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and*

*(G) to reduce transaction costs for public project sponsors.*

*(e) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report that describes the findings and effectiveness of the program.*

*(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $12,000,000, of which the Secretary shall use—*

*(1) $11,750,000 for initial grants to regional infrastructure accelerators under subsection (b); and*

*(2) $250,000 for administrative costs of carrying out the program.*

***SEC. 1442. SAFETY FOR USERS.***

*(a) IN GENERAL.—The Secretary shall encourage each State and metropolitan planning organization to adopt standards for the design of Federal surface transportation projects that provide for the safe and adequate accommodation (as determined by the State) of all users of the surface transportation network, including motorized and nonmotorized users, in all phases of project planning, development, and operation.*

*(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall make available to the public a report cataloging examples of State law or State transportation policy that provide for the safe and adequate accommodation of all users of the surface transportation network, in all phases of project planning, development, and operation.*

*(c) BEST PRACTICES.—Based on the report under subsection (b), the Secretary shall identify and disseminate examples of best practices where States have adopted measures that have successfully provided for the safe and adequate accommodation of all users of the surface transportation network in all phases of project planning, development, and operation.*

***SEC. 1443. SENSE OF CONGRESS.***

*It is the sense of Congress that the engineering industry of the United States continues to provide critical technical expertise, innovation, and local knowledge to Federal and State agencies in order to efficiently deliver surface transportation projects to the public, and Congress recognizes the valuable contributions made by the engineering industry of the United States and urges the Secretary to reinforce those partnerships by encouraging State and local agencies to take full advantage of engineering industry capabilities to strengthen project performance, improve domestic competitiveness, and create jobs.*

***SEC. 1444. EVERY DAY COUNTS INITIATIVE.***

*(a) IN GENERAL.—It is in the national interest for the Department, State departments of transportation, and all other recipients of Federal transportation funds—*

*(1) to identify, accelerate, and deploy innovation aimed at shortening project delivery, enhancing the safety of the roadways of the United States, and protecting the environment;*

*(2) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;*

*(3) to promote the rapid deployment of proven solutions that provide greater accountability for public investments and encourage greater private sector involvement; and*

*(4) to create a culture of innovation within the highway community.*

*(b) EVERY DAY COUNTS INITIATIVE.—To advance the policy described in subsection (a), the Administrator of the Federal Highway Administration shall continue the Every Day Counts initiative to work with States, local transportation agencies, and industry stakeholders to identify and deploy proven innovative practices and products that—*

*(1) accelerate innovation deployment;*

*(2) shorten the project delivery process;*

*(3) improve environmental sustainability;*

*(4) enhance roadway safety; and*

*(5) reduce congestion.*

*(c) INNOVATION DEPLOYMENT.—*

*(1) IN GENERAL.—At least every 2 years, the Administrator shall work collaboratively with stakeholders to identify a new collection of innovations, best practices, and data to be deployed to highway stakeholders through case studies, webinars, and demonstration projects.*

*(2) REQUIREMENTS.—In identifying a collection described in paragraph (1), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.*

*(d) PUBLICATION.—Each collection identified under subsection (c) shall be published by the Administrator on a publicly available Web site.*

***SEC. 1445. WATER INFRASTRUCTURE FINANCE AND INNOVATION.***

*Section 5028(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3907(a)) is amended—*

*(1) by striking paragraph (5); and*

*(2) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.*

***SEC. 1446. TECHNICAL CORRECTIONS.***

*(a) TITLE 23.—Title 23, United States Code, is amended as follows:*

*(1) Section 119(d)(1)(A) is amended by striking ''mobility,'' and inserting ''congestion reduction, system reliability,''.*

*(2) Section 126(b)(1) is amended by striking ''133(d)'' and inserting ''133(d)(1)(A)''.*

*(3) Section 127(a)(3) is amended by striking ''118(b)(2) of this title'' and inserting ''118(b)''.*

*(4) Section 150(b)(5) is amended by striking ''national freight network'' and inserting ''National Highway Freight Network''.*

*(5) Section 150(c)(3)(B) is amended by striking the semicolon at the end and inserting a period.*

*(6) Section 150(e)(4) is amended by striking ''National Freight Strategic Plan'' and inserting ''national freight strategic plan''.*

*(7) Section 153(h)(2) is amended by striking ''paragraphs (1) through (3)'' and inserting ''paragraphs (1), (2), and (4)''.*

*(8) Section 154(c) is amended—*

*(A) in paragraph (1) by striking ''paragraphs (1), (3), and (4)'' and inserting ''paragraphs (1), (2), and (4)'';*

*(B) in paragraph (3)(A) by striking ''transferred'' and inserting ''reserved''; and*

*(C) in paragraph (5)—*

*(i) in the matter preceding subparagraph (A) by inserting ''or released'' after ''transferred''; and*

*(ii) in subparagraph (A) by striking ''under section 104(b)(l)'' and inserting ''under section 104(b)(1)''.*

*(9) Section 163(f)(2) is amended by striking ''118(b)(2)'' and inserting ''118(b)''.*

*(10) Section 164(b) is amended—*

*(A) in paragraph (3)(A) by striking ''transferred'' and inserting ''reserved''; and*

*(B) in paragraph (5) by inserting ''or released'' after ''transferred''.*

*(11) Section 165(c)(7) is amended by striking ''paragraphs (2), (4), (7), (8), (14), and (19) of section 133(b)'' and inserting ''paragraphs (1) through (4) of section 133(c) and section 133(b)(12)''.*

*(12) Section 202(b)(3) is amended—*

*(A) in subparagraph (A)(i), in the matter preceding subclause (I), by inserting ''(a)(6),'' after ''subsections''; and*

*(B) in subparagraph (C)(ii)(IV), by striking ''(III).]'' and inserting ''(III).''.*

*(13) Section 217(a) is amended by striking ''104(b)(3)'' and inserting ''104(b)(4)''.*

*(14) Section 515 is amended by striking ''this chapter'' each place it appears and inserting ''sections 512 through 518''.*

*(b) TITLE 49.—Section 6302(b)(3)(B)(vi)(III) of title 49, United States Code, is amended by striking ''6310'' and inserting ''6309''.*

*(c) SAFETEA–LU.—Section 4407 of SAFETEA–LU (Public Law 109–59; 119 Stat. 1777) is amended by striking ''hereby enacted into law'' and inserting ''granted''.*

*(d) MAP–21.—Effective as of July 6, 2012, and as if included therein as enacted, MAP–21 (Public Law 112–141) is amended as follows:*

*(1) Section 1109(a)(2) (126 Stat. 444) is amended by striking ''fourth'' and inserting ''fifth''.*

*(2) Section 1203 (126 Stat. 524) is amended—*

*(A) in subsection (a) by striking ''Section 150 of title 23, United States Code, is amended to read as follows'' and inserting ''Title 23, United States Code, is amended by inserting after section 149 the following''; and*

*(B) in subsection (b) by striking ''by striking the item relating to section 150 and inserting'' and inserting ''by inserting after the item relating to section 149''.*

*(3) Section 1313(a)(1) (126 Stat. 545) is amended to read as follows:*

*''(1) in the section heading by striking '**pilot**'; and''.*

*(4) Section 1314(b) (126 Stat. 549) is amended—*

*(A) by inserting ''chapter 3 of'' after ''analysis for''; and*

*(B) by inserting a period at the end of the matter proposed to be inserted.*

*(5) Section 1519(c) (126 Stat. 575) is amended—*

*(A) by striking paragraph (3);*

*(B) by redesignating paragraphs (4) through (12) as paragraphs (3) through (11), respectively;*

*(C) in paragraph (7), as redesignated by subparagraph (B)—*

*(i) by striking the period at the end of the matter proposed to be struck; and*

*(ii) by adding a period at the end; and*

*(D) in paragraph (8)(A)(i)(I), as redesignated by subparagraph (B), by striking ''than rail'' in the matter proposed to be struck and inserting ''than on rail''.*

*(e) TRANSPORTATION RESEARCH AND INNOVATIVE TECHNOLOGY ACT OF 2012.—Section 51001(a)(1) of the Transportation Research and Innovative Technology Act of 2012 (126 Stat. 864) is amended by striking ''sections 503(b), 503(d), and 509'' and inserting ''section 503(b)''.*

***TITLE II—INNOVATIVE PROJECT FINANCE***

***SEC. 2001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.***

*(a) DEFINITIONS.—Section 601(a) of title 23, United States Code, is amended—*

*(1) in the matter preceding paragraph (1)—*

*(A) by striking ''In this chapter, the'' and inserting ''The''; and*

*(B) by inserting ''to sections 601 through 609'' after ''apply'';*

*(2) in paragraph (2)—*

*(A) in subparagraph (B) by striking ''and'' at the end;*

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

*(C) by adding at the end the following:*

*''(D) capitalizing a rural projects fund.'';*

*(3) in paragraph (3) by striking ''this chapter'' and inserting ''the TIFIA program'';*

*(4) in paragraph (10)—*

*(A) by striking ''(10) MASTER CREDIT AGREEMENT.—'' and all that follows before subparagraph (A) and inserting the following:*

*''(10) MASTER CREDIT AGREEMENT.—The term 'master credit agreement' means a conditional agreement to extend credit assistance for a program of related projects secured by a common security pledge covered under section 602(b)(2)(A) or for a single project covered under section 602(b)(2)(B) that does not provide for a current obligation of Federal funds, and that would—'';*

*(B) in subparagraph (A) by striking ''subject to the availability of future funds being made available to carry out this chapter;'' and inserting ''subject to—*

*''(i) the availability of future funds being made available to carry out the TIFIA program; and*

*''(ii) the satisfaction of all of the conditions for the provision of credit assistance under the TIFIA program, including section 603(b)(1);''; and*

*(C) in subparagraph (D)—*

*(i) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;*

*(ii) by inserting after clause (i) the following:*

*''(ii) receiving an investment grade rating from a rating agency;'';*

*(iii) in clause (iii) (as so redesignated) by striking ''in section 602(c)'' and inserting ''under the TIFIA program, including sections 602(c) and 603(b)(1)''; and*

*(iv) in clause (iv) (as so redesignated) by striking ''this chapter'' and inserting ''the TIFIA program'';*

*(5) in paragraph (12)—*

*(A) in subparagraph (C) by striking ''and'' at the end;*

*(B) in subparagraph (D)(iv) by striking the period at the end and inserting a semicolon; and*

*(C) by adding at the end the following:*

*''(E) a project to improve or construct public infrastructure that is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility, including a transportation, public utility, or capital project described in section 5302(3)(G)(v) of title 49, and related infrastructure; and*

*''(F) the capitalization of a rural projects fund.'';*

*(6) in paragraph (15) by striking ''means'' and all that follows through the period at the end and inserting ''means a surface transportation infrastructure project located in an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.'';*

*(7) by redesignating paragraphs (16), (17), (18), (19), and (20) as paragraphs (17), (18), (20), (21), and (22), respectively;*

*(8) by inserting after paragraph (15) the following:*

*''(16) RURAL PROJECTS FUND.—The term 'rural projects fund' means a fund—*

*''(A) established by a State infrastructure bank in accordance with section 610(d)(4);*

*''(B) capitalized with the proceeds of a secured loan made to the bank in accordance with sections 602 and 603; and*

*''(C) for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';*

*(9) by inserting after paragraph (18) (as so redesignated) the following:*

*''(19) STATE INFRASTRUCTURE BANK.—The term 'State infrastructure bank' means an infrastructure bank established under section 610.''; and*

*(10) in paragraph (22) (as so redesignated), by inserting ''established under sections 602 through 609'' after ''Department''.*

*(b) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602 of title 23, United States Code, is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (1) in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program'';*

*(B) in paragraph (2)(A) by striking ''this chapter'' and inserting ''the TIFIA program'';*

*(C) in paragraph (3) by striking ''this chapter'' and inserting ''the TIFIA program'';*

*(D) in paragraph (5)—*

*(i) by striking the paragraph heading and inserting ''ELIGIBLE PROJECT COST PARAMETERS.—'';*

*(ii) in subparagraph (A)—*

*(I) in the matter preceding clause (i), by striking ''subparagraph (B), to be eligible for assistance under this chapter, a project'' and inserting ''subparagraph (B), a project under the TIFIA program'';*

*(II) by striking clause (i) and inserting the following:*

*''(i) $50,000,000; and''; and*

*(III) in clause (ii) by striking ''assistance''; and*

*(iii) in subparagraph (B)—*

*(I) by striking the subparagraph designation and heading and all that follows through ''In the case'' and inserting the following:*

*''(B) EXCEPTIONS.—*

*''(i) INTELLIGENT TRANSPORTATION SYSTEMS.—In the case''; and*

*(II) by adding at the end the following:*

*''(ii) TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—In the case of a project described in section 601(a)(12)(E), eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000.*

*''(iii) RURAL PROJECTS.—In the case of a rural infrastructure project or a project capitalizing a rural projects fund, eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000, but not to exceed $100,000,000.*

*''(iv) LOCAL INFRASTRUCTURE PROJECTS.—Eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000 in the case of a project or program of projects—*

*''(I) in which the applicant is a local government, public authority, or instrumentality of local government;*

*''(II) located on a facility owned by a local government; or*

*''(III) for which the Secretary determines that a local government is substantially involved in the development of the project.'';*

*(E) in paragraph (9), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and*

*(F) in paragraph (10)—*

*(i) by striking ''To be eligible'' and inserting the following:*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible'';*

*(ii) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program'';*

*(iii) by striking ''not later than'' and inserting ''no later than''; and*

*(iv) by adding at the end the following:*

*''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the State infrastructure bank shall demonstrate, not later than 2 years after the date on which a secured loan is obligated for the project under the TIFIA program, that the bank has executed a*

*loan agreement with a borrower for a rural infrastructure project in accordance with section 610. After the demonstration is made, the bank may draw upon the secured loan. At the end of the 2-year period, to the extent the bank has not used the loan commitment, the Secretary may extend the term of the loan or withdraw the loan commitment.'';*

*(2) in subsection (b) by striking paragraph (2) and inserting the following:*

*''(2) MASTER CREDIT AGREEMENTS.—*

*''(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.*

*''(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects for a fiscal year and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year for which additional funds are available to receive credit assistance.'';*

*(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and*

*(4) in subsection (e) by striking ''this chapter'' and inserting ''the TIFIA program''.*

*(c) SECURED LOAN TERMS AND LIMITATIONS.—Section 603 of title 23, United States Code, is amended—*

*(1) in subsection (a) by striking paragraph (2) and inserting the following:*

*''(2) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—A loan under paragraph (1) shall not refinance interim construction financing under paragraph (1)(B)—*

*''(A) if the maturity of such interim construction financing is later than 1 year after the substantial completion of the project; and*

*''(B) later than 1 year after the date of substantial completion of the project.'';*

*(2) in subsection (b)—*

*(A) in paragraph (2)—*

*(i) by striking ''The amount of'' and inserting the following:*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of''; and*

*(ii) by adding at the end the following:*

*''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the maximum amount of a secured loan made to a State infrastructure bank shall be determined in accordance with section 602(a)(5)(B)(iii).'';*

*(B) in paragraph (3)(A)(i)—*

*(i) in subclause (III) by striking ''or'' at the end;*

*(ii) in subclause (IV) by striking ''and'' at the end and inserting ''or''; and*

*(iii) by adding at the end the following:*

*''(V) in the case of a secured loan for a project capitalizing a rural projects fund, any other dedicated revenue sources available to a State infrastructure bank, including repayments from loans made by the bank for rural infrastructure projects; and'';*

*(C) in paragraph (4)(B)—*

*(i) in clause (i) by striking ''under this chapter'' and inserting ''or a rural projects fund under the TIFIA program''; and*

*(ii) in clause (ii) by inserting ''and rural project funds'' after ''rural infrastructure projects'';*

*(D) in paragraph (5)—*

*(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;*

*(ii) in the matter preceding clause (i) (as so redesignated) by striking ''The final'' and inserting the following:*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), the final''; and*

*(iii) by adding at the end the following:*

*''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the final maturity date of the secured loan shall not exceed 35 years after the date on which the secured loan is obligated.'';*

*(E) in paragraph (8) by striking ''this chapter'' and inserting ''the TIFIA program''; and*

*(F) in paragraph (9)—*

*(i) by striking ''The total Federal assistance provided on a project receiving a loan under this chapter'' and inserting the following:*

*''(A) IN GENERAL.—The total Federal assistance provided for a project receiving a loan under the TIFIA program''; and*

*(ii) by adding at the end the following:*

*''(B) RURAL PROJECTS FUND.—A project capitalizing a rural projects fund shall satisfy subparagraph (A) through compliance with the Federal share requirement described in section 610(e)(3)(B).''; and*

*(3) by adding at the end the following:*

*''(f) STREAMLINED APPLICATION PROCESS.—*

*''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the FAST Act, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under the TIFIA program that use a set or sets of conventional terms established pursuant to this section.*

*''(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary may include terms commonly included in prior credit agreements and allow for an expedited application period, including—*

*''(A) the secured loan is in an amount of not greater than $100,000,000;*

*''(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and*

*''(C) repayment of the loan commences not later than 5 years after disbursement.''.*

*(d) PROGRAM ADMINISTRATION.—Section 605 of title 23, United States Code, is amended—*

*(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and*

*(2) by adding at the end the following:*

*''(f) ASSISTANCE TO SMALL PROJECTS.—*

*''(1) RESERVATION OF FUNDS.—Of the funds made available to carry out the TIFIA program for each fiscal year, and after the set aside under section 608(a)(5), not less than $2,000,000 shall be made available for the Secretary to use in lieu of fees collected under subsection (b) for projects under the TIFIA program having eligible project costs that are reasonably anticipated not to equal or exceed $75,000,000.*

*''(2) RELEASE OF FUNDS.—Any funds not used under paragraph (1) in a fiscal year shall be made available on October 1 of the following fiscal year to provide credit assistance to any project under the TIFIA program.''.*

*(e) STATE AND LOCAL PERMITS.—Section 606 of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''this chapter'' and inserting ''the TIFIA program''.*

*(f) REGULATIONS.—Section 607 of title 23, United States Code, is amended by striking ''this chapter'' and inserting ''the TIFIA program''.*

*(g) FUNDING.—Section 608 of title 23, United States Code, is amended—*

*(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and*

*(2) in subsection (a)—*

*(A) in paragraph (2) by inserting ''of'' after ''504(f)'';*

*(B) in paragraph (3)—*

*(i) in subparagraph (A), by inserting ''or rural projects funds'' after ''rural infrastructure projects''; and*

*(ii) in subparagraph (B), by inserting ''or rural projects funds'' after ''rural infrastructure projects'';*

*(C) by striking paragraphs (4) and (6) and redesignating paragraph (5) as paragraph (4); and*

*(D) by inserting at the end the following:*

*''(5) ADMINISTRATIVE COSTS.—Of the amounts made available to carry out the TIFIA program, the Secretary may use not more than $6,875,000 for fiscal year 2016, $7,081,000 for fiscal year 2017, $7,559,000 for fiscal year 2018, $8,195,000 for fiscal year 2019, and $8,441,000 for fiscal year 2020 for the administration of the TIFIA program.''.*

*(h) REPORTS TO CONGRESS.—Section 609 of title 23, United States Code, is amended by striking ''this chapter (other than section 610)'' each place it appears and inserting ''the TIFIA program''.*

*(i) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—*

*(1) in subsection (a) by adding at the end the following:*

*''(11) RURAL INFRASTRUCTURE PROJECT.—The term 'rural infrastructure project' has the meaning given the term in section 601.*

*''(12) RURAL PROJECTS FUND.—The term 'rural projects fund' has the meaning given the term in section 601.'';*

*(2) in subsection (d)—*

*(A) in paragraph (1)(A) by striking ''each of fiscal years'' and all that follows through the end of subparagraph (A) and inserting ''each of fiscal years 2016 through 2020 under each of paragraphs (1), (2), and (5) of section 104(b); and'';*

*(B) in paragraph (2) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2020'';*

*(C) in paragraph (3) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2020'';*

*(D) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;*

*(E) by inserting after paragraph (3) the following:*

*''(4) RURAL PROJECTS FUND.—Subject to subsection (j), the Secretary may permit a State entering into a cooperative agreement under this section to establish a State infrastructure bank to deposit into the rural projects fund of the bank the proceeds of a secured loan made to the bank in accordance with sections 602 and 603.''; and*

*(F) in paragraph (6) (as so redesignated) by striking ''section 133(d)(3)'' and inserting ''section 133(d)(1)(A)(i)'';*

*(3) by striking subsection (e) and inserting the following:*

*''(e) FORMS OF ASSISTANCE FROM STATE INFRASTRUCTURE BANKS.—*

*''(1) IN GENERAL.—A State infrastructure bank established under this section may—*

*''(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity to carry out a project eligible for assistance under this section; and*

*''(B) with funds deposited into the rural projects fund, make loans to a public or private entity to carry out a rural infrastructure project.*

*''(2) SUBORDINATION OF LOAN.—The amount of a loan or other form of credit assistance provided for a project described in paragraph (1) may be subordinated to any other debt financing for the project.*

*''(3) MAXIMUM AMOUNT OF ASSISTANCE.—A State infrastructure bank established under this section may—*

*''(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity in an amount up to 100 percent of the cost of carrying out a project eligible for assistance under this section; and*

*''(B) with funds deposited into the rural projects fund, make loans to a public or private entity in an amount not to exceed 80 percent of the cost of carrying out a rural infrastructure project.*

*''(4) INITIAL ASSISTANCE.—Initial assistance provided with respect to a project from Federal funds deposited into a State infrastructure bank*

*under this section may not be made in the form of a grant.'';*

*(4) in subsection (g)—*

*(A) in paragraph (1) by striking ''each account'' and inserting ''the highway account, the transit account, and the rail account''; and*

*(B) in paragraph (4) by inserting '', except that any loan funded from the rural projects fund of the bank shall bear interest at or below the interest rate charged for the TIFIA loan provided to the bank under section 603'' after ''feasible''; and*

*(5) in subsection (k) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2020''.*

***SEC. 2002. AVAILABILITY PAYMENT CONCESSION MODEL.***

*(a) PAYMENT TO STATES FOR CONSTRUCTION.—Section 121(a) of title 23, United States Code, is amended by inserting ''(including payments made pursuant to a long-term concession agreement, such as availability payments)'' after ''a project''.*

*(b) PROJECT APPROVAL AND OVERSIGHT.—Section 106(b)(1) of title 23, United States Code, is amended by inserting ''(including payments made pursuant to a long-term concession agreement, such as availability payments)'' after ''construction of the project''.*

***TITLE III—PUBLIC TRANSPORTATION***

***SEC. 3001. SHORT TITLE.***

*This title may be cited as the ''Federal Public Transportation Act of 2015''.*

***SEC. 3002. DEFINITIONS.***

*Section 5302 of title 49, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) in subparagraph (C) by inserting ''functional'' before ''landscaping and''; and*

*(B) in subparagraph (E) by striking ''bicycle storage facilities and installing equipment'' and inserting ''bicycle storage shelters and parking facilities and the installation of equipment'';*

*(2) in paragraph (3)—*

*(A) by striking subparagraph (F) and inserting the following:*

*''(F) leasing equipment or a facility for use in public transportation;'';*

*(B) in subparagraph (G)—*

*(i) in clause (iv) by adding ''and'' at the end;*

*(ii) in clause (v) by striking ''and'' at the end; and*

*(iii) by striking clause (vi);*

*(C) by striking subparagraph (I) and inserting the following:*

*''(I) the provision of nonfixed route paratransit transportation services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only for grant recipients that are in compliance with applicable requirements of that Act, including both fixed route and demand responsive service, and only for amounts—*

*''(i) not to exceed 10 percent of such recipient's annual formula apportionment under sections 5307 and 5311; or*

*''(ii) not to exceed 20 percent of such recipient's annual formula apportionment under sections 5307 and 5311, if, consistent with guidance issued by the Secretary, the recipient demonstrates that the recipient meets at least 2 of the following requirements:*

*''(I) Provides an active fixed route travel training program that is available for riders with disabilities.*

*''(II) Provides that all fixed route and paratransit operators participate in a passenger safety, disability awareness, and sensitivity training class on at least a biennial basis.*

*''(III) Has memoranda of understanding in place with employers and the American Job Center to increase access to employment opportunities for people with disabilities.'';*

*(D) in subparagraph (K) by striking ''or'' at the end;*

*(E) in subparagraph (L) by striking the period at the end and inserting a semicolon; and*

*(F) by adding at the end the following:*

*''(M) associated transit improvements; or*

*''(N) technological changes or innovations to modify low or no emission vehicles (as defined in section 5339(c)) or facilities.''; and*

*(3) by adding at the end the following:*

*''(24) VALUE CAPTURE.—The term 'value capture' means recovering the increased property value to property located near public transportation resulting from investments in public transportation.''.*

***SEC. 3003. METROPOLITAN AND STATEWIDE TRANSPORTATION PLANNING.***

*(a) IN GENERAL.—Section 5303 of title 49, United States Code, is amended—*

*(1) in subsection (a)(1) by inserting ''resilient'' after ''development of'';*

*(2) in subsection (c)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter vanpool providers'';*

*(3) in subsection (d)—*

*(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;*

*(B) by inserting after paragraph (2) the following:*

*''(3) REPRESENTATION.—*

*''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.*

*''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.*

*''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).''; and*

*(C) in paragraph (5), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (6)'';*

*(4) in subsection (e)(4)(B) by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';*

*(5) in subsection (g)(3)(A) by inserting ''tourism, natural disaster risk reduction,'' after ''economic development,'';*

*(6) in subsection (h)(1)—*

*(A) in subparagraph (G) by striking ''and'' at the end;*

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

*(C) by adding at the end the following:*

*''(I) improve the resiliency and reliability of the transportation system.'';*

*(7) in subsection (i)—*

*(A) in paragraph (2)—*

*(i) in subparagraph (A)(i) by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';*

*(ii) in subparagraph (G)—*

*(I) by striking ''and provide'' and inserting '', provide''; and*

*(II) by inserting before the period at the end the following: '', and reduce the vulnerability of the existing transportation infrastructure to natural disasters''; and*

*(iii) in subparagraph (H) by inserting before the period at the end the following: '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'';*

*(B) in paragraph (6)(A)—*

*(i) by inserting ''public ports,'' before ''freight shippers,''; and*

*(ii) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and*

*(C) in paragraph (8) by striking ''paragraph (2)(C)'' each place it appears and inserting ''paragraph (2)(E)'';*

*(8) in subsection (k)(3)—*

*(A) in subparagraph (A) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), job access projects,'' after ''reduction''; and*

*(B) by adding at the end the following:*

*''(C) CONGESTION MANAGEMENT PLAN.—A metropolitan planning organization serving a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—*

*''(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;*

*''(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and*

*''(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.*

*''(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and non-profit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.'';*

*(9) in subsection (l)—*

*(A) by adding a period at the end of paragraph (1); and*

*(B) in paragraph (2)(D) by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';*

*(10) in subsection (p) by striking ''Funds set aside under section 104(f)'' and inserting ''Funds apportioned under section 104(b)(5)''; and*

*(11) by adding at the end the following:*

*''(r) BI-STATE METROPOLITAN PLANNING ORGANIZATION.—*

*''(1) DEFINITION OF BI-STATE MPO REGION.—In this subsection, the term 'Bi-State Metropolitan Planning Organization' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).*

*''(2) TREATMENT.—For the purpose of this title, the Bi-State Metropolitan Planning Organization shall be treated as—*

*''(A) a metropolitan planning organization;*

*''(B) a transportation management area under subsection (k); and*

*''(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.''.*

*(b) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.—Section 5304 of title 49, United States Code, is amended—*

*(1) in subsection (a)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter vanpool providers'';*

*(2) in subsection (d)—*

*(A) in paragraph (1)—*

*(i) in subparagraph (G) by striking ''and'' at the end;*

*(ii) in subparagraph (H) by striking the period at the end and inserting ''; and''; and*

*(iii) by adding at the end the following:*

*''(I) improve the resiliency and reliability of the transportation system.''; and*

*(B) in paragraph (2)—*

*(i) in subparagraph (B)(ii) by striking ''urbanized''; and*

*(ii) in subparagraph (C) by striking ''urbanized''; and*

*(3) in subsection (f)(3)(A)(ii)—*

*(A) by inserting ''public ports,'' before ''freight shippers,''; and*

*(B) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''.*

***SEC. 3004. URBANIZED AREA FORMULA GRANTS.***

*Section 5307 of title 49, United States Code, is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (2) by inserting ''or demand response service, excluding ADA complementary paratransit service,'' before ''during'' each place it appears; and*

*(B) by adding at the end the following:*

*''(3) EXCEPTION TO THE SPECIAL RULE.—Notwithstanding paragraph (2), if a public transportation system described in such paragraph executes a written agreement with 1 or more other public transportation systems within the urbanized area to allocate funds for the purposes described in the paragraph by a method other than by measuring vehicle revenue hours, each public transportation system that is a party to the written agreement may follow the terms of the written agreement without regard to measured vehicle revenue hours referred to in the paragraph.''; and*

*(2) in subsection (c)(1)—*

*(A) in subparagraph (C), by inserting ''in accordance with the recipient's transit asset management plan'' after ''equipment and facilities''; and*

*(B) in subparagraph (K), by striking ''Census—'' and all that follows through clause (ii) and inserting the following: ''Census, will submit an annual report listing projects carried out in the preceding fiscal year under this section for associated transit improvements as defined in section 5302; and''.*

***SEC. 3005. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.***

*(a) IN GENERAL.—Section 5309 of title 49, United States Code, is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (3), by striking ''and weekend days'';*

*(B) in paragraph (6)—*

*(i) in subparagraph (A) by inserting '', small start projects,'' after ''new fixed guideway capital projects''; and*

*(ii) by striking subparagraph (B) and inserting the following:*

*''(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.''; and*

*(C) in paragraph (7)—*

*(i) in subparagraph (A), by striking ''$75,000,000'' and inserting ''$100,000,000''; and*

*(ii) in subparagraph (B), by striking ''$250,000,000'' and inserting ''$300,000,000'';*

*(2) in subsection (d)—*

*(A) in paragraph (1)(B) by striking '', policies and land use patterns that promote public transportation,''; and*

*(B) in paragraph (2)(A)—*

*(i) in clause (iii) by adding ''and'' after the semicolon;*

*(ii) by striking clause (iv); and*

*(iii) by redesignating clause (v) as clause (iv);*

*(3) in subsection (g)(2)(A)(i) by striking ''the policies and land use patterns that support public transportation,'';*

*(4) in subsection (h)(6)—*

*(A) by striking ''In carrying out'' and inserting the following:*

*''(A) IN GENERAL.—In carrying out''; and*

*(B) by adding at the end the following:*

*''(B) OPTIONAL EARLY RATING.—At the request of the project sponsor, the Secretary shall evaluate and rate the project in accordance with paragraphs (4) and (5) and subparagraph (A) of this paragraph upon completion of the analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).'';*

*(5) in subsection (i)—*

*(A) in paragraph (1) by striking ''subsection (d) or (e)'' and inserting ''subsection (d), (e), or (h)'';*

*(B) in paragraph (2)—*

*(i) in the matter preceding subparagraph (A) by inserting ''new fixed guideway capital project or core capacity improvement'' after ''federally funded'';*

*(ii) by striking subparagraph (D) and inserting the following:*

*''(D) the program of interrelated projects, when evaluated as a whole—*

*''(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—*

*''(I) new fixed guideway capital projects;*

*''(II) core capacity improvement projects; or*

*''(III) small start projects; or*

*''(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects;''; and*

*(iii) in subparagraph (F), by inserting ''or subsection (h)(5), as applicable'' after ''subsection (f)''; and*

*(C) by striking paragraph (3)(A) and inserting the following:*

*''(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—*

*''(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or*

*''(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.'';*

*(6) in subsection (l)—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) IN GENERAL.—*

*''(A) ESTIMATION OF NET CAPITAL PROJECT COST.—Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net capital project cost.*

*''(B) GRANTS.—*

*''(i) GRANT FOR NEW FIXED GUIDEWAY CAPITAL PROJECT.—A grant for a new fixed guideway capital project shall not exceed 80 percent of the net capital project cost.*

*''(ii) FULL FUNDING GRANT AGREEMENT FOR NEW FIXED GUIDEWAY CAPITAL PROJECT.—A full funding grant agreement for a new fixed guideway capital project shall not include a share of more than 60 percent from the funds made available under this section.*

*''(iii) GRANT FOR CORE CAPACITY IMPROVEMENT PROJECT.—A grant for a core capacity improvement project shall not exceed 80 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor*

*''(iv) GRANT FOR SMALL START PROJECT.—. A grant for a small start project shall not exceed 80 percent of the net capital project costs.''; and*

*(B) by striking paragraph (4) and inserting the following:*

*''(4) REMAINING COSTS.—The remainder of the net capital project costs shall be provided—*

*''(A) in cash from non-Government sources;*

*''(B) from revenues from the sale of advertising and concessions; or*

*''(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.'';*

*(7) by striking subsection (n) and inserting the following:*

*''(n) AVAILABILITY OF AMOUNTS.—*

*''(1) IN GENERAL.—An amount made available or appropriated for a new fixed guideway capital project or core capacity improvement project shall remain available to that project for 4 fiscal years, including the fiscal year in which the amount is made available or appropriated. Any amounts that are unobligated to the project at the end of the 4-fiscal-year period may be used by the Secretary for any purpose under this section.*

*''(2) USE OF DEOBLIGATED AMOUNTS.—An amount available under this section that is deobligated may be used for any purpose under this section.''; and*

*(8) by adding at the end the following:*

*''(p) SPECIAL RULE.—For the purposes of calculating the cost effectiveness of a project described in subsection (d) or (e), the Secretary shall not reduce or eliminate the capital costs of art and non-functional landscaping elements from the annualized capital cost calculation.*

*''(q) JOINT PUBLIC TRANSPORTATION AND INTERCITY PASSENGER RAIL PROJECTS.—*

*''(1) IN GENERAL.—The Secretary may make grants for new fixed guideway capital projects and core capacity improvement projects that provide both public transportation and intercity passenger rail service.*

*''(2) ELIGIBLE COSTS.—Eligible costs for a project under this subsection shall be limited to the net capital costs of the public transportation costs attributable to the project based on projected use of the new segment or expanded capacity of the project corridor, not including project elements designed to achieve or maintain a state of good repair, as determined by the Secretary under paragraph (4).*

*''(3) PROJECT JUSTIFICATION AND LOCAL FINANCIAL COMMITMENT.—A project under this subsection shall be evaluated for project justification and local financial commitment under subsections (d), (e), (f), and (h), as applicable to the project, based on—*

*''(A) the net capital costs of the public transportation costs attributable to the project as determined under paragraph (4); and*

*''(B) the share of funds dedicated to the project from sources other than this section included in the unified finance plan for the project.*

*''(4) CALCULATION OF NET CAPITAL PROJECT COST.—The Secretary shall estimate the net capital costs of a project under this subsection based on—*

*''(A) engineering studies;*

*''(B) studies of economic feasibility;*

*''(C) the expected use of equipment or facilities; and*

*''(D) the public transportation costs attributable to the project.*

*''(5) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—*

*''(A) GOVERNMENT SHARE.—The Government share shall not exceed 80 percent of the net capital cost attributable to the public transportation costs of a project under this subsection as determined under paragraph (4).*

*''(B) NON-GOVERNMENT SHARE.—The remainder of the net capital cost attributable to the public transportation costs of a project under this subsection shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.*

*(b) EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.—*

*(1) DEFINITIONS.—In this subsection, the following definitions shall apply:*

*(A) APPLICANT.—The term ''applicant'' means a State or local governmental authority that applies for a grant under this subsection.*

*(B) CAPITAL PROJECT; FIXED GUIDEWAY; LOCAL GOVERNMENTAL AUTHORITY; PUBLIC TRANSPOR-*

TATION; STATE; STATE OF GOOD REPAIR.—The terms ''capital project'', ''fixed guideway'', ''local governmental authority'', ''public transportation'', ''State'', and ''state of good repair'' have the meanings given those terms in section 5302 of title 49, United States Code.

(C) CORE CAPACITY IMPROVEMENT PROJECT.—The term ''core capacity improvement project''—

(i) means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent; and

(ii) may include project elements designed to aid the existing fixed guideway system in making substantial progress towards achieving a state of good repair.

(D) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term ''corridor-based bus rapid transit project'' means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems—

(i) including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays; and

(IV) any other features the Secretary may determine support a long-term corridor investment; and

(ii) the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(E) ELIGIBLE PROJECT.—The term ''eligible project'' means a new fixed guideway capital project, a small start project, or a core capacity improvement project that has not entered into a full funding grant agreement with the Federal Transit Administration before the date of enactment of this Act.

(F) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term ''fixed guideway bus rapid transit project'' means a bus capital project—

(i) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(ii) that represents a substantial investment in a single route in a defined corridor or subarea; and

(iii) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(IV) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

(G) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term ''new fixed guideway capital project'' means—

(i) a fixed guideway capital project that is a minimum operable segment or extension to an existing fixed guideway system; or

(ii) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(H) RECIPIENT.—The term ''recipient'' means a recipient of funding under chapter 53 of title 49, United States Code.

(I) SMALL START PROJECT.—The term ''small start project'' means a new fixed guideway capital project, a fixed guideway bus rapid transit project, or a corridor-based bus rapid transit project for which—

(i) the Federal assistance provided or to be provided under this subsection is less than $75,000,000; and

(ii) the total estimated net capital cost is less than $300,000,000.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to States and local governmental authorities to assist in financing—

(A) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for projects in the advanced stages of planning and design; and

(B) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by not less than 10 percent. Core capacity improvement projects do not include elements to improve general station facilities or parking, or acquisition of rolling stock alone.

(3) GRANT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary may make not more than 8 grants under this subsection for eligible projects if the Secretary determines that—

(i) the eligible project is part of an approved transportation plan required under sections 5303 and 5304 of title 49, United States Code;

(ii) the applicant has, or will have—

(I) the legal, financial, and technical capacity to carry out the eligible project, including the safety and security aspects of the eligible project;

(II) satisfactory continuing control over the use of the equipment or facilities;

(III) the technical and financial capacity to maintain new and existing equipment and facilities; and

(IV) advisors providing guidance to the applicant on the terms and structure of the project that are independent from investors in the project;

(iii) the eligible project is supported, or will be supported, in part, through a public-private partnership, provided such support is determined by local policies, criteria, and decision-making under section 5306(a) of title 49, United States Code;

(iv) the eligible project is justified based on findings presented by the project sponsor to the Secretary, including—

(I) mobility improvements attributable to the project;

(II) environmental benefits associated with the project;

(III) congestion relief associated with the project;

(IV) economic development effects derived as a result of the project; and

(V) estimated ridership projections;

(v) the eligible project is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources); and

(vi) the eligible project will be operated and maintained by employees of an existing provider of fixed guideway or bus rapid transit public transportation in the service area of the project, or if none exists, by employees of an existing public transportation provider in the service area.

(B) CERTIFICATION.—An applicant that has submitted the certifications required under subparagraphs (A), (B), (C), and (H) of section 5307(c)(1) of title 49, United States Code, shall be deemed to have provided sufficient information upon which the Secretary may make the determinations required under this paragraph.

(C) TECHNICAL CAPACITY.—The Secretary shall use an expedited technical capacity review process for applicants that have recently and successfully completed not less than 1 new fixed guideway capital project, small start project, or core capacity improvement project, if—

(i) the applicant achieved budget, cost, and ridership outcomes for the project that are consistent with or better than projections; and

(ii) the applicant demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project.

(D) FINANCIAL COMMITMENT.—

(i) REQUIREMENTS.—In determining whether an eligible project is supported by an acceptable degree of local financial commitment and shows evidence of stable and dependable financing sources for purposes of subparagraph (A)(v), the Secretary shall require that—

(I) each proposed source of capital and operating financing is stable, reliable, and available within the proposed eligible project timetable; and

(II) resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary, without degradation to the existing level of public transportation services.

(ii) CONSIDERATIONS.—In assessing the stability, reliability, and availability of proposed sources of financing under clause (i), the Secretary shall consider—

(I) the reliability of the forecasting methods used to estimate costs and revenues made by the applicant and the contractors to the applicant;

(II) existing grant commitments;

(III) the degree to which financing sources are dedicated to the proposed eligible project;

(IV) any debt obligation that exists or is proposed by the applicant, for the proposed eligible project or other public transportation purpose; and

(V) private contributions to the eligible project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.

(E) LABOR STANDARDS.—The requirements under section 5333 of title 49, United States Code, shall apply to each recipient of a grant under this subsection.

(4) PROJECT ADVANCEMENT.—An applicant that desires a grant under this subsection and meets the requirements of paragraph (3) shall submit to the Secretary, and the Secretary shall approve for advancement, a grant request that contains—

(A) identification of an eligible project;

(B) a schedule and finance plan for the construction and operation of the eligible project;

(C) an analysis of the efficiencies of the proposed eligible project development and delivery methods and innovative financing arrangement for the eligible project, including any documents related to the—

(i) public-private partnership required under paragraph (3)(A)(iii); and

(ii) project justification required under paragraph (3)(A)(iv); and

(D) a certification that the existing public transportation system of the applicant or, in the event that the applicant does not operate a public transportation system, the public transportation system to which the proposed project will be attached, is in a state of good repair.

(5) WRITTEN NOTICE FROM THE SECRETARY.—

(A) IN GENERAL.—Not later than 120 days after the date on which the Secretary receives a grant request of an applicant under paragraph (4), the Secretary shall provide written notice to the applicant—

(i) of approval of the grant request; or

(ii) if the grant request does not meet the requirements under paragraph (4), of disapproval of the grant request, including a detailed explanation of the reasons for the disapproval.

(B) CONCURRENT NOTICE.—The Secretary shall provide concurrent notice of an approval or disapproval of a grant request under subparagraph (A) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(6) WAIVER.—The Secretary may grant a waiver to an applicant that does not comply with paragraph (4)(D) if—

*(A) the eligible project meets the definition of a core capacity improvement project; and*

*(B) the Secretary certifies that the eligible project will allow the applicant to make substantial progress in achieving a state of good repair.*

*(7) SELECTION CRITERIA.—The Secretary may enter into a full funding grant agreement with an applicant under this subsection for an eligible project for which an application has been submitted and approved for advancement by the Secretary under paragraph (4), only if the applicant has completed the planning and activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

*(8) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—*

*(A) LETTERS OF INTENT.—*

*(i) AMOUNTS INTENDED TO BE OBLIGATED.—The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for an eligible project under this subsection, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the eligible project. When a letter is issued for an eligible project under this subsection, the amount shall be sufficient to complete at least an operable segment.*

*(ii) TREATMENT.—The issuance of a letter under clause (i) is deemed not to be an obligation under section 1108(c), 1501, or 1502(a) of title 31, United States Code, or an administrative commitment.*

*(B) FULL FUNDING GRANT AGREEMENTS.—*

*(i) IN GENERAL.—Except as provided in clause (v), an eligible project shall be carried out under this subsection through a full funding grant agreement.*

*(ii) CRITERIA.—The Secretary shall enter into a full funding grant agreement, based on the requirements of this subparagraph, with each applicant receiving assistance for an eligible project that has received a written notice of approval under paragraph (5)(A)(i).*

*(iii) TERMS.—A full funding grant agreement shall—*

*(I) establish the terms of participation by the Federal Government in the eligible project;*

*(II) establish the maximum amount of Federal financial assistance for the eligible project;*

*(III) include the period of time for completing construction of the eligible project, consistent with the terms of the public-private partnership agreement, even if that period extends beyond the period of an authorization; and*

*(IV) make timely and efficient management of the eligible project easier according to the law of the United States.*

*(iv) SPECIAL FINANCIAL RULES.—*

*(I) IN GENERAL.—A full funding grant agreement under this subparagraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this subparagraph, to obligate an additional amount from future available budget authority specified in law.*

*(II) STATEMENT OF CONTINGENT COMMITMENT.—A full funding grant agreement shall state that the contingent commitment is not an obligation of the Federal Government.*

*(III) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the eligible project within a reasonable time are a cost of carrying out the eligible project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the eligible project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.*

*(IV) COMPLETION OF OPERABLE SEGMENT.—The amount stipulated in an agreement under this subparagraph for a new fixed guideway capital project, core capacity improvement project, or small start project shall be sufficient to complete at least an operable segment.*

*(v) EXCEPTION.—*

*(I) IN GENERAL.—The Secretary, to the maximum extent practicable, shall provide Federal assistance under this subsection for a small start project in a single grant. If the Secretary cannot provide such a single grant, the Secretary may execute an expedited grant agreement in order to include a commitment on the part of the Secretary to provide funding for the project in future fiscal years.*

*(II) TERMS OF EXPEDITED GRANT AGREEMENTS.—In executing an expedited grant agreement under this clause, the Secretary may include in the agreement terms similar to those established under clause (iii).*

*(C) LIMITATION ON AMOUNTS.—*

*(i) IN GENERAL.—The Secretary may enter into full funding grant agreements under this paragraph for eligible projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.*

*(ii) APPROPRIATION REQUIRED.—An obligation may be made under this paragraph only when amounts are appropriated for obligation.*

*(D) NOTIFICATION TO CONGRESS.—*

*(i) IN GENERAL.—Not later than 30 days before the date on which the Secretary issues a letter of intent or enters into a full funding grant agreement for an eligible project under this paragraph, the Secretary shall notify, in writing, the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter of intent or full funding grant agreement.*

*(ii) CONTENTS.—The written notification under clause (i) shall include a copy of the proposed letter of intent or full funding grant agreement for the eligible project.*

*(9) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—*

*(A) IN GENERAL.—A grant for an eligible project shall not exceed 25 percent of the net capital project cost.*

*(B) REMAINDER OF NET CAPITAL PROJECT COST.—The remainder of the net capital project cost shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.*

*(C) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 75 percent of the net capital project cost.*

*(D) SPECIAL RULE FOR ROLLING STOCK COSTS.—In addition to amounts allowed pursuant to subparagraph (A), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts provided by the Federal Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Federal Government is made at the same time.*

*(E) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out an eligible project for reasons within the control of the applicant, the applicant shall repay all Federal funds awarded for the eligible project from all Federal funding sources, for all eligible project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law.*

*(F) CREDITING OF FUNDS RECEIVED.—Any funds received by the Federal Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.*

*(10) AVAILABILITY OF AMOUNTS.—*

*(A) IN GENERAL.—An amount made available for an eligible project shall remain available to that eligible project for 4 fiscal years, including the fiscal year in which the amount is made available. Any amounts that are unobligated to the eligible project at the end of the 4-fiscal-year period may be used by the Secretary for any purpose under this subsection.*

*(B) USE OF DEOBLIGATED AMOUNTS.—An amount available under this subsection that is deobligated may be used for any purpose under this subsection.*

*(11) ANNUAL REPORT ON EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes a proposed amount to be available to finance grants for anticipated projects under this subsection.*

*(12) BEFORE AND AFTER STUDY AND REPORT.—*

*(A) STUDY REQUIRED.—Each recipient shall conduct a study that—*

*(i) describes and analyzes the impacts of the eligible project on public transportation services and public transportation ridership;*

*(ii) describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery methods or innovative financing for the eligible project; and*

*(iii) identifies reasons for any differences between predicted and actual outcomes for the eligible project.*

*(B) SUBMISSION OF REPORT.—Not later than 2 years after an eligible project that is selected under this subsection begins revenue operations, the recipient shall submit to the Secretary a report on the results of the study conducted under subparagraph (A).*

*(13) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—*

*(A) require the privatization of the operation or maintenance of any project for which an applicant seeks funding under this subsection;*

*(B) revise the determinations by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;*

*(C) alter the requirements for locally developed, coordinated, and implemented transportation plans under sections 5303 and 5304 of title 49, United States Code; or*

*(D) alter the eligibilities or priorities for assistance under this subsection or section 5309 of title 49, United States Code.*

***SEC. 3006. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.***

*(a) IN GENERAL.—Section 5310 of title 49, United States Code, is amended—*

*(1) in subsection (a), by striking paragraph (1) and inserting the following:*

*''(1) RECIPIENT.—The term 'recipient' means—*

*''(A) a designated recipient or a State that receives a grant under this section directly; or*

*''(B) a State or local governmental entity that operates a public transportation service.''; and*

*(2) by adding at the end the following:*

*''(i) BEST PRACTICES.—The Secretary shall collect from, review, and disseminate to public transportation agencies—*

*''(1) innovative practices;*

*''(2) program models;*

*''(3) new service delivery options;*

*''(4) findings from activities under subsection (h); and*

*''(5) transit cooperative research program reports.''.*

*(b) PILOT PROGRAM FOR INNOVATIVE COORDINATED ACCESS AND MOBILITY.—*

*(1) DEFINITIONS.—In this subsection—*

*(A) the term ''eligible project'' has the meaning given the term ''capital project'' in section 5302 of title 49, United States Code; and*

*(B) the term ''eligible recipient'' means a recipient or subrecipient, as those terms are de-*

*fined in section 5310 of title 49, United States Code.*

*(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to eligible recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and nonemergency medical transportation services, including—*

*(A) the deployment of coordination technology;*

*(B) projects that create or increase access to community One-Call/One-Click Centers; and*

*(C) such other projects as determined appropriate by the Secretary.*

*(3) APPLICATION.—An eligible recipient shall submit to the Secretary an application that, at a minimum, contains—*

*(A) a detailed description of the eligible project;*

*(B) an identification of all eligible project partners and their specific role in the eligible project, including—*

*(i) private entities engaged in the coordination of nonemergency medical transportation services for the transportation disadvantaged; or*

*(ii) nonprofit entities engaged in the coordination of nonemergency medical transportation services for the transportation disadvantaged;*

*(C) a description of how the eligible project would—*

*(i) improve local coordination or access to coordinated transportation services;*

*(ii) reduce duplication of service, if applicable; and*

*(iii) provide innovative solutions in the State or community; and*

*(D) specific performance measures the eligible project will use to quantify actual outcomes against expected outcomes.*

*(4) REPORT.—The Secretary shall make publicly available an annual report on the pilot program carried out under this subsection for each fiscal year, not later than December 31 of the calendar year in which that fiscal year ends. The report shall include a detailed description of the activities carried out under the pilot program, and an evaluation of the program, including an evaluation of the performance measures described in paragraph (3)(D).*

*(5) GOVERNMENT SHARE OF COSTS.—*

*(A) IN GENERAL.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.*

*(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.*

*(6) RULE OF CONSTRUCTION.—For purposes of this subsection, nonemergency medical transportation services shall be limited to services eligible under Federal programs other than programs authorized under chapter 53 of title 49, United States Code.*

*(c) COORDINATED MOBILITY.—*

*(1) DEFINITIONS.—In this subsection, the following definitions apply:*

*(A) ALLOCATED COST MODEL.—The term ''allocated cost model'' means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal laws.*

*(B) COUNCIL.—The term ''Council'' means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order No. 13330 (49 U.S.C. 101 note).*

*(2) STRATEGIC PLAN.—Not later than 1 year after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—*

*(A) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including nonemergency medical transportation;*

*(B) identifies a strategy to strengthen interagency collaboration;*

*(C) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order No. 13330, including—*

*(i) a cost-sharing policy endorsed by the Council; and*

*(ii) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes;*

*(D) to the extent feasible, addresses recommendations by the Comptroller General concerning local coordination of transportation services;*

*(E) examines and proposes changes to Federal regulations that will eliminate Federal barriers to local transportation coordination, including non-emergency medical transportation; and*

*(F) recommends to Congress changes to Federal laws, including chapter 7 of title 42, United States Code, that will eliminate Federal barriers to local transportation coordination, including nonemergency medical transportation.*

*(3) DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL LAWS.—In establishing the cost-sharing policy required under paragraph (2), the Council may consider, to the extent practicable—*

*(A) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund nonemergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal laws; and*

*(B) incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—*

*(i) eligibility requirements;*

*(ii) service delivery requirements; and*

*(iii) reimbursement requirements.*

*(4) REPORT.—The Council shall, concurrently with submission to the President of a report containing final recommendations of the Council, transmit such report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.*

***SEC. 3007. FORMULA GRANTS FOR RURAL AREAS.***

*(a) IN GENERAL.—Section 5311 of title 49, United States Code, is amended—*

*(1) in subsection (c)(1), by striking subparagraphs (A) and (B) and inserting the following:*

*''(A) $5,000,000 for each fiscal year shall be distributed on a competitive basis by the Secretary.*

*''(B) $30,000,000 for each fiscal year shall be apportioned as formula grants, as provided in subsection (j).'';*

*(2) in subsection (g)(3)—*

*(A) by redesignating subparagraphs (A) through (D) as subparagraphs (C) through (F), respectively;*

*(B) by inserting before subparagraph (C) (as so redesignated) the following:*

*''(A) may be provided in cash from non-Government sources;*

*''(B) may be provided from revenues from the sale of advertising and concessions;'';*

*(C) in subparagraph (F) (as so redesignated) by inserting '', including all operating and capital costs of such service whether or not offset by revenue from such service,'' after ''the costs of a private operator for the unsubsidized segment of intercity bus service''; and*

*(3) in subsection (j)(1)—*

*(A) in subparagraph (A)(iii), by striking ''(as defined by the Bureau of the Census)'' and inserting ''(American Indian Areas, Alaska Native Areas, and Hawaiian Home Lands, as defined by the Bureau of the Census)''; and*

*(B) by adding at the end the following:*

*''(E) ALLOCATION BETWEEN MULTIPLE INDIAN TRIBES.—If more than 1 Indian tribe provides public transportation service on tribal lands in a single Tribal Statistical Area, and the Indian tribes do not determine how to allocate the funds apportioned under clause (iii) of subparagraph (A) between the Indian tribes, the Secretary shall allocate the funds so that each Indian tribe shall receive an amount equal to the total amount apportioned under such clause (iii) multiplied by the ratio of the number of annual unlinked passenger trips provided by each Indian tribe, as reported to the National Transit Database, to the total unlinked passenger trips provided by all Indian tribes in the Tribal Statistical Area.''.*

*(b) CONFORMING AMENDMENTS.—Section 5311 of such title is further amended—*

*(1) in subsection (b) by striking ''5338(a)(2)(E)'' and inserting ''5338(a)(2)(F)'';*

*(2) in subsection (c)–*

*(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''5338(a)(2)(E)'' and inserting ''5338(a)(2)(F)'';*

*(B) in paragraph (2)(C), by striking ''5338(a)(2)(E)'' and inserting ''5338(a)(2)(F)''; and*

*(C) in paragraph (3)(A), by striking ''5338(a)(2)(E)'' and inserting ''5338(a)(2)(F)''.*

***SEC. 3008. PUBLIC TRANSPORTATION INNOVATION.***

*(a) CONSOLIDATION OF PROGRAMS.—Section 5312 of title 49, United States Code, is amended—*

*(1) by striking the section designation and heading and inserting the following:*

***''§ 5312. Public transportation innovation'';***

*(2) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;*

*(3) by inserting before subsection (b) (as so redesignated) the following:*

*''(a) IN GENERAL.—The Secretary shall provide assistance for projects and activities to advance innovative public transportation research and development in accordance with the requirements of this section.'';*

*(4) in subsection (e) (as so redesignated)—*

*(A) in paragraph (3)—*

*(i) in the matter preceding subparagraph (A), by inserting ''demonstration, deployment, or evaluation'' before ''project that'';*

*(ii) in subparagraph (A), by striking ''and'' at the end;*

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

*(iv) by adding at the end the following:*

*''(C) the deployment of low or no emission vehicles, zero emission vehicles, or associated advanced technology.''; and*

*(B) by striking paragraph (5) and inserting the following:*

*''(5) PROHIBITION.—The Secretary may not make grants under this subsection for the demonstration, deployment, or evaluation of a vehicle that is in revenue service unless the Secretary determines that the project makes significant technological advancements in the vehicle.*

*''(6) DEFINITIONS.—In this subsection—*

*''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;*

*''(B) the term 'low or no emission vehicle' means—*

*''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or*

*''(ii) a zero emission vehicle used to provide public transportation; and*

*''(C) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.'';*

*(5) by adding at the end the following:*

*''(h) LOW OR NO EMISSION VEHICLE COMPONENT ASSESSMENT.—*

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

*''(A) the term 'covered institution of higher education' means an institution of higher education with which the Secretary enters into a contract or cooperative agreement, or to which the Secretary makes a grant, under paragraph*

(2)(B) to operate a facility selected under paragraph (2)(A);

''(B) the terms 'direct carbon emissions' and 'low or no emission vehicle' have the meanings given those terms in subsection (e)(6);

''(C) the term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

''(D) the term 'low or no emission vehicle component' means an item that is separately installed in and removable from a low or no emission vehicle.

''(2) ASSESSING LOW OR NO EMISSION VEHICLE COMPONENTS.—

''(A) IN GENERAL.—The Secretary shall competitively select at least one facility to conduct testing, evaluation, and analysis of low or no emission vehicle components intended for use in low or no emission vehicles.

''(B) OPERATION AND MAINTENANCE.—

''(i) IN GENERAL.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, at least one institution of higher education to operate and maintain a facility selected under subparagraph (A).

''(ii) REQUIREMENTS.—An institution of higher education described in clause (i) shall have—

''(I) capacity to carry out transportation-related advanced component and vehicle evaluation;

''(II) laboratories capable of testing and evaluation; and

''(III) direct access to or a partnership with a testing facility capable of emulating real-world circumstances in order to test low or no emission vehicle components installed on the intended vehicle.

''(C) FEES.—A covered institution of higher education shall establish and collect fees, which shall be approved by the Secretary, for the assessment of low or no emission vehicle components at the applicable facility selected under subparagraph (A).

''(D) AVAILABILITY OF AMOUNTS TO PAY FOR ASSESSMENT.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to an institution of higher education under which—

''(i) the Secretary shall pay 50 percent of the cost of assessing a low or no emission vehicle component at the applicable facility selected under subparagraph (A) from amounts made available to carry out this section; and

''(ii) the remaining 50 percent of such cost shall be paid from amounts recovered through the fees established and collected pursuant to subparagraph (C).

''(E) VOLUNTARY TESTING.—A manufacturer of a low or no emission vehicle component is not required to assess the low or no emission vehicle component at a facility selected under subparagraph (A).

''(F) COMPLIANCE WITH SECTION 5318.—Notwithstanding whether a low or no emission vehicle component is assessed at a facility selected under subparagraph (A), each new bus model shall comply with the requirements under section 5318.

''(G) SEPARATE FACILITY.—A facility selected under subparagraph (A) shall be separate and distinct from the facility operated and maintained under section 5318.

''(3) LOW OR NO EMISSION VEHICLE COMPONENT PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2015, and annually thereafter, the Secretary shall issue a report on low or no emission vehicle component assessments conducted at each facility selected under paragraph (2)(A), which shall include information related to the maintainability, reliability, performance, structural integrity, efficiency, and noise of those low or no emission vehicle components.

''(4) PUBLIC AVAILABILITY OF ASSESSMENTS.—Each assessment conducted at a facility selected under paragraph (2)(A) shall be made publicly available, including to affected industries.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

''(A) a low or no emission vehicle component to be tested at a facility selected under paragraph (2)(A); or

''(B) the development or disclosure of a privately funded component assessment.''.

(6) in subsection (f) (as so redesignated)—

(A) by striking ''(f)'' and all that follows before paragraph (1) and inserting the following:

''(g) ANNUAL REPORT ON RESEARCH.—Not later than the first Monday in February of each year, the Secretary shall make available to the public on the Web site of the Department of Transportation, a report that includes—''; and

(B) in paragraph (1) by adding ''and'' at the end;

(C) in paragraph (2) by striking ''; and'' and inserting a period; and

(D) by striking paragraph (3); and

(7) by adding at the end the following:

''(i) TRANSIT COOPERATIVE RESEARCH PROGRAM.—

''(1) IN GENERAL.—The amounts made available under section 5338(a)(2)(G)(ii) are available for a public transportation cooperative research program.

''(2) INDEPENDENT GOVERNING BOARD.—

''(A) ESTABLISHMENT.—The Secretary shall establish an independent governing board for the program under this subsection.

''(B) RECOMMENDATIONS.—The board shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

''(3) FEDERAL ASSISTANCE.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary considers appropriate.

''(4) GOVERNMENT SHARE OF COSTS.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this subsection, the Secretary shall establish a Government share consistent with that benefit.

''(5) LIMITATION ON APPLICABILITY.—Subsections (f) and (g) shall not apply to activities carried out under this subsection.''.

(b) CONFORMING AMENDMENTS.—Section 5312 of such title (as amended by subsection (a) of this section) is further amended—

(1) in subsection (c)(1) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)'';

(2) in subsection (d)—

(A) in paragraph (1) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)''; and

(B) in paragraph (2)(A) by striking ''subsection (b)'' and inserting ''subsection (c)'';

(3) in subsection (e)(2) in each of subparagraphs (A) and (B) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)''; and

(4) in subsection (f)(2) by striking ''subsection (d)(4)'' and inserting ''subsection (e)(4)''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 53 of such title is amended by striking the item relating to section 5312 and inserting the following:

''5312. Public transportation innovation.''.

**SEC. 3009. TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.**

(a) IN GENERAL.—Section 5314 of title 49, United States Code, is amended to read as follows:

**''§5314. Technical assistance and workforce development**

''(a) TECHNICAL ASSISTANCE AND STANDARDS.—

''(1) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—

''(A) IN GENERAL.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the Government) to carry out activities that the Secretary determines will assist recipients of assistance under this chapter to—

''(i) more effectively and efficiently provide public transportation service;

''(ii) administer funds received under this chapter in compliance with Federal law; and

''(iii) improve public transportation.

''(B) ELIGIBLE ACTIVITIES.—The activities carried out under subparagraph (A) may include—

''(i) technical assistance; and

''(ii) the development of voluntary and consensus-based standards and best practices by the public transportation industry, including standards and best practices for safety, fare collection, intelligent transportation systems, accessibility, procurement, security, asset management to maintain a state of good repair, operations, maintenance, vehicle propulsion, communications, and vehicle electronics.

''(2) TECHNICAL ASSISTANCE.—The Secretary, through a competitive bid process, may enter into contracts, cooperative agreements, and other agreements with national nonprofit organizations that have the appropriate demonstrated capacity to provide public-transportation-related technical assistance under this subsection. The Secretary may enter into such contracts, cooperative agreements, and other agreements to assist providers of public transportation to—

''(A) comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) through technical assistance, demonstration programs, research, public education, and other activities related to complying with such Act;

''(B) comply with human services transportation coordination requirements and to enhance the coordination of Federal resources for human services transportation with those of the Department of Transportation through technical assistance, training, and support services related to complying with such requirements;

''(C) meet the transportation needs of elderly individuals;

''(D) increase transit ridership in coordination with metropolitan planning organizations and other entities through development around public transportation stations through technical assistance and the development of tools, guidance, and analysis related to market-based development around transit stations;

''(E) address transportation equity with regard to the effect that transportation planning, investment, and operations have for low-income and minority individuals;

''(F) facilitate best practices to promote bus driver safety;

''(G) meet the requirements of sections 5323(j) and 5323(m);

''(H) assist with the development and deployment of low or no emission vehicles (as defined in section 5339(c)(1)) or low or no emission vehicle components (as defined in section 5312(h)(1)); and

''(I) any other technical assistance activity that the Secretary determines is necessary to advance the interests of public transportation.

''(3) ANNUAL REPORT ON TECHNICAL ASSISTANCE.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives a report that includes—

''(A) a description of each project that received assistance under this subsection during the preceding fiscal year;

''(B) an evaluation of the activities carried out by each organization that received assistance under this subsection during the preceding fiscal year;

''(C) a proposal for allocations of amounts for assistance under this subsection for the subsequent fiscal year; and

''(D) measurable outcomes and impacts of the programs funded under subsections (b) and (c).

''(4) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Government share of the cost of an activity carried out using a grant under this subsection may not exceed 80 percent.

''(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an activity carried out using a grant under this subsection may be derived from in-kind contributions.

''(b) HUMAN RESOURCES AND TRAINING.—

''(1) IN GENERAL.—The Secretary may undertake, or make grants and contracts for, programs that address human resource needs as they apply to public transportation activities. A program may include—

''(A) an employment training program;

''(B) an outreach program to increase employment for veterans, females, individuals with a disability, minorities (including American Indians or Alaska Natives, Asian, Black or African Americans, native Hawaiians or other Pacific Islanders, and Hispanics) in public transportation activities;

''(C) research on public transportation personnel and training needs;

''(D) training and assistance for veteran and minority business opportunities; and

''(E) consensus-based national training standards and certifications in partnership with industry stakeholders.

''(2) INNOVATIVE PUBLIC TRANSPORTATION FRONTLINE WORKFORCE DEVELOPMENT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish a competitive grant program to assist the development of innovative activities eligible for assistance under paragraph (1).

''(B) ELIGIBLE PROGRAMS.—A program eligible for assistance under paragraph (1) shall—

''(i) develop apprenticeships, on-the-job training, and instructional training for public transportation maintenance and operations occupations;

''(ii) build local, regional, and statewide public transportation training partnerships with local public transportation operators, labor union organizations, workforce development boards, and State workforce agencies to identify and address workforce skill gaps;

''(iii) improve safety, security, and emergency preparedness in local public transportation systems through improved safety culture and workforce communication with first responders and the riding public; and

''(iv) address current or projected workforce shortages by developing partnerships with high schools, community colleges, and other community organizations.

''(C) SELECTION OF RECIPIENTS.—To the maximum extent feasible, the Secretary shall select recipients that—

''(i) are geographically diverse;

''(ii) address the workforce and human resources needs of large public transportation providers;

''(iii) address the workforce and human resources needs of small public transportation providers;

''(iv) address the workforce and human resources needs of urban public transportation providers;

''(v) address the workforce and human resources needs of rural public transportation providers;

''(vi) advance training related to maintenance of low or no emission vehicles and facilities used in public transportation;

''(vii) target areas with high rates of unemployment;

''(viii) advance opportunities for minorities, women, veterans, individuals with disabilities, low-income populations, and other underserved populations; and

''(ix) address in-demand industry sector or occupation, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(D) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

''(i) the impact on reducing public transportation workforce shortages in the area served;

''(ii) the diversity of training participants;

''(iii) the number of participants obtaining certifications or credentials required for specific types of employment;

''(iv) employment outcomes, including job placement, job retention, and wages, using performance metrics established in consultation with the Secretary and the Secretary of Labor and consistent with metrics used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

''(v) to the extent practical, evidence that the program did not preclude workers who are participating in skills training, on-the-job training, and work-based learning from being referred to, or hired on, projects funded under this chapter without regard to the length of time of their participation in the program.

''(E) REPORT TO CONGRESS.—The Secretary shall make publicly available a report on the Frontline Workforce Development Program for each fiscal year, not later than December 31 of the calendar year in which that fiscal year ends. The report shall include a detailed description of activities carried out under this paragraph, an evaluation of the program, and policy recommendations to improve program effectiveness.

''(3) GOVERNMENT'S SHARE OF COSTS.—The Government share of the cost of a project carried out using a grant under paragraph (1) or (2) shall be 50 percent.

''(4) AVAILABILITY OF AMOUNTS.—Not more than 0.5 percent of amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditures by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(c) NATIONAL TRANSIT INSTITUTE.—

''(1) ESTABLISHMENT.—The Secretary shall establish a national transit institute and award grants to a public 4-year degree-granting institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), in order to carry out the duties of the institute.

''(2) DUTIES.—

''(A) IN GENERAL.—In cooperation with the Federal Transit Administration, State transportation departments, public transportation authorities, and national and international entities, the institute established under paragraph (1) shall develop and conduct training and educational programs for Federal, State, and local transportation employees, United States citizens, and foreign nationals engaged or to be engaged in Government-aid public transportation work.

''(B) TRAINING AND EDUCATIONAL PROGRAMS.—The training and educational programs developed under subparagraph (A) may include courses in recent developments, techniques, and procedures related to—

''(i) intermodal and public transportation planning;

''(ii) management;

''(iii) environmental factors;

''(iv) acquisition and joint use rights-of-way;

''(v) engineering and architectural design;

''(vi) procurement strategies for public transportation systems;

''(vii) turnkey approaches to delivering public transportation systems;

''(viii) new technologies;

''(ix) emission reduction technologies;

''(x) ways to make public transportation accessible to individuals with disabilities;

''(xi) construction, construction management, insurance, and risk management;

''(xii) maintenance;

''(xiii) contract administration;

''(xiv) inspection;

''(xv) innovative finance;

''(xvi) workplace safety; and

''(xvii) public transportation security.

''(3) PROVISION FOR EDUCATION AND TRAINING.—Education and training of Government, State, and local transportation employees under this subsection shall be provided—

''(A) by the Secretary at no cost to the States and local governments for subjects that are a Government program responsibility; or

''(B) when the education and training are paid under paragraph (4), by the State, with the approval of the Secretary, through grants and contracts with public and private agencies, other institutions, individuals, and the institute.

''(4) AVAILABILITY OF AMOUNTS.—

''(A) IN GENERAL.—Not more than 0.5 percent of amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditures by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(B) EXISTING PROGRAMS.—A recipient may use amounts made available under subparagraph (A) to carry out existing local education and training programs for public transportation employees supported by the Secretary, the Department of Labor, or the Department of Education.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of such title is amended by striking the item relating to section 5314 and inserting the following:

''5314. Technical assistance and workforce development.''.

***SEC. 3010. PRIVATE SECTOR PARTICIPATION.***

(a) IN GENERAL.—Section 5315 of title 49, United States Code, is amended by adding at the end the following:

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

''(1) the eligibilities, requirements, or priorities for assistance provided under this chapter; or

''(2) the requirements of section 5306(a).''.

(b) MAP–21 TECHNICAL CORRECTION.—Section 20013(d) of MAP–21 (Public Law 112–141; 126 Stat. 694) is amended by striking ''5307(c)'' and inserting ''5307(b)''.

***SEC. 3011. GENERAL PROVISIONS.***

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (h)—

(A) in paragraph (1), by striking ''or'' at the end;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) pay incremental costs of incorporating art or non-functional landscaping into facilities, including the costs of an artist on the design team; or'';

(2) in subsection (j)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) when procuring rolling stock (including train control, communication, traction power equipment, and rolling stock prototypes) under this chapter—

''(i) the cost of components and subcomponents produced in the United States—

''(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

''(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

''(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

''(ii) final assembly of the rolling stock has occurred in the United States; or'';

(B) by redesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;

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

''(5) ROLLING STOCK FRAMES OR CAR SHELLS.—In carrying out paragraph (2)(C) in the case of a rolling stock procurement receiving assistance under this chapter in which the average cost of a rolling stock vehicle in the procurement is more than $300,000, if rolling stock frames or car shells are not produced in the United States, the Secretary shall include in the calculation of the

*domestic content of the rolling stock the cost of steel or iron that is produced in the United States and used in the rolling stock frames or car shells.*

*''(6) CERTIFICATION OF DOMESTIC SUPPLY AND DISCLOSURE.—*

*''(A) CERTIFICATION OF DOMESTIC SUPPLY.—If the Secretary denies an application for a waiver under paragraph (2), the Secretary shall provide to the applicant a written certification that—*

*''(i) the steel, iron, or manufactured goods, as applicable, (referred to in this subparagraph as the 'item') is produced in the United States in a sufficient and reasonably available amount;*

*''(ii) the item produced in the United States is of a satisfactory quality; and*

*''(iii) includes a list of known manufacturers in the United States from which the item can be obtained.*

*''(B) DISCLOSURE.—The Secretary shall disclose the waiver denial and the written certification to the public in an easily identifiable location on the website of the Department of Transportation.'';*

*(D) in paragraph (8), as so redesignated, by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015''; and*

*(E) by inserting after paragraph (11), as so redesignated, the following:*

*''(12) STEEL AND IRON.—For purposes of this subsection, steel and iron meeting the requirements of section 661.5(b) of title 49, Code of Federal Regulations may be considered produced in the United States.*

*''(13) DEFINITION OF SMALL PURCHASE.—For purposes of determining whether a purchase qualifies for a general public interest waiver under paragraph (2)(A) of this subsection, including under any regulation promulgated under that paragraph, the term 'small purchase' means a purchase of not more than $150,000.'';*

*(3) in subsection (q)(1), by striking the second sentence; and*

*(4) by adding at the end the following:*

*''(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—Notwithstanding any other provision of law, a recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.*

*''(t) SPECIAL CONDITION ON CHARTER BUS TRANSPORTATION SERVICE.—If, in a fiscal year, the Secretary is prohibited by law from enforcing regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with such part 604, and then was subsequently granted an exception from such part—*

*''(1) the transit agency shall be precluded from receiving its allocation of urbanized area formula grant funds for such fiscal year; and*

*''(2) any amounts withheld pursuant to paragraph (1) shall be added to the amount that the Secretary may apportion under section 5336 in the following fiscal year.''.*

***SEC. 3012. PROJECT MANAGEMENT OVERSIGHT.***

*Section 5327 of title 49, United States Code, is amended—*

*(1) in subsection (c) by striking ''section 5338(i)'' and inserting section ''5338(f)'' ; and*

*(2) in subsection (d)—*

*(A) in paragraph (1)—*

*(i) by striking ''section 5338(i)'' and inserting section 5338(f); and*

*(ii) by striking ''and'' at the end; and*

*(B) by striking paragraph (2) and inserting the following:*

*''(2) a requirement that oversight—*

*''(A) begin during the project development phase of a project, unless the Secretary finds it more appropriate to begin the oversight during another phase of the project, to maximize the transportation benefits and cost savings associated with project management oversight; and*

*''(B) be limited to quarterly reviews of compliance by the recipient with the project management plan approved under subsection (b) unless the Secretary finds that the recipient requires more frequent oversight because the recipient has failed to meet the requirements of such plan and the project may be at risk of going over budget or becoming behind schedule; and*

*''(3) a process for recipients that the Secretary has found require more frequent oversight to return to quarterly reviews for purposes of paragraph (2)(B).''.*

***SEC. 3013. PUBLIC TRANSPORTATION SAFETY PROGRAM.***

*Section 5329 of title 49, United States Code, is amended—*

*(1) in subsection (b)(2)—*

*(A) in subparagraph (C) by striking ''and'' at the end;*

*(B) by redesignating subparagraph (D) as subparagraph (E); and*

*(C) by inserting after subparagraph (C) the following:*

*''(D) minimum safety standards to ensure the safe operation of public transportation systems that—*

*''(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and*

*''(ii) to the extent practicable, take into consideration—*

*''(I) relevant recommendations of the National Transportation Safety Board;*

*''(II) best practices standards developed by the public transportation industry;*

*''(III) any minimum safety standards or performance criteria being implemented across the public transportation industry;*

*''(IV) relevant recommendations from the report under section 3020 of the Federal Public Transportation Act of 2015; and*

*''(V) any additional information that the Secretary determines necessary and appropriate; and'';*

*(2) in subsection (e)—*

*(A) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and*

*(B) by inserting after paragraph (7) the following:*

*''(8) FEDERAL SAFETY MANAGEMENT.—*

*''(A) IN GENERAL.—If the Secretary determines that a State safety oversight program is not being carried out in accordance with this section, has become inadequate to ensure the enforcement of Federal safety regulation, or is incapable of providing adequate safety oversight consistent with the prevention of substantial risk of death, or personal injury, the Secretary shall administer the State safety oversight program until the eligible State develops a State safety oversight program certified by the Secretary in accordance with this subsection.*

*''(B) TEMPORARY FEDERAL OVERSIGHT.—In making a determination under subparagraph (A), the Secretary shall—*

*''(i) transmit to the eligible State and affected recipient or recipients, a written explanation of the determination or subsequent finding, including any intention to withhold funding under this section, the amount of funds proposed to be withheld, and if applicable, a formal notice of a withdrawal of State safety oversight program approval; and*

*''(ii) require the State to submit a State safety oversight program or modification for certification by the Secretary that meets the requirements of this subsection.*

*''(C) FAILURE TO CORRECT.—If the Secretary determines in accordance with subparagraph (A), that a State safety oversight program or modification required pursuant to subparagraph (B)(ii), submitted by a State is not sufficient, the Secretary may—*

*''(i) withhold funds available under paragraph (6) in an amount determined by the Secretary;*

*''(ii) beginning 1 year after the date of the determination, withhold not more than 5 percent of the amount required to be appropriated for use in a State or an urbanized area in the State under section 5307, until the State safety oversight program or modification has been certified; and*

*''(iii) use any other authorities authorized under this chapter considered necessary and appropriate.*

*''(D) ADMINISTRATIVE AND OVERSIGHT ACTIVITIES.—To carry out administrative and oversight activities authorized by this paragraph, the Secretary may use grant funds apportioned to an eligible State, under paragraph (6), to develop or carry out a State safety oversight program.'';*

*(3) in subsection (f)(2), by inserting ''or the public transportation industry generally'' after ''recipients'';*

*(4) in subsection (g)(1)—*

*(A) in the matter preceding subparagraph (A) by striking ''an eligible State, as defined in subsection (e),'' and inserting ''a recipient'';*

*(B) in subparagraph (C) by striking ''and'' at the end;*

*(C) in subparagraph (D) by striking the period at the end and inserting ''; and''; and*

*(D) by adding at the end the following:*

*''(E) withholding not more than 25 percent of financial assistance under section 5307.'';*

*(5) in subsection (g)(2)(A)—*

*(A) by inserting after ''funds'' the following: ''or withhold funds''; and*

*(B) by inserting ''or (1)(E)'' after ''paragraph (1)(D)''; and*

*(6) by striking subsection (h) and inserting the following:*

*''(h) RESTRICTIONS AND PROHIBITIONS.—*

*''(1) RESTRICTIONS AND PROHIBITIONS.—The Secretary shall issue restrictions and prohibitions by whatever means are determined necessary and appropriate, without regard to section 5334(c), if, through testing, inspection, investigation, audit, or research carried out under this chapter, the Secretary determines that an unsafe condition or practice, or a combination of unsafe conditions and practices, exist such that there is a substantial risk of death or personal injury.*

*''(2) NOTICE.—The notice of restriction or prohibition shall describe the condition or practice, the subsequent risk and the standards and procedures required to address the restriction or prohibition.*

*''(3) CONTINUED AUTHORITY.—Nothing in this subsection shall be construed as limiting the Secretary's authority to maintain a restriction or prohibition for as long as is necessary to ensure that the risk has been substantially addressed.''.*

***SEC. 3014. APPORTIONMENTS.***

*Section 5336 of title 49, United States Code, is amended—*

*(1) in subsection (a) in the matter preceding paragraph (1) by striking ''subsection (h)(4)'' and inserting ''subsection (h)(5)'';*

*(2) in subsection (b)(2)(E) by striking ''22.27 percent'' and inserting ''27 percent''; and*

*(3) in subsection (h)—*

*(A) by striking paragraph (1) and inserting the following:*

*''(1) $30,000,000 shall be set aside each fiscal year to carry out section 5307(h);''; and*

*(B) by striking paragraph (3) and inserting the following:*

*''(3) of amounts not apportioned under paragraphs (1) and (2)—*

*''(A) for fiscal years 2016 through 2018, 1.5 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (i); and*

*''(B) for fiscal years 2019 and 2020, 2 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (i);''.*

***SEC. 3015. STATE OF GOOD REPAIR GRANTS.***

*(a) IN GENERAL.—Section 5337 of title 49, United States Code, is amended—*

*(1) in subsection (c)(2)(B), by inserting ''the provisions of'' before ''section 5336(b)(1)'';*

*(2) in subsection (d)—*

*(A) in paragraph (2) by inserting ''vehicle'' after ''motorbus''; and*

*(B) by adding at the end the following:*

*''(5) USE OF FUNDS.—Amounts apportioned under this subsection may be used for any project that is an eligible project under subsection (b)(1).''; and*

*(3) by adding at the end the following:*

*''(e) GOVERNMENT SHARE OF COSTS.—*

*''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.*

*''(2) REMAINING COSTS.—The remainder of the net project cost shall be provided—*

*''(A) in cash from non-Government sources;*

*''(B) from revenues derived from the sale of advertising and concessions; or*

*''(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.*

*(b) CONFORMING AMENDMENTS.—Section 5337 of such title is further amended—*

*(1) in subsection (c)(1) by striking ''5338(a)(2)(I)'' and inserting ''5338(a)(2)(K)''; and*

*(2) in subsection (d)(2) by striking ''5338(a)(2)(I)'' and inserting ''5338(a)(2)(K)''.*

***SEC. 3016. AUTHORIZATIONS.***

*Section 5338 of title 49, United States Code, is amended to read as follows:*

***''SEC. 5338. AUTHORIZATIONS.***

*''(a) GRANTS.—*

*''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and sections 3006(b) of the Federal Public Transportation Act of 2015—*

*''(A) $9,347,604,639 for fiscal year 2016;*

*''(B) $9,534,706,043 for fiscal year 2017;*

*''(C) $9,733,353,407 for fiscal year 2018;*

*''(D) $9,939,380,030 for fiscal year 2019; and*

*''(E) $10,150,348,462 for fiscal year 2020.*

*''(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—*

*''(A) $130,732,000 for fiscal year 2016, $133,398,933 for fiscal year 2017, $136,200,310 for fiscal year 2018, $139,087,757 for fiscal year 2019, and $142,036,417 for fiscal year 2020, shall be available to carry out section 5305;*

*''(B) $10,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;*

*''(C) $4,538,905,700 for fiscal year 2016, $4,629,683,814 for fiscal year 2017, $4,726,907,174 for fiscal year 2018, $4,827,117,606 for fiscal year 2019, and $4,929,452,499 for fiscal year 2020 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;*

*''(D) $262,949,400 for fiscal year 2016, $268,208,388 for fiscal year 2017, $273,840,764 for fiscal year 2018, $279,646,188 for fiscal year 2019, and $285,574,688 for fiscal year 2020 shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310;*

*''(E) $2,000,000 for fiscal year 2016, $3,000,000 for fiscal year 2017, $3,250,000 for fiscal year 2018, $3,500,000 for fiscal year 2019 and $3,500,000 for fiscal year 2020 shall be available for the pilot program for innovative coordinated access and mobility under section 3006(b) of the Federal Public Transportation Act of 2015;*

*''(F) $619,956,000 for fiscal year 2016, $632,355,120 for fiscal year 2017, $645,634,578 for fiscal year 2018, $659,322,031 for fiscal year 2019, and $673,299,658 for fiscal year 2020 shall be available to provide financial assistance for rural areas under section 5311, of which not less than—*

*''(i) $35,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5311(c)(1); and*

*''(ii) $20,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5311(c)(2);*

*''(G) $28,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5312, of which—*

*''(i) $3,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5312(h); and*

*''(ii) $5,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5312(i);*

*''(H) $9,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5314; of which $5,000,000 shall be available for the national transit institute under section 5314(c);*

*''(I) $3,000,000 for each of fiscal years 2016 through 2020 shall be available for bus testing under section 5318;*

*''(J) $4,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5335;*

*''(K) $2,507,000,000 for fiscal year 2016, $2,549,670,000 for fiscal year 2017, $2,593,703,558 for fiscal year 2018, $2,638,366,859 for fiscal year 2019, and $2,683,798,369 for fiscal year 2020 shall be available to carry out section 5337;*

*''(L) $427,800,000 for fiscal year 2016, $436,356,000 for fiscal year 2017, $445,519,476 for fiscal year 2018, $454,964,489 for fiscal year 2019, and $464,609,736 for fiscal year 2020 shall be available for the bus and buses facilities program under section 5339(a);*

*''(M) $268,000,000 for fiscal year 2016, $283,600,000 for fiscal year 2017, $301,514,000 for fiscal year 2018, $322,059,980 for fiscal year 2019, and $344,044,179 for fiscal year 2020 shall be available for buses and bus facilities competitive grants under section 5339(b) and no or low emission grants under section 5339(c), of which $55,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5339(c); and*

*''(N) $536,261,539 for fiscal year 2016, $544,433,788 for fiscal year 2017, $552,783,547 for fiscal year 2018, $561,315,120 for fiscal year 2019 and $570,032,917 for fiscal year 2020, to carry out section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311, of which—*

*''(i) $272,297,083 for fiscal year 2016, $279,129,510 for fiscal year 2017, $286,132,747 for fiscal year 2018, $293,311,066 for fiscal year 2019, $300,668,843 for fiscal year 2020 shall be for growing States under section 5340(c); and*

*''(ii) $263,964,457 for fiscal year 2016, $265,304,279 for fiscal year 2017, $266,650,800 for fiscal year 2018, $268,004,054 for fiscal year 2019, $269,364,074 for fiscal year 2020 shall be for high density States under section 5340(d).*

*''(b) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.—There are authorized to be appropriated to carry out section 5312, other than subsections (h) and (i) of that section, $20,000,000 for each of fiscal years 2016 through 2020.*

*''(c) TECHNICAL ASSISTANCE AND TRAINING.—There are authorized to be appropriated to carry out section 5314, $5,000,000 for each of fiscal years 2016 through 2020.*

*''(d) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309 of this title and section 3005(b) of the Federal Public Transportation Act of 2015, $2,301,785,760 for each of fiscal years 2016 through 2020.*

*''(e) ADMINISTRATION.—*

*''(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, $115,016,543 for each of fiscal years 2016 through 2020.*

*''(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than $5,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5329.*

*''(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than $2,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5326.*

*''(f) OVERSIGHT.—*

*''(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):*

*''(A) 0.5 percent of amounts made available to carry out section 5305.*

*''(B) 0.75 percent of amounts made available to carry out section 5307.*

*''(C) 1 percent of amounts made available to carry out section 5309.*

*''(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 126 Stat. 4968).*

*''(E) 0.5 percent of amounts made available to carry out section 5310.*

*''(F) 0.5 percent of amounts made available to carry out section 5311.*

*''(G) 1 percent of amounts made available to carry out section 5337, of which not less than 0.25 percent of amounts made available for this subparagraph shall be available to carry out section 5329.*

*''(H) 0.75 percent of amounts made available to carry out section 5339.*

*''(2) ACTIVITIES.—The activities described in this paragraph are as follows:*

*''(A) Activities to oversee the construction of a major capital project.*

*''(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.*

*''(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.*

*''(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.*

*''(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.*

*''(g) GRANTS AS CONTRACTUAL OBLIGATIONS.—*

*''(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.*

*''(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.*

*''(h) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.''.*

***SEC. 3017. GRANTS FOR BUSES AND BUS FACILITIES.***

*(a) IN GENERAL.—Section 5339 of title 49, United States Code, is amended to read as follows:*

***''§ 5339. Grants for buses and bus facilities***

*''(a) FORMULA GRANTS.—*

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

*''(A) the term 'low or no emission vehicle' has the meaning given that term in subsection (c)(1);*

*''(B) the term 'State' means a State of the United States; and*

*''(C) the term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.*

*''(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to assist eligi-*

*ble recipients described in paragraph (4)(A) in financing capital projects—*

*''(A) to replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify low or no emission vehicles or facilities; and*

*''(B) to construct bus-related facilities.*

*''(3) GRANT REQUIREMENTS.—The requirements of—*

*''(A) section 5307 shall apply to recipients of grants made in urbanized areas under this subsection; and*

*''(B) section 5311 shall apply to recipients of grants made in rural areas under this subsection.*

*''(4) ELIGIBLE RECIPIENTS.—*

*''(A) RECIPIENTS.—Eligible recipients under this subsection are—*

*''(i) designated recipients that allocate funds to fixed route bus operators; or*

*''(ii) State or local governmental entities that operate fixed route bus service.*

*''(B) SUBRECIPIENTS.—A recipient that receives a grant under this subsection may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.*

*''(5) DISTRIBUTION OF GRANT FUNDS.—Funds allocated under section 5338(a)(2)(L) shall be distributed as follows:*

*''(A) NATIONAL DISTRIBUTION.—$90,500,000 for each of fiscal years 2016 through 2020 shall be allocated to all States and territories, with each State receiving $1,750,000 for each such fiscal year and each territory receiving $500,000 for each such fiscal year.*

*''(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under subparagraph (A) shall be allocated pursuant to the formula set forth in section 5336 other than subsection (b).*

*''(6) TRANSFERS OF APPORTIONMENTS.—*

*''(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under paragraph (5)(A) to supplement amounts apportioned to the State under section 5311(c) or amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336.*

*''(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (5)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.*

*''(7) GOVERNMENT SHARE OF COSTS.—*

*''(A) CAPITAL PROJECTS.—A grant for a capital project under this subsection shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this subsection may provide additional local matching amounts.*

*''(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—*

*''(i) in cash from non-Government sources other than revenues from providing public transportation services;*

*''(ii) from revenues derived from the sale of advertising and concessions;*

*''(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital;*

*''(iv) from amounts received under a service agreement with a State or local social service agency or private social service organization; or*

*''(v) from revenues generated from value capture financing mechanisms.*

*''(8) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available under this subsection may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 3-fiscal-year period described in the preceding sentence, any amount that is not obligated on the last day of such period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.*

*''(9) PILOT PROGRAM FOR COST-EFFECTIVE CAPITAL INVESTMENT.—*

*''(A) IN GENERAL.—For each of fiscal years 2016 through 2020, the Secretary shall carry out a pilot program under which an eligible recipient (as described in paragraph (4)) in an urbanized area with population of not less than 200,000 and not more than 999,999 may elect to participate in a State pool in accordance with this paragraph.*

*''(B) PURPOSE OF STATE POOLS.—The purpose of a State pool shall be to allow for transfers of formula grant funds made available under this subsection among the designated recipients participating in the State pool in a manner that supports the transit asset management plans of the designated recipients under section 5326.*

*''(C) REQUESTS FOR PARTICIPATION.—A State, and eligible recipients in the State described in subparagraph (A), may submit to the Secretary a request for participation in the program under procedures to be established by the Secretary. An eligible recipient for a multistate area may participate in only 1 State pool.*

*''(D) ALLOCATIONS TO PARTICIPATING STATES.—For each fiscal year, the Secretary shall allocate to each State participating in the program the total amount of funds that otherwise would be allocated to the urbanized areas of the eligible recipients participating in the State's pool for that fiscal year pursuant to the formulas referred to in paragraph (5).*

*''(E) ALLOCATIONS TO ELIGIBLE RECIPIENTS IN STATE POOLS.—A State shall distribute the amount that is allocated to the State for a fiscal year under subparagraph (D) among the eligible recipients participating in the State's pool in a manner that supports the transit asset management plans of the recipients under section 5326.*

*''(F) ALLOCATION PLANS.—A State participating in the program shall develop an allocation plan for the period of fiscal years 2016 through 2020 to ensure that an eligible recipient participating in the State's pool receives under the program an amount of funds that equals the amount of funds that would have otherwise been available to the eligible recipient for that period pursuant to the formulas referred to in paragraph (5).*

*''(G) GRANTS.—The Secretary shall make grants under this subsection for a fiscal year to an eligible recipient participating in a State pool following notification by the State of the allocation amount determined under subparagraph (E).*

*''(b) BUSES AND BUS FACILITIES COMPETITIVE GRANTS.—*

*''(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible recipients (as described in subsection (a)(4)) to assist in the financing of buses and bus facilities capital projects, including—*

*''(A) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and*

*''(B) rehabilitating, purchasing, constructing, or leasing bus-related facilities.*

*''(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities.*

*''(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients (as described in subsection (a)(4)) in an urbanized area in a State.*

*''(4) REQUIREMENTS FOR THE SECRETARY.—The Secretary shall—*

*''(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and*

*''(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.*

*''(5) RURAL PROJECTS.—Not less than 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects in rural areas.*

*''(6) GRANT REQUIREMENTS.—*

*''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of—*

*''(i) section 5307 for eligible recipients of grants made in urbanized areas; and*

*''(ii) section 5311 for eligible recipients of grants made in rural areas.*

*''(B) GOVERNMENT SHARE OF COSTS.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.*

*''(7) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—*

*''(A) shall remain available for 3 fiscal years after the fiscal year for which the amount is made available; and*

*''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.*

*''(8) LIMITATION.—Of the amounts made available under this subsection, not more than 10 percent may be awarded to a single grantee.*

*''(c) LOW OR NO EMISSION GRANTS.—*

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

*''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;*

*''(B) the term 'eligible project' means a project or program of projects in an eligible area for—*

*''(i) acquiring low or no emission vehicles;*

*''(ii) leasing low or no emission vehicles;*

*''(iii) acquiring low or no emission vehicles with a leased power source;*

*''(iv) constructing facilities and related equipment for low or no emission vehicles;*

*''(v) leasing facilities and related equipment for low or no emission vehicles;*

*''(vi) constructing new public transportation facilities to accommodate low or no emission vehicles; or*

*''(vii) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles;*

*''(C) the term 'leased power source' means a removable power source, as defined in subsection (c)(3) of section 3019 of the Federal Public Transportation Act of 2015 that is made available through a capital lease under such section;*

*''(D) the term 'low or no emission bus' means a bus that is a low or no emission vehicle;*

*''(E) the term 'low or no emission vehicle' means—*

*''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or*

*''(ii) a zero emission vehicle used to provide public transportation;*

*''(F) the term 'recipient' means a designated recipient, a local governmental authority, or a State that receives a grant under this subsection for an eligible project; and*

*''(G) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.*

*''(2) GENERAL AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this subsection.*

*''(3) GRANT REQUIREMENTS.—*

*''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of section 5307.*

*''(B) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(i) applies to eligible projects carried out under this subsection, unless the recipient requests a lower grant percentage.*

''(C) COMBINATION OF FUNDING SOURCES.—

''(i) COMBINATION PERMITTED.—An eligible project carried out under this subsection may receive funding under section 5307 or any other provision of law.

''(ii) GOVERNMENT SHARE.—Nothing in this subparagraph shall be construed to alter the Government share required under paragraph (7), section 5307, or any other provision of law.

''(4) COMPETITIVE PROCESS.—The Secretary shall—

''(A) not later than 30 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for eligible projects on a competitive basis; and

''(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—

''(i) 75 days after the date on which the solicitation expires; or

''(ii) the end of the fiscal year in which the Secretary solicited the grant applications.

''(5) CONSIDERATION.—In awarding grants under this subsection, the Secretary shall only consider eligible projects relating to the acquisition or leasing of low or no emission buses or bus facilities that—

''(A) make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses; and

''(B) are part of a long-term integrated fleet management plan for the recipient.

''(6) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available to an eligible project for 3 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Federal share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:

''5339. Grants for buses and bus facilities.''.

**SEC. 3018. OBLIGATION CEILING.**

Notwithstanding any other provision of law, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by subsection (a) of section 5338 of title 49, United States Code, and section 3028 of the Federal Public Transportation Act of 2015 shall not exceed—

(1) $9,347,604,639 in fiscal year 2016;

(2) $9,733,706,043 in fiscal year 2017;

(3) $9,733,353,407 in fiscal year 2018;

(4) $9,939,380,030 in fiscal year 2019; and

(5) $10,150,348,462 in fiscal year 2020.

**SEC. 3019. INNOVATIVE PROCUREMENT.**

(a) DEFINITION.—In this section, the term ''grantee'' means a recipient or subrecipient of assistance under chapter 53 of title 49, United States Code.

(b) COOPERATIVE PROCUREMENT.—

(1) DEFINITIONS; GENERAL RULES.—

(A) DEFINITIONS.—In this subsection—

(i) the term ''cooperative procurement contract'' means a contract—

(I) entered into between a State government or eligible nonprofit entity and 1 or more vendors; and

(II) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants;

(ii) the term ''eligible nonprofit entity'' means—

(I) a nonprofit cooperative purchasing organization that is not a grantee; or

(II) a consortium of entities described in subclause (I);

(iii) the terms ''lead nonprofit entity'' and ''lead procurement agency'' mean an eligible nonprofit entity or a State government, respectively, that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract;

(iv) the term ''participant'' means a grantee that participates in a cooperative procurement contract; and

(v) the term ''participate'' means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under chapter 53 of title 49, United States Code.

(B) GENERAL RULES.—

(i) PROCUREMENT NOT LIMITED TO INTRASTATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

(ii) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

(iii) CONTRACT TERMS.—The lead procurement agency or lead nonprofit entity for a cooperative procurement contract shall develop the terms of the contract.

(iv) DURATION.—A cooperative procurement contract—

(I) subject to subclauses (II) and (III), may be for an initial term of not more than 2 years;

(II) may include not more than 3 optional extensions for terms of not more than 1 year each; and

(III) may be in effect for a total period of not more than 5 years, including each extension authorized under subclause (II).

(v) ADMINISTRATIVE EXPENSES.—A lead procurement agency or lead nonprofit entity, as applicable, that enters into a cooperative procurement contract—

(I) may charge the participants in the contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the total value of the contract; and

(II) with respect to the cost described in subclause (I), may incorporate the cost into the price of the contract or directly charge the participants for the cost, but not both.

(2) STATE COOPERATIVE PROCUREMENT SCHEDULES.—

(A) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if—

(i) the vendors agree to provide an option to purchase rolling stock and related equipment to the State government and any other participant; and

(ii) the State government acts throughout the term of the contract as the lead procurement agency.

(B) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a State government shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to the extent that the policies and procedures are in conformance with applicable Federal law.

(3) PILOT PROGRAM FOR NONPROFIT COOPERATIVE PROCUREMENTS.—

(A) ESTABLISHMENT.—The Secretary shall establish and carry out a pilot program to demonstrate the effectiveness of cooperative procurement contracts administered by eligible nonprofit entities.

(B) DESIGNATION.—In carrying out the program under this paragraph, the Secretary shall designate not less than 3 eligible nonprofit entities to enter into a cooperative procurement contract under which the eligible nonprofit entity acts throughout the term of the contract as the lead nonprofit entity.

(C) NOTICE OF INTENT TO PARTICIPATE.—At a time determined appropriate by the lead nonprofit entity, each participant in a cooperative procurement contract under this paragraph shall submit to the lead nonprofit entity a nonbinding notice of intent to participate.

(4) JOINT PROCUREMENT CLEARINGHOUSE.—

(A) IN GENERAL.—The Secretary shall establish a clearinghouse for the purpose of allowing grantees to aggregate planned rolling stock purchases and identify joint procurement participants.

(B) NONPROFIT CONSULTATION.—In establishing the clearinghouse under subparagraph (A), the Secretary may consult with nonprofit entities with expertise in public transportation or procurement, and other stakeholders as the Secretary determines appropriate.

(C) INFORMATION ON PROCUREMENTS.—The clearinghouse may include information on bus size, engine type, floor type, and any other attributes necessary to identify joint procurement participants.

(D) LIMITATIONS.—

(i) ACCESS.—The clearinghouse shall only be accessible to the Federal Transit Administration, a nonprofit entity coordinating for such clearinghouse with the Secretary, and grantees.

(ii) PARTICIPATION.—No grantee shall be required to submit procurement information to the database.

(c) LEASING ARRANGEMENTS.—

(1) CAPITAL LEASE DEFINED.—

(A) IN GENERAL.—In this subsection, the term ''capital lease'' means any agreement under which a grantee acquires the right to use rolling stock or related equipment for a specified period of time, in exchange for a periodic payment.

(B) MAINTENANCE.—A capital lease may require that the lessor provide maintenance of the rolling stock or related equipment covered by the lease.

(2) PROGRAM TO SUPPORT INNOVATIVE LEASING ARRANGEMENTS.—

(A) AUTHORITY.—A grantee may use assistance provided under chapter 53 of title 49, United States Code, to enter into a capital lease if—

(i) the rolling stock or related equipment covered under the lease is eligible for capital assistance under such chapter; and

(ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect.

(B) GRANTEE REQUIREMENTS.—A grantee that enters into a capital lease shall—

(i) maintain an inventory of the rolling stock or related equipment acquired under the lease; and

(ii) maintain on the accounting records of the grantee the liability of the grantee under the lease.

(C) ELIGIBLE LEASE COSTS.—The costs for which a grantee may use assistance under chapter 53 of title 49, United States Code, with respect to a capital lease, include—

(i) the cost of the rolling stock or related equipment;

(ii) associated financing costs, including interest, legal fees, and financial advisor fees;

(iii) ancillary costs such as delivery and installation charges; and

(iv) maintenance costs.

(D) TERMS.—A grantee shall negotiate the terms of any lease agreement that the grantee enters into.

(E) APPLICABILITY OF PROCUREMENT REQUIREMENTS.—

(i) LEASE REQUIREMENTS.—Part 639 of title 49, Code of Federal Regulations, or any successor regulation, and implementing guidance applicable to leasing shall not apply to a capital lease.

(ii) BUY AMERICA.—The requirements under section 5323(j) of title 49, United States Code, shall apply to a capital lease.

(3) CAPITAL LEASING OF CERTAIN ZERO EMISSION VEHICLE COMPONENTS.—

(A) DEFINITIONS.—In this paragraph—

*(i) the term ''removable power source''—*

*(I) means a power source that is separately installed in, and removable from, a zero emission vehicle; and*

*(II) may include a battery, a fuel cell, an ultra-capacitor, or other advanced power source used in a zero emission vehicle; and*

*(ii) the term ''zero emission vehicle'' has the meaning given the term in section 5339(c) of title 49, United States Code.*

*(B) LEASED POWER SOURCES.—Notwithstanding any other provision of law, for purposes of this subsection, the cost of a removable power source that is necessary for the operation of a zero emission vehicle shall not be treated as part of the cost of the vehicle if the removable power source is acquired using a capital lease.*

*(C) ELIGIBLE CAPITAL LEASE.—A grantee may acquire a removable power source by itself through a capital lease.*

*(D) PROCUREMENT REGULATIONS.—For purposes of this section, a removable power source shall be subject to section 200.88 of title 2, Code of Federal Regulations.*

*(4) REPORTING REQUIREMENT.—Not later than 3 years after the date on which a grantee enters into a capital lease under this subsection, the grantee shall submit to the Secretary a report that contains—*

*(A) an evaluation of the overall costs and benefits of leasing rolling stock; and*

*(B) a comparison of the expected short-term and long-term maintenance costs of leasing versus buying rolling stock.*

*(5) REPORT.—The Secretary shall make publicly available an annual report on this subsection for each fiscal year, not later than December 31 of the calendar year in which that fiscal year ends. The report shall include a detailed description of the activities carried out under this subsection, and evaluation of the program including the evaluation of the data reported in paragraph (4).*

*(d) BUY AMERICA.—The requirements of section 5323(j) of title 49, United States Code, shall apply to all procurements under this section.*

***SEC. 3020. REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.***

*(a) REVIEW REQUIRED.—*

*(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall begin a review of the safety standards and protocols used in public transportation systems in the United States that examines the efficacy of existing standards and protocols.*

*(2) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—*

*(A) minimum safety performance standards developed by the public transportation industry;*

*(B) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—*

*(i) written emergency plans and procedures for passenger evacuations;*

*(ii) training programs to ensure public transportation personnel compliance and readiness in emergency situations;*

*(iii) coordination plans approved by recipients with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—*

*(I) emergency preparedness training, drills, and familiarization programs for the first responders; and*

*(II) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;*

*(iv) maintenance, testing, and inspection programs to ensure the proper functioning of—*

*(I) tunnel, station, and vehicle ventilation systems;*

*(II) signal and train control systems, track, mechanical systems, and other infrastructure; and*

*(III) other systems as necessary;*

*(v) certification requirements for train and bus operators and control center employees;*

*(vi) consensus-based standards, practices, or protocols available to the public transportation industry; and*

*(vii) any other standards, practices, or protocols the Secretary determines appropriate; and*

*(C) rail and bus safety standards, practices, or protocols in use by public transportation systems, regarding—*

*(i) rail and bus design and the workstation of rail and bus operators, as it relates to—*

*(I) the reduction of blindspots that contribute to accidents involving pedestrians; and*

*(II) protecting rail and bus operators from the risk of assault;*

*(ii) scheduling fixed route rail and bus service with adequate time and access for operators to use restroom facilities;*

*(iii) fatigue management; and*

*(iv) crash avoidance and worthiness.*

*(b) EVALUATION.—After conducting the review under subsection (a), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish additional Federal minimum public transportation safety standards.*

*(c) REPORT.—After completing the review and evaluation required under subsections (a) and (b), and not later than 1 year after the date of enactment of this Act, the Secretary shall make available on a publicly accessible Web site, a report that includes—*

*(1) findings based on the review conducted under subsection (a);*

*(2) the outcome of the evaluation conducted under subsection (b);*

*(3) a comprehensive set of recommendations to improve the safety of the public transportation industry, including recommendations for statutory changes if applicable; and*

*(4) actions that the Secretary will take to address the recommendations provided under paragraph (3), including, if necessary, the authorities under section 5329(b)(2)(D) of title 49, United States Code.*

***SEC. 3021. STUDY ON EVIDENTIARY PROTECTION FOR PUBLIC TRANSPORTATION SAFETY PROGRAM INFORMATION.***

*(a) STUDY.—The Secretary shall enter into an agreement with the Transportation Research Board of the National Academies of Sciences, Engineering, and Medicine, to conduct a study to evaluate whether it is in the public interest, including public safety and the legal rights of persons injured in public transportation accidents, to withhold from discovery or admission into evidence in a Federal or State court proceeding any plan, report, data, or other information or portion thereof, submitted to, developed, produced, collected, or obtained by the Secretary or the Secretary's representative for purposes of complying with the requirements under section 5329 of title 49, United States Code, including information related to a recipient's safety plan, safety risks, and mitigation measures.*

*(b) COORDINATION.—In conducting the study under subsection (a), the Transportation Research Board shall coordinate with the legal research entities of the National Academies of Sciences, Engineering, and Medicine, including the Committee on Law and Justice and the Committee on Science, Technology, and Law, and include members of those committees on the research committee established for the purposes of this section*

*(c) INPUT.—In conducting the study under subsection (a), the relevant entities of the National Academies of Sciences, Engineering, and Medicine shall solicit input from the public transportation recipients, public transportation nonprofit employee labor organizations, and impacted members of the general public.*

*(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the National Academies of Sciences, Engineering, and Medicine shall issue a report, with the findings of the study under subsection (a), including any recommendations on statutory changes regarding evidentiary protections that will increase public transportation safety.*

***SEC. 3022. IMPROVED PUBLIC TRANSPORTATION SAFETY MEASURES.***

*(a) REQUIREMENTS.—Not later than 90 days after publication of the report required in section 3020, the Secretary shall issue a notice of proposed rulemaking on protecting public transportation operators from the risk of assault.*

*(b) CONSIDERATION.—In the proposed rulemaking, the Secretary shall consider—*

*(1) different safety needs of drivers of different modes;*

*(2) differences in operating environments;*

*(3) the use of technology to mitigate driver assault risks;*

*(4) existing experience, from both agencies and operators that already are using or testing driver assault mitigation infrastructure; and*

*(5) the impact of the rule on future rolling stock procurements and vehicles currently in revenue service.*

*(c) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Secretary from issuing different comprehensive worker protections, including standards for mitigating assaults.*

***SEC. 3023. PARATRANSIT SYSTEM UNDER FTA APPROVED COORDINATED PLAN.***

*Notwithstanding the provisions of section 37.131(c) of title 49, Code of Federal Regulations, any paratransit system currently coordinating complementary paratransit service for more than 40 fixed route agencies shall be permitted to continue using an existing tiered, distance-based coordinated paratransit fare system, if the fare for the existing tiered, distance-based coordinated paratransit fare system is not increased by a greater percentage than any increase to the fixed route fare for the largest transit agency in the complementary paratransit service area.*

***SEC. 3024. REPORT ON POTENTIAL OF INTERNET OF THINGS.***

*(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report on the potential of the Internet of Things to improve transportation services in rural, suburban, and urban areas.*

*(b) CONTENTS.—The report required under subsection (a) shall include—*

*(1) a survey of the communities, cities, and States that are using innovative transportation systems to meet the needs of ageing populations;*

*(2) best practices to protect privacy and security, as determined as a result of such survey; and*

*(3) recommendations with respect to the potential of the Internet of Things to assist local, State, and Federal planners to develop more efficient and accurate projections of the transportation needs of rural, suburban, and urban communities.*

***SEC. 3025. REPORT ON PARKING SAFETY.***

*(a) STUDY.—The Secretary shall conduct a study on the safety of certain transportation facilities and locations, focusing on any property damage, injuries, deaths, and other incidents that occur or originate at locations intended to encourage public use of alternative transportation, including—*

*(1) carpool lots;*

*(2) mass transit lots;*

*(3) local, State, or regional rail stations;*

*(4) rest stops;*

*(5) college or university lots;*

*(6) bike paths or walking trails; and*

*(7) any other locations that the Secretary considers appropriate.*

*(b) REPORT.—Not later than 8 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the results of the study.*

*(c) RECOMMENDATIONS.—The Secretary shall include in the report recommendations to Congress on the best ways to use innovative tech-*

*nologies to increase safety and ensure a better response by transit security and local, State, and Federal law enforcement to address threats to public safety.*

***SEC. 3026. APPOINTMENT OF DIRECTORS OF WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.***

*(a) DEFINITIONS.—In this section, the following definitions apply:*

*(1) COMPACT.—The term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774; 80 Stat. 1324).*

*(2) FEDERAL DIRECTOR.—The term ''Federal Director'' means—*

*(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and*

*(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A).*

*(3) TRANSIT AUTHORITY.—The term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.*

*(b) APPOINTMENT BY SECRETARY OF TRANSPORTATION.—*

*(1) IN GENERAL.—For any appointment made on or after the date of enactment of this Act, the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.*

*(2) AMENDMENT TO COMPACT.—The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).*

***SEC. 3027. EFFECTIVENESS OF PUBLIC TRANSPORTATION CHANGES AND FUNDING.***

*Not later than 18 months after the date of enactment of this Act, the Comptroller General shall examine and evaluate the impact of the changes that MAP–21 had on public transportation, including—*

*(1) the ability and effectiveness of public transportation agencies to provide public transportation to low-income workers in accessing jobs and being able to use reverse commute services;*

*(2) whether services to low-income riders declined after MAP–21 was implemented; and*

*(3) if guidance provided by the Federal Transit Administration encouraged public transportation agencies to maintain and support services to low-income riders to allow them to access jobs, medical services, and other life necessities.*

***SEC. 3028. AUTHORIZATION OF GRANTS FOR POSITIVE TRAIN CONTROL.***

*(a) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out this section $199,000,000 for fiscal year 2017 to assist in financing the installation of positive train control systems required under section 20157 of title 49, United States Code.*

*(b) USES.—The amounts made available under subsection (a) of this section shall be awarded by the Secretary on a competitive basis, and grant funds awarded under this section shall not exceed 80 percent of the total cost of a project.*

*(c) CREDIT ASSISTANCE.—At the request of an eligible applicant under this section, the Secretary may use amounts awarded to the entity to pay the subsidy and administrative costs necessary to provide the entity Federal credit assistance under sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.), with respect to the project for which the grant was awarded.*

*(d) ELIGIBLE RECIPIENTS.—The amounts made available under subsection (a) of this section may be used only to assist a recipient of funds under chapter 53 of title 49, United States Code.*

*(e) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amounts made available under subsection (a) of this section for the costs of project management oversight of grants authorized under that subsection.*

*(f) SAVINGS CLAUSE.—Nothing in this section may be construed as authorizing the amounts appropriated under subsection (a) to be used for any purpose other than financing the installation of positive train control systems.*

*(g) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund under this section is a contractual obligation of the Government to pay the Government share of the cost of the project.*

*(h) AVAILABILITY OF AMOUNTS.—Notwithstanding subsection (j), amounts made available under this section shall remain available until expended.*

*(i) OBLIGATION LIMITATION.—Funds made available under this section shall be subject to obligation limit of section 3018 of the Federal Public Transportation Act of 2015.*

*(j) SUNSET.—The Secretary of Transportation shall provide the grants, direct loans, and loan guarantees under subsections (b) and (c) by September 30, 2018.*

***SEC. 3029. AMENDMENT TO TITLE 5.***

*(a) IN GENERAL.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:*

*''Federal Transit Administrator.''.*

*(b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking ''Federal Transit Administrator.''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after the date of enactment of this Act.*

***SEC. 3030. TECHNICAL AND CONFORMING CHANGES.***

*(a) REPEAL.—Section 20008(b) of MAP-21 (49 U.S.C. 5309 note) is repealed.*

*(b) REPEAL SECTION 5313.—Section 5313 of title 49, United States Code, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.*

*(c) REPEAL OF SECTION 5319.—Section 5319 of title 49, United States Code, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.*

*(d) REPEAL OF SECTION 5322.—Section 5322 of title 49, United States Code, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.*

*(e) SECTION 5325.—Section 5325 of title 49, United States Code is amended—*

*(1) in subsection (e)(2), by striking ''at least two''; and*

*(2) in subsection (h), by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015''.*

*(f) SECTION 5340.—Section 5340 of title 49, United States Code, is amended—*

*(1) by striking subsection (b); and*

*(2) by inserting the following:*

*''(b) ALLOCATION.—The Secretary shall apportion the amounts made available under section 5338(b)(2)(N) in accordance with subsection (c) and subsection (d).''.*

*(g) CHAPTER 105 OF TITLE 49, UNITED STATES CODE.—Section 10501(c) of title 49, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) in subparagraph (A)(i), by striking ''section 5302(a)'' and inserting ''section 5302''; and*

*(B) in subparagraph (B)—*

*(i) by striking ''mass transportation'' and inserting ''public transportation''; and*

*(ii) by striking ''section 5302(a)'' and inserting ''section 5302''; and*

*(2) in paragraph (2)(A), by striking ''mass transportation'' and inserting ''public transportation''.*

***TITLE IV—HIGHWAY TRAFFIC SAFETY***

***SEC. 4001. AUTHORIZATION OF APPROPRIATIONS.***

*(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):*

*(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—*

*(A) $243,500,000 for fiscal year 2016;*

*(B) $252,300,000 for fiscal year 2017;*

*(C) $261,200,000 for fiscal year 2018;*

*(D) $270,400,000 for fiscal year 2019; and*

*(E) $279,800,000 for fiscal year 2020.*

*(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—*

*(A) $137,800,000 for fiscal year 2016;*

*(B) $140,700,000 for fiscal year 2017;*

*(C) $143,700,000 for fiscal year 2018;*

*(D) $146,700,000 for fiscal year 2019; and*

*(E) $149,800,000 for fiscal year 2020.*

*(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—*

*(A) $274,700,000 for fiscal year 2016;*

*(B) $277,500,000 for fiscal year 2017;*

*(C) $280,200,000 for fiscal year 2018;*

*(D) $283,000,000 for fiscal year 2019; and*

*(E) $285,900,000 for fiscal year 2020.*

*(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—*

*(A) $5,100,000 for fiscal year 2016;*

*(B) $5,200,000 for fiscal year 2017;*

*(C) $5,300,000 for fiscal year 2018;*

*(D) $5,400,000 for fiscal year 2019; and*

*(E) $5,500,000 for fiscal year 2020.*

*(5) HIGH-VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 404 of title 23, United States Code—*

*(A) $29,300,000 for fiscal year 2016;*

*(B) $29,500,000 for fiscal year 2017;*

*(C) $29,900,000 for fiscal year 2018;*

*(D) $30,200,000 for fiscal year 2019; and*

*(E) $30,500,000 for fiscal year 2020.*

*(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this title—*

*(A) $25,832,000 for fiscal year 2016;*

*(B) $26,072,000 for fiscal year 2017;*

*(C) $26,329,000 for fiscal year 2018;*

*(D) $26,608,000 for fiscal year 2019; and*

*(E) $26,817,000 for fiscal year 2020.*

*(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapters—*

*(1) shall only be used to carry out such program; and*

*(2) may not be used by States or local governments for construction purposes.*

*(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, amounts made available under subsection (a) for fiscal years 2016 through 2020 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.*

*(d) REGULATORY AUTHORITY.—Grants awarded under this title shall be carried out in accordance with regulations issued by the Secretary.*

*(e) STATE MATCHING REQUIREMENTS.—If a grant awarded under chapter 4 of title 23, United States Code, requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during a fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any other project carried out under chapter 4 of title 23, United States Code (other than planning or administration), without regard to whether such expendi-*

*tures were made in connection with such project.*

*(f) GRANT APPLICATION AND DEADLINE.—To receive a grant under chapter 4 of title 23, United States Code, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.*

***SEC. 4002. HIGHWAY SAFETY PROGRAMS.***

*Section 402 of title 23, United States Code, is amended—*

*(1) in subsection (a)(2)(A)—*

*(A) in clause (vi) by striking ''and'' at the end;*

*(B) in clause (vii) by inserting ''and'' after the semicolon; and*

*(C) by adding at the end the following:*

*''(viii) to increase driver awareness of commercial motor vehicles to prevent crashes and reduce injuries and fatalities;'';*

*(2) in subsection (c)(4), by adding at the end the following:*

*''(C) SURVEY.—A State in which an automated traffic enforcement system is installed shall expend funds apportioned to that State under this section to conduct a biennial survey that the Secretary shall make publicly available through the Internet Web site of the Department of Transportation that includes—*

*''(i) a list of automated traffic enforcement systems in the State;*

*''(ii) adequate data to measure the transparency, accountability, and safety attributes of each automated traffic enforcement system; and*

*''(iii) a comparison of each automated traffic enforcement system with—*

*''(I) Speed Enforcement Camera Systems Operational Guidelines (DOT HS 810 916, March 2008); and*

*''(II) Red Light Camera Systems Operational Guidelines (FHWA–SA–05–002, January 2005).'';*

*(3) by striking subsection (g) and inserting the following:*

*''(g) RESTRICTION.—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).'';*

*(4) in subsection (k)—*

*(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively;*

*(B) by inserting after paragraph (2) the following:*

*''(3) ELECTRONIC SUBMISSION.—The Secretary, in coordination with the Governors Highway Safety Association, shall develop procedures to allow States to submit highway safety plans under this subsection, including any attachments to the plans, in electronic form.''; and*

*(C) in paragraph (6)(A), as so redesignated, by striking ''60 days'' and inserting ''45 days''; and*

*(5) in subsection (m)(2)(B)—*

*(A) in clause (vii) by striking ''and'' at the end;*

*(B) in clause (viii) by striking the period at the end and inserting a semicolon; and*

*(C) by adding at the end the following:*

*''(ix) increase driver awareness of commercial motor vehicles to prevent crashes and reduce injuries and fatalities; and*

*''(x) support for school-based driver's education classes to improve teen knowledge about—*

*''(I) safe driving practices; and*

*''(II) State graduated driving license requirements, including behind-the-wheel training required to meet those requirements.''.*

***SEC. 4003. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.***

*Section 403 of title 23, United States Code, is amended—*

*(1) in subsection (h)—*

*(A) in paragraph (1) by striking ''may'' and inserting ''shall'';*

*(B) by striking paragraph (2) and inserting the following:*

*''(2) FUNDING.—The Secretary shall obligate from funds made available to carry out this section for the period covering fiscal years 2017 through 2020 not more than $21,248,000 to conduct the research described in paragraph (1).'';*

*(C) in paragraph (3) by striking ''If the Administrator utilizes the authority under paragraph (1), the'' and inserting ''The''; and*

*(D) in paragraph (4) by striking ''If the Administrator conducts the research authorized under paragraph (1), the'' and inserting ''The''; and*

*(2) by adding at the end the following:*

*''(i) LIMITATION ON DRUG AND ALCOHOL SURVEY DATA.—The Secretary shall establish procedures and guidelines to ensure that any person participating in a program or activity that collects data on drug or alcohol use by drivers of motor vehicles and is carried out under this section is informed that the program or activity is voluntary.*

*''(j) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out under this section may be not more than 100 percent.''.*

***SEC. 4004. HIGH-VISIBILITY ENFORCEMENT PROGRAM.***

*(a) IN GENERAL.—Section 404 of title 23, United States Code, is amended to read as follows:*

***''§ 404. High-visibility enforcement program***

*''(a) IN GENERAL.—The Secretary shall establish and administer a program under which not less than 3 campaigns will be carried out in each of fiscal years 2016 through 2020.*

*''(b) PURPOSE.—The purpose of each campaign carried out under this section shall be to achieve outcomes related to not less than 1 of the following objectives:*

*''(1) Reduce alcohol-impaired or drug-impaired operation of motor vehicles.*

*''(2) Increase use of seatbelts by occupants of motor vehicles.*

*''(c) ADVERTISING.—The Secretary may use, or authorize the use of, funds available to carry out this section to pay for the development, production, and use of broadcast and print media advertising and Internet-based outreach in carrying out campaigns under this section. In allocating such funds, consideration shall be given to advertising directed at non-English speaking populations, including those who listen to, read, or watch nontraditional media.*

*''(d) COORDINATION WITH STATES.—The Secretary shall coordinate with States in carrying out the campaigns under this section, including advertising funded under subsection (c), with consideration given to—*

*''(1) relying on States to provide law enforcement resources for the campaigns out of funding made available under sections 402 and 405; and*

*''(2) providing, out of National Highway Traffic Safety Administration resources, most of the means necessary for national advertising and education efforts associated with the campaigns.*

*''(e) USE OF FUNDS.—Funds made available to carry out this section may be used only for activities described in subsection (c).*

*''(f) DEFINITIONS.—In this section, the following definitions apply:*

*''(1) CAMPAIGN.—The term 'campaign' means a high-visibility traffic safety law enforcement campaign.*

*''(2) STATE.—The term 'State' has the meaning given that term in section 401.''.*

*(b) CLERICAL AMENDMENT.—The analysis for chapter 4 of title 23, United States Code, is amended by striking the item relating to section 404 and inserting the following:*

*''404. High-visibility enforcement program.''.*

***SEC. 4005. NATIONAL PRIORITY SAFETY PROGRAMS.***

*(a) GENERAL AUTHORITY.—Section 405(a) of title 23, United States Code, is amended to read as follows:*

*''(a) GENERAL AUTHORITY.—Subject to the requirements of this section, the Secretary shall manage programs to address national priorities for reducing highway deaths and injuries. Funds shall be allocated according to the following:*

*''(1) OCCUPANT PROTECTION.—In each fiscal year, 13 percent of the funds provided under this section shall be allocated among States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles (as described in subsection (b)).*

*''(2) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—In each fiscal year, 14.5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to State traffic safety information system improvements (as described in subsection (c)).*

*''(3) IMPAIRED DRIVING COUNTERMEASURES.—In each fiscal year, 52.5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to impaired driving countermeasures (as described in subsection (d)).*

*''(4) DISTRACTED DRIVING.—In each fiscal year, 8.5 percent of the funds provided under this section shall be allocated among States that adopt and implement effective laws to reduce distracted driving (as described in subsection (e)).*

*''(5) MOTORCYCLIST SAFETY.—In each fiscal year, 1.5 percent of the funds provided under this section shall be allocated among States that implement motorcyclist safety programs (as described in subsection (f)).*

*''(6) STATE GRADUATED DRIVER LICENSING LAWS.—In each fiscal year, 5 percent of the funds provided under this section shall be allocated among States that adopt and implement graduated driver licensing laws (as described in subsection (g)).*

*''(7) NONMOTORIZED SAFETY.—In each fiscal year, 5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to nonmotorized safety (as described in subsection (h)).*

*''(8) TRANSFERS.—Notwithstanding paragraphs (1) through (7), the Secretary shall reallocate, before the last day of any fiscal year, any amounts remaining available to carry out any of the activities described in subsections (b) through (h) to increase the amount made available under section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.*

*''(9) MAINTENANCE OF EFFORT.—*

*''(A) CERTIFICATION.—As part of the grant application required in section 402(k)(3)(F), a State receiving a grant in any fiscal year under subsection (b), (c), or (d) of this section shall provide certification that the lead State agency responsible for programs described in any of those subsections is maintaining aggregate expenditures at or above the average level of such expenditures in the 2 fiscal years prior to the date of enactment of the FAST Act.*

*''(B) WAIVER.—Upon the request of a State, the Secretary may waive or modify the requirements under subparagraph (A) for not more than 1 fiscal year if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances.*

*''(10) POLITICAL SUBDIVISIONS.—A State may provide the funds awarded under this section to a political subdivision of the State or an Indian tribal government.''.*

*(b) HIGH SEATBELT USE RATE.—Section 405(b)(4)(B) of title 23, United States Code, is amended by striking ''75 percent'' and inserting ''100 percent''.*

*(c) IMPAIRED DRIVING COUNTERMEASURES.—Section 405(d) of title 23, United States Code, is amended—*

*(1) by striking paragraph (4) and inserting the following:*

*''(4) USE OF GRANT AMOUNTS.—*

*''(A) REQUIRED PROGRAMS.—High-range States shall use grant funds for—*

*''(i) high-visibility enforcement efforts; and*

''(ii) any of the activities described in subparagraph (B) if—

''(I) the activity is described in the statewide plan; and

''(II) the Secretary approves the use of funding for such activity.

''(B) AUTHORIZED PROGRAMS.—Medium-range and low-range States may use grant funds for—

''(i) any of the purposes described in subparagraph (A);

''(ii) hiring a full-time or part-time impaired driving coordinator of the State's activities to address the enforcement and adjudication of laws regarding driving while impaired by alcohol, drugs, or the combination of alcohol and drugs;

''(iii) court support of high-visibility enforcement efforts, training and education of criminal justice professionals (including law enforcement, prosecutors, judges, and probation officers) to assist such professionals in handling impaired driving cases, hiring traffic safety resource prosecutors, hiring judicial outreach liaisons, and establishing driving while intoxicated courts;

''(iv) alcohol ignition interlock programs;

''(v) improving blood-alcohol concentration testing and reporting;

''(vi) paid and earned media in support of high-visibility enforcement efforts, conducting standardized field sobriety training, advanced roadside impaired driving evaluation training, and drug recognition expert training for law enforcement, and equipment and related expenditures used in connection with impaired driving enforcement in accordance with criteria established by the National Highway Traffic Safety Administration;

''(vii) training on the use of alcohol and drug screening and brief intervention;

''(viii) training for and implementation of impaired driving assessment programs or other tools designed to increase the probability of identifying the recidivism risk of a person convicted of driving under the influence of alcohol, drugs, or a combination of alcohol and drugs and to determine the most effective mental health or substance abuse treatment or sanction that will reduce such risk;

''(ix) developing impaired driving information systems; and

''(x) costs associated with a 24-7 sobriety program.

''(C) OTHER PROGRAMS.—Low-range States may use grant funds for any expenditure designed to reduce impaired driving based on problem identification and may use not more than 50 percent of funds made available under this subsection for any project or activity eligible for funding under section 402. Medium-range and high-range States may use funds for any expenditure designed to reduce impaired driving based on problem identification upon approval by the Secretary.'';

(2) in paragraph (6)—

(A) by amending the paragraph heading to read as follows: ''ADDITIONAL GRANTS.—'';

(B) in subparagraph (A) by amending the subparagraph heading to read as follows: ''GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—'';

(C) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

(D) by inserting after subparagraph (A), the following:

''(B) GRANTS TO STATES WITH 24-7 SOBRIETY PROGRAMS.—The Secretary shall make a separate grant under this subsection to each State that—

''(i) adopts and is enforcing a law that requires all individuals convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges; and

''(ii) provides a 24-7 sobriety program.'';

(E) in subparagraph (C), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(F) in subparagraph (D), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(G) by amending subparagraph (E), as redesignated, to read as follows:

''(E) FUNDING.—

''(i) FUNDING FOR GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—Not more than 12 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (A).

''(ii) FUNDING FOR GRANTS TO STATES WITH 24-7 SOBRIETY PROGRAMS.—Not more than 3 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (B).''; and

(H) by adding at the end the following:

''(F) EXCEPTIONS.—A State alcohol-ignition interlock law under subparagraph (A) may include exceptions for the following circumstances:

''(i) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(ii) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.

''(iii) A State-certified ignition interlock provider is not available within 100 miles of the individual's residence.''; and

(3) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) by striking ''or a State agency'' and inserting ''or an agency with jurisdiction''; and

(II) by inserting ''bond,'' before ''sentence'';

(ii) in clause (i) by striking ''who plead guilty or'' and inserting ''who was arrested for, plead guilty to, or''; and

(iii) in clause (ii)(I) by inserting ''at a testing location'' after ''per day''; and

(B) in subparagraph (D) by striking the second period at the end.

(d) DISTRACTED DRIVING GRANTS.—Section 405(e) of title 23, United States Code, is amended to read as follows:

''(e) DISTRACTED DRIVING GRANTS.—

''(1) IN GENERAL.—The Secretary shall award a grant under this subsection to any State that includes distracted driving awareness as part of the State's driver's license examination, and enacts and enforces a law that meets the requirements set forth in paragraphs (2) and (3).

''(2) PROHIBITION ON TEXTING WHILE DRIVING.—A State law meets the requirements set forth in this paragraph if the law—

''(A) prohibits a driver from texting through a personal wireless communications device while driving;

''(B) makes violation of the law a primary offense;

''(C) establishes a minimum fine for a violation of the law; and

''(D) does not provide for an exemption that specifically allows a driver to text through a personal wireless communication device while stopped in traffic.

''(3) PROHIBITION ON YOUTH CELL PHONE USE WHILE DRIVING OR STOPPED IN TRAFFIC.—A State law meets the requirements set forth in this paragraph if the law—

''(A) prohibits a driver from using a personal wireless communications device while driving if the driver is—

''(i) younger than 18 years of age; or

''(ii) in the learner's permit or intermediate license stage set forth in subsection (g)(2)(B);

''(B) makes violation of the law a primary offense;

''(C) establishes a minimum fine for a violation of the law; and

''(D) does not provide for an exemption that specifically allows a driver to text through a personal wireless communication device while stopped in traffic.

''(4) PERMITTED EXCEPTIONS.—A law that meets the requirements set forth in paragraph (2) or (3) may provide exceptions for—

''(A) a driver who uses a personal wireless communications device to contact emergency services;

''(B) emergency services personnel who use a personal wireless communications device while—

''(i) operating an emergency services vehicle; and

''(ii) engaged in the performance of their duties as emergency services personnel;

''(C) an individual employed as a commercial motor vehicle driver or a school bus driver who uses a personal wireless communications device within the scope of such individual's employment if such use is permitted under the regulations promulgated pursuant to section 31136 of title 49; and

''(D) any additional exceptions determined by the Secretary through a rulemaking process.

''(5) USE OF GRANT FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts received by a State under this subsection shall be used—

''(i) to educate the public through advertising containing information about the dangers of texting or using a cell phone while driving;

''(ii) for traffic signs that notify drivers about the distracted driving law of the State; or

''(iii) for law enforcement costs related to the enforcement of the distracted driving law.

''(B) FLEXIBILITY.—

''(i) Not more than 50 percent of amounts received by a State under this subsection may be used for any eligible project or activity under section 402.

''(ii) Not more than 75 percent of amounts received by a State under this subsection may be used for any eligible project or activity under section 402 if the State has conformed its distracted driving data to the most recent Model Minimum Uniform Crash Criteria published by the Secretary.

''(6) ADDITIONAL DISTRACTED DRIVING GRANTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), for each of fiscal years 2017 and 2018, the Secretary shall use up to 25 percent of the amounts available for grants under this subsection to award grants to any State that—

''(i) in fiscal year 2017—

''(I) certifies that it has enacted a basic text messaging statute that—

''(aa) is applicable to drivers of all ages; and

''(bb) makes violation of the basic text messaging statute a primary offense or secondary enforcement action as allowed by State statute; and

''(II) is otherwise ineligible for a grant under this subsection; and

''(ii) in fiscal year 2018—

''(I) certifies that it has enacted a basic text messaging statute that—

''(aa) is applicable to drivers of all ages; and

''(bb) makes violation of the basic text messaging statute a primary offense;

''(II) imposes fines for violations;

''(III) has a statute that prohibits drivers who are younger than 18 years of age from using a personal wireless communications device while driving; and

''(IV) is otherwise ineligible for a grant under this subsection.

''(B) USE OF GRANT FUNDS.—

''(i) IN GENERAL.—Notwithstanding paragraph (5) and subject to clauses (ii) and (iii) of this subparagraph, amounts received by a State under subparagraph (A) may be used for activities related to the enforcement of distracted driving laws, including for public information and awareness purposes.

''(ii) FISCAL YEAR 2017.—In fiscal year 2017, up to 15 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

''(iii) FISCAL YEAR 2018.—In fiscal year 2018, up to 25 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

''(7) ALLOCATION TO SUPPORT STATE DISTRACTED DRIVING LAWS.—Of the amounts available under this subsection in a fiscal year for distracted driving grants, the Secretary may expend not more than $5,000,000 for the development and placement of broadcast media to reduce distracted driving of motor vehicles.

''(8) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.

''(9) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) DRIVING.—The term 'driving'—

''(i) means operating a motor vehicle on a public road; and

''(ii) does not include operating a motor vehicle when the vehicle has pulled over to the side of, or off, an active roadway and has stopped in a location where it can safely remain stationary.

''(B) PERSONAL WIRELESS COMMUNICATIONS DEVICE.—The term 'personal wireless communications device'—

''(i) means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted; and

''(ii) does not include a global navigation satellite system receiver used for positioning, emergency notification, or navigation purposes.

''(C) PRIMARY OFFENSE.—The term 'primary offense' means an offense for which a law enforcement officer may stop a vehicle solely for the purpose of issuing a citation in the absence of evidence of another offense.

''(D) PUBLIC ROAD.—The term 'public road' has the meaning given such term in section 402(c).

''(E) TEXTING.—The term 'texting' means reading from or manually entering data into a personal wireless communications device, including doing so for the purpose of SMS texting, emailing, instant messaging, or engaging in any other form of electronic data retrieval or electronic data communication.''.

(e) MOTORCYCLIST SAFETY.—Section 405(f) of title 23, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009, except that the amount of a grant awarded to a State for a fiscal year may not exceed 25 percent of the amount apportioned to the State under such section for fiscal year 2009.'';

(2) in paragraph (4) by adding at the end the following:

''(C) FLEXIBILITY.—Not more than 50 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402 if the State is in the lowest 25 percent of all States for motorcycle deaths per 10,000 motorcycle registrations based on the most recent data that conforms with criteria established by the Secretary.''; and

(3) by adding at the end the following:

''(6) SHARE-THE-ROAD MODEL LANGUAGE.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall update and provide to the States model language, for use in traffic safety education courses, driver's manuals, and other driver training materials, that provides instruction for drivers of motor vehicles on the importance of sharing the road safely with motorcyclists.''.

(f) MINIMUM REQUIREMENTS FOR STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT PROGRAM.—Section 405(g) of title 23, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A) by striking ''21'' and inserting ''18''; and

(B) by amending subparagraph (B) to read as follows:

''(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State's driver's license laws include—

''(i) a learner's permit stage that—

''(I) is at least 6 months in duration;

''(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(III) requires applicants to successfully pass a vision and knowledge assessment prior to receiving a learner's permit;

''(IV) requires that the driver be accompanied and supervised at all times while the driver is operating a motor vehicle by a licensed driver who is at least 21 years of age or is a State-certified driving instructor;

''(V) has a requirement that the driver—

''(aa) complete a State-certified driver education or training course; or

''(bb) obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a licensed driver; and

''(VI) remains in effect until the driver—

''(aa) reaches 16 years of age and enters the intermediate stage; or

''(bb) reaches 18 years of age;

''(ii) an intermediate stage that—

''(I) commences immediately after the expiration of the learner's permit stage and successful completion of a driving skills assessment;

''(II) is at least 6 months in duration;

''(III) prohibits the driver from using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(IV) for the first 6 months of the intermediate stage, restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver 21 years of age or older, excluding transportation to work, school, religious activities, or emergencies;

''(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

''(VI) remains in effect until the driver reaches 17 years of age; and

''(iii) learner's permit and intermediate stages that each require, in addition to any other penalties imposed by State law, that the granting of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit or intermediate stage, is convicted of a driving-related offense during the first 6 months, including—

''(I) driving while intoxicated;

''(II) misrepresentation of the individual's age;

''(III) reckless driving;

''(IV) driving without wearing a seat belt;

''(V) speeding; or

''(VI) any other driving-related offense, as determined by the Secretary.''; and

(2) by adding at the end the following:

''(6) SPECIAL RULE.—Notwithstanding paragraph (5), up to 100 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402, if the State is in the lowest 25 percent of all States for the number of drivers under age 18 involved in fatal crashes in the State per the total number of drivers under age 18 in the State based on the most recent data that conforms with criteria established by the Secretary.''.

(g) NONMOTORIZED SAFETY.—Section 405 of title 23, United States Code, is amended by adding at the end the following:

''(h) NONMOTORIZED SAFETY.—

''(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary shall award grants to States for the purpose of decreasing pedestrian and bicycle fatalities and injuries that result from crashes involving a motor vehicle.

''(2) FEDERAL SHARE.—The Federal share of the cost of a project carried out by a State using amounts from a grant awarded under this subsection may not exceed 80 percent.

''(3) ELIGIBILITY.—A State shall receive a grant under this subsection in a fiscal year if the annual combined pedestrian and bicycle fatalities in the State exceed 15 percent of the total annual crash fatalities in the State, based on the most recently reported final data from the Fatality Analysis Reporting System.

''(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection may be used for—

''(A) training of law enforcement officials on State laws applicable to pedestrian and bicycle safety;

''(B) enforcement mobilizations and campaigns designed to enforce State traffic laws applicable to pedestrian and bicycle safety; and

''(C) public education and awareness programs designed to inform motorists, pedestrians, and bicyclists of State traffic laws applicable to pedestrian and bicycle safety.

''(5) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.''.

**SEC. 4006. TRACKING PROCESS.**

Section 412 of title 23, United States Code, is amended by adding at the end the following:

''(f) TRACKING PROCESS.—The Secretary shall develop a process to identify and mitigate possible systemic issues across States and regional offices by reviewing oversight findings and recommended actions identified in triennial State management reviews.''.

**SEC. 4007. STOP MOTORCYCLE CHECKPOINT FUNDING.**

Notwithstanding section 153 of title 23, United States Code, the Secretary may not provide a grant or any funds to a State, county, town, township, Indian tribe, municipality, or other local government that may be used for any program—

(1) to check helmet usage; or

(2) to create checkpoints that specifically target motorcycle operators or motorcycle passengers.

**SEC. 4008. MARIJUANA-IMPAIRED DRIVING.**

(a) STUDY.—The Secretary, in consultation with the heads of other Federal agencies as appropriate, shall conduct a study on marijuana-impaired driving.

(b) ISSUES TO BE EXAMINED.—In conducting the study, the Secretary shall examine, at a minimum, the following:

(1) Methods to detect marijuana-impaired driving, including devices capable of measuring marijuana levels in motor vehicle operators.

(2) A review of impairment standard research for driving under the influence of marijuana.

(3) Methods to differentiate the cause of a driving impairment between alcohol and marijuana.

(4) State-based policies on marijuana-impaired driving.

(5) The role and extent of marijuana impairment in motor vehicle accidents.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with other Federal agencies as appropriate, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(2) CONTENTS.—The report shall include, at a minimum, the following:

(A) FINDINGS.—The findings of the Secretary based on the study, including, at a minimum, the following:

(i) An assessment of methodologies and technologies for measuring driver impairment resulting from the use of marijuana, including the use of marijuana in combination with alcohol.

*(ii) A description and assessment of the role of marijuana as a causal factor in traffic crashes and the extent of the problem of marijuana-impaired driving.*

*(iii) A description and assessment of current State laws relating to marijuana-impaired driving.*

*(iv) A determination whether an impairment standard for drivers under the influence of marijuana is feasible and could reduce vehicle accidents and save lives.*

*(B) RECOMMENDATIONS.—The recommendations of the Secretary based on the study, including, at a minimum, the following:*

*(i) Effective and efficient methods for training law enforcement personnel, including drug recognition experts, to detect or measure the level of impairment of a motor vehicle operator who is under the influence of marijuana by the use of technology or otherwise.*

*(ii) If feasible, an impairment standard for driving under the influence of marijuana.*

*(iii) Methodologies for increased data collection regarding the prevalence and effects of marijuana-impaired driving.*

*(d) MARIJUANA DEFINED.—In this section, the term ''marijuana'' includes all substances containing tetrahydrocannabinol.*

***SEC. 4009. INCREASING PUBLIC AWARENESS OF THE DANGERS OF DRUG-IMPAIRED DRIVING.***

*(a) ADDITIONAL ACTIONS.—The Administrator of the National Highway Traffic Safety Administration, in consultation with the White House Office of National Drug Control Policy, the Secretary of Health and Human Services, State highway safety offices, and other interested parties, as determined by the Administrator, shall identify and carry out additional actions that should be undertaken by the Administration to assist States in their efforts to increase public awareness of the dangers of drug-impaired driving, including the dangers of driving while under the influence of heroin or prescription opioids.*

*(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the additional actions undertaken by the Administration pursuant to subsection (a).*

***SEC. 4010. NATIONAL PRIORITY SAFETY PROGRAM GRANT ELIGIBILITY.***

*Not later than 60 days after the date on which the Secretary awards grants under section 405 of title 23, United States Code, the Secretary shall make available on a publicly available Internet Web site of the Department of Transportation—*

*(1) an identification of—*

*(A) the States that were awarded grants under such section;*

*(B) the States that applied and were not awarded grants under such section; and*

*(C) the States that did not apply for a grant under such section; and*

*(2) a list of deficiencies that made a State ineligible for a grant under such section for each State under paragraph (1)(B).*

***SEC. 4011. DATA COLLECTION.***

*Section 1906 of SAFETEA–LU (23 U.S.C. 402 note) is amended—*

*(1) in subsection (a)(1)—*

*(A) by striking ''(A) has enacted'' and all that follows through ''(B) is maintaining'' and inserting ''is maintaining''; and*

*(B) by striking ''and any passengers'';*

*(2) by striking subsection (b) and inserting the following:*

*''(b) USE OF GRANT FUNDS.—A grant received by a State under subsection (a) shall be used by the State for the costs of—*

*''(1) collecting and maintaining data on traffic stops; and*

*''(2) evaluating the results of the data.'';*

*(3) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively;*

*(4) in subsection (c)(2), as so redesignated, by striking ''A State'' and inserting ''On or after October 1, 2015, a State''; and*

*(5) in subsection (d), as so redesignated—*

*(A) in the subsection heading by striking ''AUTHORIZATION OF APPROPRIATIONS'' and inserting ''FUNDING'';*

*(B) by striking paragraph (1) and inserting the following:*

*''(1) IN GENERAL.—From funds made available under section 403 of title 23, United States Code, the Secretary shall set aside $7,500,000 for each of fiscal years 2017 through 2020 to carry out this section.'';*

*(C) in paragraph (2)—*

*(i) by striking ''authorized by'' and inserting ''made available under''; and*

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

*(D) by adding at the end the following:*

*''(3) OTHER USES.—The Secretary may reallocate, before the last day of any fiscal year, amounts remaining available under paragraph (1) to increase the amounts made available to carry out any of other activities authorized under section 403 of title 23, United States Code, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.''.*

***SEC. 4012. STUDY ON THE NATIONAL ROADSIDE SURVEY OF ALCOHOL AND DRUG USE BY DRIVERS.***

*Not later than 180 days after the date on which the Comptroller General of the United States reviews and reports on the overall value of the National Roadside Survey to researchers and other public safety stakeholders, the differences between a National Roadside Survey site and typical law enforcement checkpoints, and the effectiveness of the National Roadside Survey methodology at protecting the privacy of the driving public, as requested by the Committee on Appropriations of the Senate on June 5, 2014 (Senate Report 113–182), the Secretary shall report to Congress on the National Highway Traffic Safety Administration's progress toward reviewing that report and implementing any recommendations made in that report.*

***SEC. 4013. BARRIERS TO DATA COLLECTION REPORT.***

*Not later than 180 days after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—*

*(1) identifies any legal and technical barriers to capturing adequate data on the prevalence of the use of wireless communications devices while driving; and*

*(2) provides recommendations on how to address such barriers.*

***SEC. 4014. TECHNICAL CORRECTIONS.***

*Title 23, United States Code, is amended as follows:*

*(1) Section 402 is amended—*

*(A) in subsection (b)(1)—*

*(i) in subparagraph (C) by striking ''paragraph (3)'' and inserting ''paragraph (2)''; and*

*(ii) in subparagraph (E)—*

*(I) by striking ''in which'' and inserting ''for which''; and*

*(II) by striking ''under subsection (f)'' and inserting ''under subsection (k)''; and*

*(B) in subsection (k)(5), as redesignated by this Act, by striking ''under paragraph (2)(A)'' and inserting ''under paragraph (3)(A)''.*

*(2) Section 403(e) is amended by striking ''chapter 301'' and inserting ''chapter 301 of title 49''.*

*(3) Section 405 is amended—*

*(A) in subsection (d)—*

*(i) in paragraph (5) by striking ''under section 402(c)'' and inserting ''under section 402''; and*

*(ii) in paragraph (6)(D), as redesignated by this Act, by striking ''on the basis of the apportionment formula set forth in section 402(c)'' and inserting ''in proportion to the State's apportionment under section 402 for fiscal year 2009''; and*

*(B) in subsection (f)(4)(A)(iv)—*

*(i) by striking ''such as the'' and inserting ''including''; and*

*(ii) by striking ''developed under subsection (g)''.*

***SEC. 4015. EFFECTIVE DATE FOR CERTAIN PROGRAMS.***

*Notwithstanding any other provision of this Act, except for the technical corrections in section 4014, the amendments made by this Act to sections 164, 402, and 405 of title 23, United States Code, shall be effective on October 1, 2016.*

## *TITLE V—MOTOR CARRIER SAFETY*

### *Subtitle A—Motor Carrier Safety Grant Consolidation*

***SEC. 5101. GRANTS TO STATES.***

*(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31102 of title 49, United States Code, is amended to read as follows:*

***''§ 31102. Motor carrier safety assistance program***

*''(a) IN GENERAL.—The Secretary of Transportation shall administer a motor carrier safety assistance program funded under section 31104.*

*''(b) GOAL.—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system by—*

*''(1) making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;*

*''(2) investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and in fatalities resulting from such crashes;*

*''(3) adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and*

*''(4) assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.*

*''(c) STATE PLANS.—*

*''(1) IN GENERAL.—In carrying out the program, the Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety by adopting and enforcing State regulations, standards, and orders that are compatible with the regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.*

*''(2) CONTENTS.—The Secretary shall approve a State plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—*

*''(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;*

*''(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;*

*''(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;*

*''(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforcement of the regulations, standards, and orders;*

*''(E) provides a right of entry (or other method a State may use that the Secretary deter-*

*mines is adequate to obtain necessary information) and inspection to carry out the plan;*

*''(F) provides that all reports required under this section be available to the Secretary on request;*

*''(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;*

*''(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;*

*''(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally accepted system that allows ready identification of previously inspected commercial motor vehicles;*

*''(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);*

*''(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;*

*''(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving motor carrier safety assistance program funding;*

*''(M) ensures that information is exchanged among the States in a timely manner;*

*''(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;*

*''(O) provides satisfactory assurances that the State will address national priorities and performance goals, including—*

*''(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;*

*''(ii) activities aimed at providing an appropriate level of training to State motor carrier safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and*

*''(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regulations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;*

*''(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—*

*''(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and*

*''(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;*

*''(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 and regulations issued under those sections;*

*''(R) ensures consistent, effective, and reasonable sanctions;*

*''(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;*

*''(T) provides that the State will include in the training manuals for the licensing examination to drive noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;*

*''(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;*

*''(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;*

*''(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, or other location where a motor carrier may make a planned stop (excluding a weigh station);*

*''(X) ensures that the State will transmit to its roadside inspectors notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49, Code of Federal Regulations, and provided to the State by the Secretary, including the name of the person that received the exemption and any terms and conditions that apply to the exemption;*

*''(Y) except as provided in subsection (d), provides that the State—*

*''(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g); and*

*''(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;*

*''(Z) provides that the State agrees to fully participate in the performance and registration information systems management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section, or demonstrates to the Secretary an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety;*

*''(AA) in the case of a State that shares a land border with another country, provides that the State—*

*''(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or*

*''(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and*

*''(BB) in the case of a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (l)(3), provides that the State may fund operation and maintenance costs associated with innovative technology deployment under subsection (l)(3) with motor carrier safety assistance program funds authorized under section 31104(a)(1).*

*''(3) PUBLICATION.—*

*''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved State multiple-year plan, and each annual update thereto, on a publically accessible Internet Web site of the Department of Transportation not later than 30 days after the date the Secretary approves the plan or update.*

*''(B) LIMITATION.—Before publishing an approved State multiple-year plan or annual update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—*

*''(i) would reasonably be expected to interfere with enforcement proceedings; or*

*''(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.*

*''(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.*

*''(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.*

*''(f) MAINTENANCE OF EFFORT.—*

*''(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 5107 of the FAST Act, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year that is at least equal to—*

*''(A) the average level of that expenditure for fiscal years 2004 and 2005; or*

*''(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 5106 of the FAST Act.*

*''(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 5106 of the FAST Act, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).*

*''(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for a total of 1 fiscal year if the Secretary determines that the waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.*

*''(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of a State's expenditures under paragraph (1), the Secretary—*

*''(A) may allow the State to exclude State expenditures for federally sponsored demonstration and pilot programs and strike forces;*

*''(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and*

*''(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.*

*''(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 or maintenance of effort required by subsection (f).*

*''(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved as part of a State's plan under subsection (c), the State may use motor carrier safety assistance program funds received under this section—*

*''(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—*

*''(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed-weight facilities, such as near steep grades or mountainous terrains, where the*

*weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and*

*''(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle; and*

*''(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—*

*''(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and*

*''(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety.*

*''(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—*

*''(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary may allocate the amounts made available under section 31104(a)(1) among the States.*

*''(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.*

*''(j) ALLOCATION OF FUNDS.—*

*''(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).*

*''(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available under section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria prescribed under paragraph (1).*

*''(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 5106 of the FAST Act, the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).*

*''(k) PLAN MONITORING.—*

*''(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering a State plan approved under this section and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.*

*''(2) WITHHOLDING OF FUNDS.—*

*''(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that a State plan previously approved under this section is not being followed or has become inadequate to ensure enforcement of State regulations, standards, or orders described in subsection (c)(1), or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the State plan and notify the State. Upon the receipt of such notice, the State plan shall no longer be in effect and the Secretary shall withhold all funding to the State under this section.*

*''(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of a State plan under subparagraph (A), the Secretary may, after providing notice to the State and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—*

*''(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;*

*''(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;*

*''(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and*

*''(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.*

*''(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding of funds under paragraph (2)(B), the State may retain jurisdiction in an administrative or a judicial proceeding that commenced before the notice of disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.*

*''(l) HIGH PRIORITY PROGRAM.—*

*''(1) IN GENERAL.—The Secretary shall administer a high priority program funded under section 31104(a)(2) for the purposes described in paragraphs (2) and (3).*

*''(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The Secretary may make discretionary grants to and enter into cooperative agreements with States, local governments, federally recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—*

*''(A) increase public awareness and education on commercial motor vehicle safety;*

*''(B) target unsafe driving of commercial motor vehicles and noncommercial motor vehicles in areas identified as high risk crash corridors;*

*''(C) improve the safe and secure movement of hazardous materials;*

*''(D) improve safe transportation of goods and persons in foreign commerce;*

*''(E) demonstrate new technologies to improve commercial motor vehicle safety;*

*''(F) support participation in performance and registration information systems management under section 31106(b)—*

*''(i) for entities not responsible for submitting the plan under subsection (c); or*

*''(ii) for entities responsible for submitting the plan under subsection (c)—*

*''(I) before October 1, 2020, to achieve compliance with the requirements of participation; and*

*''(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;*

*''(G) conduct safety data improvement projects—*

*''(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or*

*''(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and*

*''(H) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.*

*''(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—*

*''(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.*

*''(B) PURPOSES.—The purposes of the program shall be—*

*''(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and*

*''(ii) to support and maintain commercial motor vehicle information systems and networks—*

*''(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;*

*''(II) to improve the safety and productivity of commercial motor vehicles and drivers; and*

*''(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial motor vehicle regulatory requirements.*

*''(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—*

*''(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;*

*''(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—*

*''(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and*

*''(II) promote interoperability and efficiency to the extent practicable; and*

*''(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.*

*''(D) USE OF FUNDS.—Grant funds received under this paragraph may be used—*

*''(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;*

*''(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and*

*''(iii) for the operation and maintenance costs associated with innovative technology.*

*''(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation and maintenance costs associated with innovative technology deployment with funds made available under sections 31104(a)(1) and 31104(a)(2).''.*

*(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 of title 49, United States Code, is amended to read as follows:*

***''§ 31103. Commercial motor vehicle operators grant program***

*''(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.*

*''(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).*

*''(c) VETERANS.—In administering grants under this section, the Secretary shall award priority to grant applications for programs to train former members of the armed forces (as defined in section 101 of title 10) in the safe operation of such vehicles.''.*

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 of title 49, United States Code, as amended by this Act, is further amended on the effective date set forth in subsection (f) to read as follows:

**"§31104. Authorization of appropriations**

"(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

"(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) and subsection (c), to carry out section 31102 (except subsection (l))—

"(A) $292,600,000 for fiscal year 2017;
"(B) $298,900,000 for fiscal year 2018;
"(C) $304,300,000 for fiscal year 2019; and
"(D) $308,700,000 for fiscal year 2020.

"(2) HIGH PRIORITY ACTIVITIES PROGRAM.—Subject to subsection (c), to carry out section 31102(l)—

"(A) $42,200,000 for fiscal year 2017;
"(B) $43,100,000 for fiscal year 2018;
"(C) $44,000,000 for fiscal year 2019; and
"(D) $44,900,000 for fiscal year 2020.

"(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

"(A) $1,000,000 for fiscal year 2017;
"(B) $1,000,000 for fiscal year 2018;
"(C) $1,000,000 for fiscal year 2019; and
"(D) $1,000,000 for fiscal year 2020.

"(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION PROGRAM.—Subject to subsection (c), to carry out section 31313—

"(A) $31,200,000 for fiscal year 2017;
"(B) $31,800,000 for fiscal year 2018;
"(C) $32,500,000 for fiscal year 2019; and
"(D) $33,200,000 for fiscal year 2020.

"(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

"(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.

"(2) REIMBURSEMENT AMOUNTS.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31313, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under such sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.

"(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under sections 31102, 31103, and 31313.

"(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out such programs.

"(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31313 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.

"(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.

"(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—The period of availability for a recipient to expend funds under a grant or cooperative agreement authorized under subsection (a) is as follows:

"(1) For grants made for carrying out section 31102, other than section 31102(l), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next fiscal year.

"(2) For grants made or cooperative agreements entered into for carrying out section 31102(l)(2), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 2 fiscal years.

"(3) For grants made for carrying out section 31102(l)(3), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 4 fiscal years.

"(4) For grants made for carrying out section 31103, for the fiscal year in which the Secretary approves the financial assistance agreement and for the next fiscal year.

"(5) For grants made or cooperative agreements entered into for carrying out section 31313, for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 4 fiscal years.

"(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

"(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.

"(i) REALLOCATION.—Amounts not expended by a recipient during the period of availability shall be released back to the Secretary for reallocation for any purpose under section 31102, 31103, or 31313 or this section to ensure, to the maximum extent possible, that all such amounts are obligated.".

(d) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

"31102. Motor carrier safety assistance program.
"31103. Commercial motor vehicle operators grant program.
"31104. Authorization of appropriations.".

(e) CONFORMING AMENDMENTS.—

(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) of title 49, United States Code, is amended by striking paragraph (5).

(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) of title 49, United States Code, is amended by striking paragraph (4).

(3) BORDER ENFORCEMENT GRANTS.—Section 31107 of title 49, United States Code, and the item relating to that section in the analysis for chapter 311 of that title, are repealed.

(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 of title 49, United States Code, and the item relating to that section in the analysis for chapter 311 of that title, are repealed.

(5) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section 4126 of SAFETEA–LU (49 U.S.C. 31106 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(6) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA–LU (49 U.S.C. 31100 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(7) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA–LU (49 U.S.C. 31301 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(8) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(9) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(10) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—

(A) in paragraph (1) by striking "section 31104(f)(2)(B) of title 49, United States Code" and inserting "section 31104(a)(1) of title 49, United States Code"; and

(B) by striking paragraph (3).

(11) WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM.—Section 346 of the National Highway System Designation Act of 1995 (49 U.S.C. 31166 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

(g) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, and 31104 of title 49, United States Code, and any sections repealed under subsection (e), as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

**SEC. 5102. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.**

Section 31106(b) of title 49, United States Code, is amended in the subsection heading by striking "PROGRAM" and inserting "SYSTEMS MANAGEMENT".

**SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—Subchapter I of chapter 311 of title 49, United States Code, is amended by adding at the end the following:

**"§31110. Authorization of appropriations**

"(a) ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

"(1) $267,400,000 for fiscal year 2016;
"(2) $277,200,000 for fiscal year 2017;
"(3) $283,000,000 for fiscal year 2018;
"(4) $284,000,000 for fiscal year 2019; and
"(5) $288,000,000 for fiscal year 2020.

"(b) USE OF FUNDS.—The funds authorized by this section shall be used for—

"(1) personnel costs;
"(2) administrative infrastructure;
"(3) rent;
"(4) information technology;
"(5) programs for research and technology, information management, regulatory development, and the administration of performance and registration information systems management under section 31106(b);
"(6) programs for outreach and education under subsection (c);
"(7) other operating expenses;
"(8) conducting safety reviews of new operators; and
"(9) such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

"(c) OUTREACH AND EDUCATION PROGRAM.—

"(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, and other activities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration.

''(2) FEDERAL SHARE.—The Federal share of an outreach and education project for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the project.

''(3) FUNDING.—From amounts made available under subsection (a), the Secretary shall make available not more than $4,000,000 each fiscal year to carry out this subsection.

''(d) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(e) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

''(f) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by adding at the end of the items relating to subchapter I the following:

''31110. Authorization of appropriations.''.

(c) CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 of title 49, United States Code, is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) as subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (i).—Section 4116(d) of SAFETEA–LU (49 U.S.C. 31104 note) is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(3) INTERNATIONAL COOPERATION.—Section 31161 of title 49, United States Code, is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(4) SAFETEA–LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA–LU (119 Stat. 1741; Public Law 109–59), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

**SEC. 5104. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.**

(a) IN GENERAL.—Section 31313 of title 49, United States Code, is amended to read as follows:

**''§ 31313. Commercial driver's license program implementation financial assistance program**

''(a) FINANCIAL ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (2) and (3).

''(2) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—In carrying out the program, the Secretary may make a grant to a State agency in a fiscal year—

''(A) to assist the State in complying with the requirements of section 31311; and

''(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve the State's implementation of its commercial driver's license program, including expenses—

''(i) for computer hardware and software;

''(ii) for publications, testing, personnel, training, and quality control;

''(iii) for commercial driver's license program coordinators; and

''(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

''(3) PRIORITY ACTIVITIES.—The Secretary may make a grant to or enter into a cooperative agreement with a State agency, local government, or any person in a fiscal year for research, development and testing, demonstration projects, public education, and other special activities and projects relating to commercial drivers licensing and motor vehicle safety that—

''(A) benefit all jurisdictions of the United States;

''(B) address national safety concerns and circumstances;

''(C) address emerging issues relating to commercial driver's license improvements;

''(D) support innovative ideas and solutions to commercial driver's license program issues; or

''(E) address other commercial driver's license issues, as determined by the Secretary.

''(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

''(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

''(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a recipient described in subsection (a)(3) according to criteria prescribed by the Secretary.

''(e) FUNDING.—For fiscal years beginning after September 30, 2016, this section shall be funded under section 31104.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 313 of title 49, United States Code, is amended by striking the item relating to section 31313 and inserting the following:

''31313. Commercial driver's license program implementation financial assistance program.''.

**SEC. 5105. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.**

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) of title 49, United States Code, is amended by striking paragraphs (10) and (11) and inserting the following:

''(10) $218,000,000 for fiscal year 2015; and

''(11) $218,000,000 for fiscal year 2016.''.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) of SAFETEA–LU (119 Stat. 1715; Public Law 109–59) is amended to read as follows:

''(c) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

''(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, $30,000,000 for fiscal year 2016.

''(2) BORDER ENFORCEMENT GRANTS.—For border enforcement grants under section 31107 of that title $32,000,000 for fiscal year 2016.

''(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAM.—For the performance and registration information systems management grant program under section 31109 of that title $5,000,000 for fiscal year 2016.

''(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act $25,000,000 for fiscal year 2016.

''(5) SAFETY DATA IMPROVEMENT GRANTS.—For safety data improvement grants under section 4128 of this Act $3,000,000 for fiscal year 2016.''.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2) of title 49, United States Code, as redesignated by this subtitle, is amended by striking ''2015'' the first place it appears and all that follows through ''for States,'' and inserting ''2016 for States,''.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended to read as follows:

''(B) SET ASIDE.—The Secretary shall set aside from amounts made available under section 31104(a) up to $32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.''.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended to read as follows:

''(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, $1,000,000 for fiscal year 2016 to carry out this section.''.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA–LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109–59) is amended—

(A) in subsection (c)—

(i) in paragraph (2) by adding at the end the following: ''Funds deobligated by the Secretary from previous year grants shall not be counted toward the $2,500,000 maximum aggregate amount for core deployment.''; and

(ii) in paragraph (3) by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''; and

(B) in subsection (d)(4) by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA–LU (119 Stat. 1738; Public Law 109–59) may also be referred to as the innovative technology deployment program.

**SEC. 5106. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.**

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working group (in this section referred to as the ''working group'').

(2) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) COMPOSITION.—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) NEW ALLOCATION FORMULA.—The working group shall analyze requirements and factors for the establishment of a new allocation formula for the motor carrier safety assistance program under section 31102 of title 49, United States Code.

(4) RECOMMENDATION.—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new allocation formula for the motor carrier safety assistance program.

(5) EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) PUBLICATION.—The Administrator of the Federal Motor Carrier Safety Administration

*shall publish on a publicly accessible Internet Web site of the Federal Motor Carrier Safety Administration—*

*(A) detailed summaries of the meetings of the working group; and*

*(B) the final recommendation of the working group provided to the Secretary.*

*(b) NOTICE OF PROPOSED RULEMAKING.—After receiving the recommendation of the working group under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on the establishment of a new allocation formula for the motor carrier safety assistance program.*

*(c) BASIS FOR FORMULA.—The Secretary shall ensure that the new allocation formula for the motor carrier safety assistance program is based on factors that reflect, at a minimum—*

*(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;*

*(2) the relative administrative capacities of and challenges faced by States in complying with that section;*

*(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;*

*(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and*

*(5) any other factors the Secretary considers appropriate.*

*(d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF NEW ALLOCATION FORMULA.—*

*(1) INTERIM FORMULA.—Prior to the development of the new allocation formula for the motor carrier safety assistance program, the Secretary may calculate the interim funding amounts for that program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by this subtitle, by using the following methodology:*

*(A) The Secretary shall calculate the funding amount to a State using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 31102 of title 49, United States Code.*

*(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for—*

*(i) border enforcement grants under section 31107 of title 49, United States Code; and*

*(ii) new entrant audit grants under section 31144(g)(5) of that title.*

*(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).*

*(2) ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—*

*(A) motor carrier safety assistance program funds awarded to the State under section 31102 of title 49, United States Code;*

*(B) border enforcement grants awarded to the State under section 31107 of title 49, United States Code; and*

*(C) new entrant audit grants awarded to the State under section 31144(g)(5) of title 49, United States Code.*

*(3) IMMEDIATE RELIEF.—On the date of enactment of this Act, and for the 3 fiscal years following the implementation of the new allocation formula, the Secretary shall terminate the withholding of motor carrier safety assistance program funds from a State if the State was subject to the withholding of such funds for matters of noncompliance immediately prior to the date of enactment of this Act.*

*(4) FUTURE WITHHOLDINGS.—Beginning on the date that the new allocation formula for the motor carrier safety assistance program is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by this subtitle.*

*(e) TERMINATION OF WORKING GROUP.—The working group established under subsection (a) shall terminate on the date of the implementation of the new allocation formula for the motor carrier safety assistance program.*

***SEC. 5107. MAINTENANCE OF EFFORT CALCULATION.***

*(a) BEFORE NEW ALLOCATION FORMULA.—*

*(1) FISCAL YEAR 2017.—If a new allocation formula for the motor carrier safety assistance program has not been established under this subtitle for fiscal year 2017, the Secretary shall calculate for fiscal year 2017 the maintenance of effort baseline required under section 31102(f) of title 49, United States Code, as amended by this subtitle, by averaging the expenditures for fiscal years 2004 and 2005 required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.*

*(2) SUBSEQUENT FISCAL YEARS.—The Secretary may use the methodology for calculating the maintenance of effort baseline specified in paragraph (1) for fiscal year 2018 and subsequent fiscal years if a new allocation formula for the motor carrier safety assistance program has not been established for that fiscal year.*

*(b) BEGINNING WITH NEW ALLOCATION FORMATION.—*

*(1) IN GENERAL.—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula for the motor carrier safety assistance program is established under this subtitle, upon the request of a State, the Secretary may waive or modify the baseline maintenance of effort required of the State by section 31102(f) of title 49, United States Code, as amended by this subtitle, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—*

*(A) is equitable due to reasonable circumstances;*

*(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and*

*(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by this subtitle, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures required under those sections for the 3 fiscal years prior to the date of enactment of this Act.*

*(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline referred to in paragraph (1) for the State according to the following methodology:*

*(A) The Secretary shall establish the maintenance of effort baseline for the State using the average baseline of fiscal years 2004 and 2005, as required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.*

*(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.*

*(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by this subtitle.*

*(D) The Secretary shall subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—*

*(i) if the number is greater than 0, the Secretary shall subtract the number from the amount in subparagraph (A); or*

*(ii) if the number is not greater than 0, the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).*

*(3) MAINTENANCE OF EFFORT AMOUNT.—*

*(A) IN GENERAL.—The Secretary shall use the amount calculated under paragraph (2) as the baseline maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by this subtitle.*

*(B) DEADLINE.—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements a new allocation formula for the motor carrier safety assistance program under this subtitle, the Secretary shall calculate the maintenance of effort using the methodology described in paragraph (2)(A).*

*(4) MAINTENANCE OF EFFORT DESCRIBED.—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by this subtitle.*

*(c) TERMINATION OF EFFECTIVENESS.—The authority of the Secretary under this section shall terminate effective on the date that a new maintenance of effort baseline is calculated based on a new allocation formula for the motor carrier safety assistance program implemented under section 31102 of title 49, United States Code.*

***Subtitle B—Federal Motor Carrier Safety Administration Reform***

***PART I—REGULATORY REFORM***

***SEC. 5201. NOTICE OF CANCELLATION OF INSURANCE.***

*Section 13906(e) of title 49, United States Code, is amended by inserting ''or suspend'' after ''revoke''.*

***SEC. 5202. REGULATIONS.***

*Section 31136 of title 49, United States Code, is amended—*

*(1) by redesignating subsection (f) as subsection (g) and transferring such subsection to appear at the end of section 31315 of such title; and*

*(2) by adding at the end the following:*

*''(f) REGULATORY IMPACT ANALYSIS.—*

*''(1) IN GENERAL.—Within each regulatory impact analysis of a proposed or final major rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall, whenever practicable—*

*''(A) consider the effects of the proposed or final rule on different segments of the motor carrier industry; and*

*''(B) formulate estimates and findings based on the best available science.*

*''(2) SCOPE.—To the extent feasible and appropriate, and consistent with law, an analysis described in paragraph (1) shall—*

*''(A) use data that is representative of commercial motor vehicle operators or motor carriers, or both, that will be impacted by the proposed or final rule; and*

*''(B) consider the effects on commercial truck and bus carriers of various sizes and types.*

*''(g) PUBLIC PARTICIPATION.—*

*''(1) IN GENERAL.—If a proposed rule under this part is likely to lead to the promulgation of a major rule, the Secretary, before publishing such proposed rule, shall—*

*''(A) issue an advance notice of proposed rulemaking; or*

*''(B) proceed with a negotiated rulemaking.*

*''(2) REQUIREMENTS.—Each advance notice of proposed rulemaking issued under paragraph (1) shall—*

*''(A) identify the need for a potential regulatory action;*

*''(B) identify and request public comment on the best available science or technical information relevant to analyzing potential regulatory alternatives;*

*''(C) request public comment on the available data and costs with respect to regulatory alternatives reasonably likely to be considered as part of the rulemaking; and*

*''(D) request public comment on available alternatives to regulation.*

''(3) WAIVER.—This subsection does not apply to a proposed rule if the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) that an advance notice of proposed rulemaking is impracticable, unnecessary, or contrary to the public interest.

''(h) RULE OF CONSTRUCTION.—Nothing in subsection (f) or (g) may be construed to limit the contents of an advance notice of proposed rulemaking.''.

***SEC. 5203. GUIDANCE.***

(a) IN GENERAL.—

(1) DATE OF ISSUANCE AND POINT OF CONTACT.—Each guidance document issued by the Federal Motor Carrier Safety Administration shall have a date of issuance or a date of revision, as applicable, and shall include the name and contact information of a point of contact at the Administration who can respond to questions regarding the guidance.

(2) PUBLIC ACCESSIBILITY.—

(A) IN GENERAL.—Each guidance document issued or revised by the Federal Motor Carrier Safety Administration shall be published on a publicly accessible Internet Web site of the Department on the date of issuance or revision.

(B) REDACTION.—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document published under subparagraph (A) any information that would reveal investigative techniques that would compromise Administration enforcement efforts.

(3) INCORPORATION INTO REGULATIONS.—Not later than 5 years after the date on which a guidance document is published under paragraph (2) or during an applicable review under subsection (c), whichever is earlier, the Secretary shall revise regulations to incorporate the guidance document to the extent practicable.

(4) REISSUANCE.—If a guidance document is not incorporated into regulations in accordance with paragraph (3), the Administrator shall—

(A) reissue an updated version of the guidance document; and

(B) review and reissue an updated version of the guidance document every 5 years until the date on which the guidance document is removed or incorporated into applicable regulations.

(b) INITIAL REVIEW.—Not later than 1 year after the date of enactment of this Act, the Administrator shall review all guidance documents issued by the Federal Motor Carrier Safety Administration and in effect on such date of enactment to ensure that such documents are current, are readily accessible to the public, and meet the standards specified in subparagraphs (A), (B), and (C) of subsection (c)(1).

(c) REGULAR REVIEW.—

(1) IN GENERAL.—Subject to paragraph (2), not less than once every 5 years, the Administrator shall conduct a comprehensive review of the guidance documents issued by the Federal Motor Carrier Safety Administration to determine whether such documents are—

(A) consistent and clear;

(B) uniformly and consistently enforced; and

(C) still necessary.

(2) NOTICE AND COMMENT.—Prior to beginning a review under paragraph (1), the Administrator shall publish in the Federal Register a notice and request for comment that solicits input from stakeholders on which guidance documents should be updated or eliminated.

(3) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date on which a review under paragraph (1) is completed, the Administrator shall publish on a publicly accessible Internet Web site of the Department a report detailing the review and a full inventory of the guidance documents of the Administration.

(B) CONTENTS.—A report under subparagraph (A) shall include a summary of the response of the Administration to comments received under paragraph (2).

(d) GUIDANCE DOCUMENT DEFINED.—In this section, the term ''guidance document'' means a document issued by the Federal Motor Carrier Safety Administration that—

(1) provides an interpretation of a regulation of the Administration; or

(2) includes an enforcement policy of the Administration available to the public.

***SEC. 5204. PETITIONS.***

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on a publicly accessible Internet Web site of the Department a summary of all petitions for regulatory action submitted to the Administration;

(2) prioritize the petitions submitted based on the likelihood of safety improvements resulting from the regulatory action requested;

(3) not later than 180 days after the date a summary of a petition is published under paragraph (1), formally respond to such petition by indicating whether the Administrator will accept, deny, or further review the petition;

(4) prioritize responses to petitions consistent with a petition's potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt of a petition, publish on a publicly accessible Internet Web site of the Department an updated inventory of the petitions described in paragraph (1), including any applicable disposition information for those petitions.

(b) TREATMENT OF MULTIPLE PETITIONS.—The Administrator may treat multiple similar petitions as a single petition for the purposes of subsection (a).

(c) PETITION DEFINED.—In this section, the term ''petition'' means a request for—

(1) a new regulation;

(2) a regulatory interpretation or clarification; or

(3) a determination by the Administrator that a regulation should be modified or eliminated because it is—

(A) no longer—

(i) consistent and clear;

(ii) current with the operational realities of the motor carrier industry; or

(iii) uniformly enforced;

(B) ineffective; or

(C) overly burdensome.

***SEC. 5205. INSPECTOR STANDARDS.***

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall revise the regulations under part 385 of title 49, Code of Federal Regulations, as necessary, to incorporate by reference the certification standards for roadside inspectors issued by the Commercial Vehicle Safety Alliance.

***SEC. 5206. APPLICATIONS.***

(a) REVIEW PROCESS.—Section 31315(b) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence by striking ''paragraph (3)'' and inserting ''this subsection''; and

(B) by striking the second sentence;

(2) by redesignating paragraphs (2) through (7) as paragraphs (4) through (9), respectively; and

(3) by inserting after paragraph (1) the following:

''(2) LENGTH OF EXEMPTION AND RENEWAL.—An exemption may be granted under paragraph (1) for no longer than 5 years and may be renewed, upon request, for subsequent 5-year periods if the Secretary continues to make the finding under paragraph (1).

''(3) OPPORTUNITY FOR RESUBMISSION.—If the Secretary denies an application under paragraph (1) and the applicant can reasonably address the reason for the denial, the Secretary may allow the applicant to resubmit the application.''.

(b) ADMINISTRATIVE EXEMPTIONS.—

(1) IN GENERAL.—The Secretary shall make permanent the following limited exemptions:

(A) Perishable construction products, as published in the Federal Register on April 2, 2015 (80 Fed. Reg. 17819).

(B) Transport of commercial bee hives, as published in the Federal Register on June 19, 2015 (80 Fed. Reg. 35425).

(C) Safe transport of livestock, as published in the Federal Register on June 12, 2015 (80 Fed. Reg. 33584).

(2) ADDITIONAL ADMINISTRATIVE EXEMPTIONS.—Any exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, that is in effect on the date of enactment of this Act—

(A) except as otherwise provided in section 31315(b) of title 49, shall be valid for a period of 5 years from the date such exemption was granted; and

(B) may be subject to renewal under section 31315(b)(2) of title 49, United States Code.

***PART II—COMPLIANCE, SAFETY, ACCOUNTABILITY REFORM***

***SEC. 5221. CORRELATION STUDY.***

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this part as the ''Administrator'') shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Compliance, Safety, Accountability program of the Federal Motor Carrier Safety Administration (referred to in this part as the ''CSA program''); and

(2) the Safety Measurement System utilized by the CSA program (referred to in this part as the ''SMS'').

(b) SCOPE OF STUDY.—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this part as ''BASIC'')—

(i) identify high risk carriers; and

(ii) predict or are correlated with future crash risk, crash severity, or other safety indicators for motor carriers, including the highest risk carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations and the tie between crash risk and specific regulatory violations, with respect to accurately identifying and predicting future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those gaps and problems on the efficacy of the CSA program;

(E) the accuracy of safety data, including the use of crash data from crashes in which a motor carrier was free from fault;

(F) whether BASIC percentiles for motor carriers of passengers should be calculated separately from motor carriers of freight;

(G) the differences in the rates at which safety violations are reported to the Federal Motor Carrier Safety Administration for inclusion in the SMS by various enforcement authorities, including States, territories, and Federal inspectors; and

(H) how members of the public use the SMS and what effect making the SMS information public has had on reducing crashes and eliminating unsafe motor carriers from the industry; and

(2) shall consider—

(A) whether the SMS provides comparable precision and confidence, through SMS alerts and percentiles, for the relative crash risk of individual large and small motor carriers;

(B) whether alternatives to the SMS would identify high risk carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General of the Department, and

*independent review team reports, issued before the date of enactment of this Act.*

*(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall—*

*(1) submit a report containing the results of the study commissioned pursuant to subsection (a) to—*

*(A) the Committee on Commerce, Science, and Transportation of the Senate;*

*(B) the Committee on Transportation and Infrastructure of the House of Representatives; and*

*(C) the Inspector General of the Department; and*

*(2) publish the report on a publicly accessible Internet Web site of the Department.*

*(d) CORRECTIVE ACTION PLAN.—*

*(1) IN GENERAL.—Not later than 120 days after the Administrator submits the report under subsection (c), if that report identifies a deficiency or opportunity for improvement in the CSA program or in any element of the SMS, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a corrective action plan that—*

*(A) responds to the deficiencies or opportunities identified by the report;*

*(B) identifies how the Federal Motor Carrier Safety Administration will address such deficiencies or opportunities; and*

*(C) provides an estimate of the cost, including with respect to changes in staffing, enforcement, and data collection, necessary to address such deficiencies or opportunities.*

*(2) PROGRAM REFORMS.—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—*

*(A) includes benchmarks;*

*(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and*

*(C) shall be considered in any rulemaking by the Department that relates to the CSA program, including the SMS or data analysis under the SMS.*

*(e) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Administrator submits a corrective action plan under subsection (d), the Inspector General of the Department shall—*

*(1) review the extent to which such plan addresses—*

*(A) recommendations contained in the report submitted under subsection (c); and*

*(B) relevant recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and*

*(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).*

***SEC. 5222. BEYOND COMPLIANCE.***

*(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall allow recognition, including credit or an improved SMS percentile, for a motor carrier that—*

*(1) installs advanced safety equipment;*

*(2) uses enhanced driver fitness measures;*

*(3) adopts fleet safety management tools, technologies, and programs; or*

*(4) satisfies other standards determined appropriate by the Administrator.*

*(b) IMPLEMENTATION.—The Administrator shall carry out subsection (a) by—*

*(1) incorporating a methodology into the CSA program; or*

*(2) establishing a safety BASIC in the SMS.*

*(c) PROCESS.—*

*(1) IN GENERAL.—The Administrator, after providing notice and an opportunity for comment, shall develop a process for identifying and reviewing advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards for use by motor carriers to receive recognition, including credit or an improved SMS percentile, for purposes of subsection (a).*

*(2) CONTENTS.—A process developed under paragraph (1) shall—*

*(A) provide for a petition process for reviewing advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards; and*

*(B) seek input and participation from industry stakeholders, including commercial motor vehicle drivers, technology manufacturers, vehicle manufacturers, motor carriers, law enforcement, safety advocates, and the Motor Carrier Safety Advisory Committee.*

*(d) QUALIFICATION.—The Administrator, after providing notice and an opportunity for comment, shall develop technical or other performance standards with respect to advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards for purposes of subsection (a).*

*(e) MONITORING.—The Administrator may authorize qualified entities to monitor motor carriers that receive recognition, including credit or an improved SMS percentile, under this section through a no-cost contract structure.*

*(f) DISSEMINATION OF INFORMATION.—The Administrator shall maintain on a publicly accessible Internet Web site of the Department information on—*

*(1) the advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards eligible for recognition, including credit or an improved SMS percentile;*

*(2) any petitions for review of advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards; and*

*(3) any relevant statistics relating to the use of advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards.*

*(g) REPORT.—Not later than 3 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the—*

*(1) number of motor carriers receiving recognition, including credit or an improved SMS percentile, under this section; and*

*(2) safety performance of such carriers.*

***SEC. 5223. DATA CERTIFICATION.***

*(a) IN GENERAL.—On and after the date that is 1 day after the date of enactment of this Act, no information regarding analysis of violations, crashes in which a determination is made that the motor carrier or the commercial motor vehicle driver is not at fault, alerts, or the relative percentile for each BASIC developed under the CSA program may be made available to the general public until the Inspector General of the Department certifies that—*

*(1) the report required under section 5221(c) has been submitted in accordance with that section;*

*(2) any deficiencies identified in the report required under section 5221(c) have been addressed;*

*(3) if applicable, the corrective action plan under section 5221(d) has been implemented;*

*(4) the Administrator of the Federal Motor Carrier Safety Administration has fully implemented or satisfactorily addressed the issues raised in the report titled ''Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers'' of the Government Accountability Office and dated February 2014 (GAO–14–114); and*

*(5) the Secretary has initiated modification of the CSA program in accordance with section 5222.*

*(b) LIMITATION ON THE USE OF CSA ANALYSIS.—Information regarding alerts and the relative percentile for each BASIC developed under the CSA program may not be used for safety fitness determinations until the Inspector General of the Department makes the certification under subsection (a).*

*(c) CONTINUED PUBLIC AVAILABILITY OF DATA.—Notwithstanding any other provision of this section, inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials, out-of-service rates, and absolute measures shall remain available to the public.*

*(d) EXCEPTIONS.—*

*(1) IN GENERAL.—Notwithstanding any other provision of this section—*

*(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization;*

*(B) a motor carrier and a commercial motor vehicle driver may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively; and*

*(C) a data analysis of motorcoach operators may be provided online with a notation indicating that the ratings or alerts listed are not intended to imply any Federal safety rating of the carrier.*

*(2) NOTATION.—The notation described in paragraph (1)(C) shall include the following: ''Readers should not draw conclusions about a carrier's overall safety condition simply based on the data displayed in this system. Unless a motor carrier has received an UNSATISFACTORY safety rating under part 385 of title 49, Code of Federal Regulations, or has otherwise been ordered to discontinue operations by the Federal Motor Carrier Safety Administration, it is authorized to operate on the Nation's roadways.''.*

*(3) RULE OF CONSTRUCTION.—Nothing in this section may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.*

***SEC. 5224. DATA IMPROVEMENT.***

*(a) FUNCTIONAL SPECIFICATIONS.—The Administrator shall develop functional specifications to ensure the consistent and accurate input of data into systems and databases relating to the CSA program.*

*(b) FUNCTIONALITY.—The functional specifications developed pursuant to subsection (a)—*

*(1) shall provide for the hardcoding and smart logic functionality for roadside inspection data collection systems and databases; and*

*(2) shall be made available to public and private sector developers.*

*(c) EFFECTIVE DATA MANAGEMENT.—The Administrator shall ensure that internal systems and databases accept and effectively manage data using uniform standards.*

*(d) CONSULTATION WITH THE STATES.—Before implementing the functional specifications developed pursuant to subsection (a) or the standards described in subsection (c), the Administrator shall seek input from the State agencies responsible for enforcing section 31102 of title 49, United States Code.*

***SEC. 5225. ACCIDENT REVIEW.***

*(a) IN GENERAL.—Not later than 1 year after a certification under section 5223, the Secretary shall task the Motor Carrier Safety Advisory Committee with reviewing the treatment of preventable crashes under the SMS.*

*(b) DUTIES.—Not later than 6 months after being tasked under subsection (a), the Motor Carrier Safety Advisory Committee shall make recommendations to the Secretary on a process to allow motor carriers and drivers to request that the Administrator make a determination with respect to the preventability of a crash, if such a process has not yet been established by the Secretary.*

*(c) REPORT.—The Secretary shall—*

*(1) review and consider the recommendations provided by the Motor Carrier Safety Advisory Committee; and*

*(2) report to Congress on how the Secretary intends to address the treatment of preventable crashes.*

*(d) PREVENTABLE DEFINED.—In this section, the term ''preventable'' has the meaning given that term in Appendix B of part 385 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.*

***Subtitle C—Commercial Motor Vehicle Safety***

***SEC. 5301. WINDSHIELD TECHNOLOGY.***

*(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the regulations in section 393.60(e) of title 49, Code of Federal Regulations (relating to the prohibition on obstructions to the driver's field of view) to exempt from that section the voluntary mounting on a windshield of vehicle safety technology likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent the exemption.*

*(b) VEHICLE SAFETY TECHNOLOGY DEFINED.—In this section, the term ''vehicle safety technology'' includes a fleet-related incident management system, performance or behavior management system, speed management system, lane departure warning system, forward collision warning or mitigation system, and active cruise control system and any other technology that the Secretary considers applicable.*

*(c) RULE OF CONSTRUCTION.—For purposes of this section, any windshield mounted technology with a short term exemption under part 381 of title 49, Code of Federal Regulations, on the date of enactment of this Act, shall be considered likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent an exemption under subsection (a).*

***SEC. 5302. PRIORITIZING STATUTORY RULEMAKINGS.***

*The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the completion of each outstanding rulemaking required by statute before beginning any other rulemaking, unless the Secretary determines that there is a significant need for such other rulemaking and notifies Congress of such determination.*

***SEC. 5303. SAFETY REPORTING SYSTEM.***

*(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the cost and feasibility of establishing a self-reporting system for commercial motor vehicle drivers or motor carriers with respect to en route equipment failures.*

*(b) CONTENTS.—The report required under subsection (a) shall include—*

*(1) an analysis of—*

*(A) alternatives for the reporting of equipment failures in real time, including an Internet Web site or telephone hotline;*

*(B) the ability of a commercial motor vehicle driver or a motor carrier to provide to the Federal Motor Carrier Safety Administration proof of repair of a self-reported equipment failure;*

*(C) the ability of the Federal Motor Carrier Safety Administration to ensure that self-reported equipment failures proven to be repaired are not used in the calculation of Behavior Analysis and Safety Improvement Category scores;*

*(D) the ability of roadside inspectors to access self-reported equipment failures;*

*(E) the cost to establish and administer a self-reporting system;*

*(F) the ability for a self-reporting system to track individual commercial motor vehicles through unique identifiers; and*

*(G) whether a self-reporting system would yield demonstrable safety benefits;*

*(2) an identification of any regulatory or statutory impediments to the implementation of a self-reporting system; and*

*(3) recommendations on implementing a self-reporting system.*

***SEC. 5304. NEW ENTRANT SAFETY REVIEW PROGRAM.***

*(a) IN GENERAL.—The Secretary shall conduct an assessment of the new operator safety review program under section 31144(g) of title 49, United States Code, including the program's effectiveness in reducing crashes, fatalities, and injuries involving commercial motor vehicles and improving commercial motor vehicle safety.*

*(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish on a publicly accessible Internet Web site of the Department and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the assessment conducted under subsection (a), including any recommendations for improving the effectiveness of the program (including recommendations for legislative changes).*

***SEC. 5305. HIGH RISK CARRIER REVIEWS.***

*(a) IN GENERAL.—The Secretary shall ensure that a review is completed on each motor carrier that demonstrates through performance data that it poses the highest safety risk. At a minimum, a review shall be conducted whenever a motor carrier is among the highest risk carriers for 4 consecutive months.*

*(b) REPORT.—The Secretary shall post on a public Web site a report on the actions the Secretary has taken to comply with this section, including the number of high risk carriers identified and the high risk carriers reviewed.*

*(c) CONFORMING AMENDMENT.—Section 4138 of SAFETEA–LU (49 U.S.C. 31144 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.*

***SEC. 5306. POST-ACCIDENT REPORT REVIEW.***

*(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a working group—*

*(1) to review the data elements of post-accident reports, for tow-away accidents involving commercial motor vehicles, that are reported to the Federal Government; and*

*(2) to report to the Secretary its findings and any recommendations, including best practices for State post-accident reports to achieve the data elements described in subsection (c).*

*(b) COMPOSITION.—Not less than 51 percent of the working group should be composed of individuals representing the States or State law enforcement officials. The remaining members of the working group shall represent industry, labor, safety advocates, and other interested parties.*

*(c) CONSIDERATIONS.—The working group shall consider requiring additional data elements, including—*

*(1) the primary cause of the accident, if the primary cause can be determined; and*

*(2) the physical characteristics of the commercial motor vehicle and any other vehicle involved in the accident, including—*

*(A) the vehicle configuration;*

*(B) the gross vehicle weight, if the weight can be readily determined;*

*(C) the number of axles; and*

*(D) the distance between axles, if the distance can be readily determined.*

*(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—*

*(1) review the findings of the working group;*

*(2) identify the best practices for State post-accident reports that are reported to the Federal Government, including identifying the data elements that should be collected following a tow-away commercial motor vehicle accident; and*

*(3) recommend to the States the adoption of new data elements to be collected following reportable commercial motor vehicle accidents.*

*(e) TERMINATION.—The working group shall terminate not more than 180 days after the date on which the Secretary makes recommendations under subsection (d)(3).*

***SEC. 5307. IMPLEMENTING SAFETY REQUIREMENTS.***

*(a) IN GENERAL.—For each rulemaking described in subsection (c), not later than 30 days after the date of enactment of this Act and every 180 days thereafter until the rulemaking is complete, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notification that includes—*

*(1) for a rulemaking with a statutory deadline—*

*(A) an explanation of why the deadline was not met; and*

*(B) an expected date of completion of the rulemaking; and*

*(2) for a rulemaking without a statutory deadline, an expected date of completion of the rulemaking.*

*(b) ADDITIONAL CONTENTS.—A notification submitted under subsection (a) shall include—*

*(1) an updated rulemaking timeline;*

*(2) a list of factors causing delays in the completion of the rulemaking; and*

*(3) any other details associated with the status of the rulemaking.*

*(c) RULEMAKINGS.—The Secretary shall submit a written notification under subsection (a) for each of the following rulemakings:*

*(1) The rulemaking required under section 31306a(a)(1) of title 49, United States Code.*

*(2) The rulemaking required under section 31137(a) of title 49, United States Code.*

*(3) The rulemaking required under section 31305(c) of title 49, United States Code.*

*(4) The rulemaking required under section 31601 of division C of MAP–21 (49 U.S.C. 30111 note).*

*(5) A rulemaking concerning motor carrier safety fitness determinations.*

*(6) A rulemaking concerning commercial motor vehicle safety required by an Act of Congress enacted on or after August 1, 2005, and incomplete for more than 2 years.*

***Subtitle D—Commercial Motor Vehicle Drivers***

***SEC. 5401. OPPORTUNITIES FOR VETERANS.***

*(a) STANDARDS FOR TRAINING AND TESTING OF VETERAN OPERATORS.—Section 31305 of title 49, United States Code, is amended by adding at the end the following:*

*''(d) STANDARDS FOR TRAINING AND TESTING OF VETERAN OPERATORS.—*

*''(1) IN GENERAL.—Not later than December 31, 2016, the Secretary shall modify the regulations prescribed under subsections (a) and (c) to—*

*''(A) exempt a covered individual from all or a portion of a driving test if the covered individual had experience in the armed forces or reserve components driving vehicles similar to a commercial motor vehicle;*

*''(B) ensure that a covered individual may apply for an exemption under subparagraph (A) during, at least, the 1-year period beginning on the date on which such individual separates from service in the armed forces or reserve components; and*

*''(C) credit the training and knowledge a covered individual received in the armed forces or reserve components driving vehicles similar to a commercial motor vehicle for purposes of satisfying minimum standards for training and knowledge.*

*''(2) DEFINITIONS.—In this subsection, the following definitions apply:*

*''(A) ARMED FORCES.—The term 'armed forces' has the meaning given that term in section 101(a) of title 10.*

*''(B) COVERED INDIVIDUAL.—The term 'covered individual' means an individual over the age of 21 years who is—*

*''(i) a former member of the armed forces; or*

*''(ii) a former member of the reserve components.*

''(C) RESERVE COMPONENTS.—The term 'reserve components' means—

''(i) the Army National Guard of the United States;

''(ii) the Army Reserve;

''(iii) the Navy Reserve;

''(iv) the Marine Corps Reserve;

''(v) the Air National Guard of the United States;

''(vi) the Air Force Reserve; and

''(vii) the Coast Guard Reserve.''.

(b) IMPLEMENTATION OF ADMINISTRATIVE RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Defense, shall implement the recommendations contained in the report submitted under section 32308 of MAP–21 (49 U.S.C. 31301 note) that are not implemented as a result of the amendment in subsection (a).

(c) IMPLEMENTATION OF THE MILITARY COMMERCIAL DRIVER'S LICENSE ACT.—Not later than December 31, 2015, the Secretary shall issue final regulations to implement the exemption to the domicile requirement under section 31311(a)(12)(C) of title 49, United States Code.

(d) CONFORMING AMENDMENT.—Section 31311(a)(12)(C)(ii) of title 49, United States Code, is amended to read as follows:

''(ii) is an active duty member of—

''(I) the armed forces (as that term is defined in section 101(a) of title 10); or

''(II) the reserve components (as that term is defined in section 31305(d)(2) of this title); and''.

**SEC. 5402. DRUG-FREE COMMERCIAL DRIVERS.**

(a) IN GENERAL.—Section 31306 of title 49, United States Code, is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) in subparagraph (A) by striking ''The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.''; and

(C) by inserting after subparagraph (A) the following:

''(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

''(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

''(ii) to use hair testing as an acceptable alternative to urine testing—

''(I) in conducting preemployment testing for the use of a controlled substance; and

''(II) in conducting random testing for the use of a controlled substance if the operator was subject to hair testing for preemployment testing.'';

(2) in subsection (b)(2)—

(A) in subparagraph (A) by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(C) shall provide an exemption from hair testing for commercial motor vehicle operators with established religious beliefs that prohibit the cutting or removal of hair.''; and

(3) in subsection (c)(2)—

(A) in the matter preceding subparagraph (A) by inserting ''for urine testing, and technical guidelines for hair testing,'' before ''including mandatory guidelines'';

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

(C) in subparagraph (C) by inserting ''and'' after the semicolon; and

(D) by adding at the end the following:

''(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance;''.

(b) GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code.

**SEC. 5403. MEDICAL CERTIFICATION OF VETERANS FOR COMMERCIAL DRIVER'S LICENSES.**

(a) IN GENERAL.—In the case of a physician-approved veteran operator, the qualified physician of such operator may, subject to the requirements of subsection (b), perform a medical examination and provide a medical certificate for purposes of compliance with the requirements of section 31149 of title 49, United States Code.

(b) CERTIFICATION.—The certification described under subsection (a) shall include—

(1) assurances that the physician performing the medical examination meets the requirements of a qualified physician under this section; and

(2) certification that the physical condition of the operator is adequate to enable such operator to operate a commercial motor vehicle safely.

(c) NATIONAL REGISTRY OF MEDICAL EXAMINERS.—The Secretary, in consultation with the Secretary of Veterans Affairs, shall develop a process for qualified physicians to perform a medical examination and provide a medical certificate under subsection (a) and include such physicians on the national registry of medical examiners established under section 31149(d) of title 49, United States Code.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) PHYSICIAN-APPROVED VETERAN OPERATOR.—The term ''physician-approved veteran operator'' means an operator of a commercial motor vehicle who—

(A) is a veteran who is enrolled in the health care system established under section 1705(a) of title 38, United States Code; and

(B) is required to have a current valid medical certificate pursuant to section 31149 of title 49, United States Code.

(2) QUALIFIED PHYSICIAN.—The term ''qualified physician'' means a physician who—

(A) is employed in the Department of Veterans Affairs;

(B) is familiar with the standards for, and physical requirements of, an operator certified pursuant to section 31149 of title 49, United States Code; and

(C) has never, with respect to such section, been found to have acted fraudulently, including by fraudulently awarding a medical certificate.

(3) VETERAN.—The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

(e) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to change any statutory penalty associated with fraud or abuse.

**SEC. 5404. COMMERCIAL DRIVER PILOT PROGRAM.**

(a) IN GENERAL.—The Secretary shall establish a pilot program under section 31315(c) of title 49, United States Code, to study the feasibility, benefits, and safety impacts of allowing a covered driver to operate a commercial motor vehicle in interstate commerce.

(b) DATA COLLECTION.—The Secretary shall collect and analyze data relating to accidents in which—

(1) a covered driver participating in the pilot program is involved; and

(2) a driver under the age of 21 operating a commercial motor vehicle in intrastate commerce is involved.

(c) LIMITATIONS.—A driver participating in the pilot program may not—

(1) transport—

(A) passengers; or

(B) hazardous cargo; or

(2) operate a vehicle in special configuration.

(d) WORKING GROUP.—

(1) ESTABLISHMENT.—The Secretary shall conduct, monitor, and evaluate the pilot program in consultation with a working group to be established by the Secretary consisting of representatives of the armed forces, industry, drivers, safety advocacy organizations, and State licensing and enforcement officials.

(2) DUTIES.—The working group shall review the data collected under subsection (b) and provide recommendations to the Secretary on the feasibility, benefits, and safety impacts of allowing a covered driver to operate a commercial motor vehicle in interstate commerce.

(e) REPORT.—Not later than 1 year after the date on which the pilot program is concluded, the Secretary shall submit to Congress a report describing the findings of the pilot program and the recommendations of the working group.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) ACCIDENT.—The term ''accident'' has the meaning given that term in section 390.5 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(2) ARMED FORCES.—The term ''armed forces'' has the meaning given that term in section 101(a) of title 10, United States Code.

(3) COMMERCIAL MOTOR VEHICLE.—The term ''commercial motor vehicle'' has the meaning given that term in section 31301 of title 49, United States Code.

(4) COVERED DRIVER.—The term ''covered driver'' means an individual who is—

(A) between the ages of 18 and 21;

(B) a member or former member of the—

(i) armed forces; or

(ii) reserve components (as defined in section 31305(d)(2) of title 49, United States Code, as added by this Act); and

(C) qualified in a Military Occupational Specialty to operate a commercial motor vehicle or similar vehicle.

***Subtitle E—General Provisions***

**SEC. 5501. DELAYS IN GOODS MOVEMENT.**

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the average length of time that operators of commercial motor vehicles are delayed before the loading and unloading of such vehicles and at other points in the pick-up and delivery process.

(2) CONTENTS.—The report under paragraph (1) shall include—

(A) an assessment of how delays impact—

(i) the economy;

(ii) the efficiency of the transportation system;

(iii) motor carrier safety, including the extent to which delays result in violations of motor carrier safety regulations; and

(iv) the livelihood of motor carrier drivers; and

(B) recommendations on how delays could be mitigated.

(b) COLLECTION OF DATA.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish by regulation a process to collect data on delays experienced by operators of commercial motor vehicles before the loading and unloading of such vehicles and at other points in the pick-up and delivery process.

**SEC. 5502. EMERGENCY ROUTE WORKING GROUP.**

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) MEMBERS.—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) entities affected by special permit restrictions during emergency response and recovery efforts.

(b) CONSIDERATIONS.—In determining best practices under subsection (a), the working group shall consider whether—

*(1) impediments currently exist that prevent expeditious State approval of special permits for vehicles involved in emergency response and recovery;*

*(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or emergency;*

*(3) a State could pre-designate an emergency route identified under paragraph (2) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during periods of declared emergency and recovery from such periods; and*

*(4) an online map could be created to identify each pre-designated emergency route under paragraph (3), including information on specific limitations, obligations, and notification requirements along that route.*

*(c) REPORT.—*

*(1) SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report on its findings under this section and any recommendations for the implementation of best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.*

*(2) PUBLICATION.—Not later than 30 days after the date the Secretary receives the report under paragraph (1), the Secretary shall publish the report on a publicly accessible Internet Web site of the Department.*

*(d) NOTIFICATION.—Not later than 6 months after the date the Secretary receives the report under subsection (c)(1), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the actions the Secretary and the States have taken to implement the recommendations included in the report.*

*(e) TERMINATION.—The working group shall terminate 1 year after the date the Secretary receives the report under subsection (c)(1).*

***SEC. 5503. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.***

*(a) WORKING GROUP.—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to consumers relevant information with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.*

*(b) MEMBERSHIP.—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.*

*(c) RECOMMENDATIONS.—*

*(1) CONTENTS.—The recommendations developed by the working group shall include recommendations on—*

*(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;*

*(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and*

*(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.*

*(2) DEADLINE.—Not later than 1 year after the date of enactment of this Act—*

*(A) the working group shall make the recommendations described in paragraph (1); and*

*(B) the Secretary shall publish the recommendations on a publicly accessible Internet Web site of the Department.*

*(d) REPORT.—Not later than 1 year after the date on which the working group makes its recommendations under subsection (c)(2), the Secretary shall issue a report to Congress on the implementation of such recommendations.*

*(e) TERMINATION.—The working group shall terminate 1 year after the date the working group makes its recommendations under subsection (c)(2).*

***SEC. 5504. TECHNOLOGY IMPROVEMENTS.***

*(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a comprehensive analysis of the information technology and data collection and management systems of the Federal Motor Carrier Safety Administration.*

*(b) REQUIREMENTS.—The study conducted under subsection (a) shall—*

*(1) evaluate the efficacy of the existing information technology, data collection, processing systems, data correction procedures, and data management systems and programs, including their interaction with each other and their efficacy in meeting user needs;*

*(2) identify any redundancies among the systems, procedures, and programs described in paragraph (1);*

*(3) explore the feasibility of consolidating data collection and processing systems;*

*(4) evaluate the ability of the systems, procedures, and programs described in paragraph (1) to meet the needs of—*

*(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State levels;*

*(B) the State agencies that implement the motor carrier safety assistance program under section 31102 of title 49, United States Code; and*

*(C) other users;*

*(5) evaluate the adaptability of the systems, procedures, and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost-efficient manner;*

*(6) investigate and make recommendations regarding—*

*(A) deficiencies in existing data sets impacting program effectiveness; and*

*(B) methods to improve user interfaces; and*

*(7) identify the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving the efficacy of the systems, procedures, and programs described in paragraph (1).*

***SEC. 5505. NOTIFICATION REGARDING MOTOR CARRIER REGISTRATION.***

*Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification of the actions the Secretary is taking to ensure, to the greatest extent practicable, that each application for registration under section 13902 of title 49, United States Code, is processed not later than 30 days after the date on which the application is received by the Secretary.*

***SEC. 5506. REPORT ON COMMERCIAL DRIVER'S LICENSE SKILLS TEST DELAYS.***

*Not later than 18 months after the date of enactment of this Act, and each year thereafter, the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—*

*(1) describes, for each State, the status of skills testing for applicants for a commercial driver's license, including—*

*(A) the average wait time from the date an applicant requests to take a skills test to the date the applicant has the opportunity to complete such test;*

*(B) the average wait time from the date an applicant, upon failure of a skills test, requests a retest to the date the applicant has the opportunity to complete such retest;*

*(C) the actual number of qualified commercial driver's license examiners available to test applicants; and*

*(D) the number of testing sites available through the State department of motor vehicles and whether this number has increased or decreased from the previous year; and*

*(2) describes specific steps that the Administrator is taking to address skills testing delays in States that have average skills test or retest wait times of more than 7 days from the date an applicant requests to test or retest to the date the applicant has the opportunity to complete such test or retest.*

***SEC. 5507. ELECTRONIC LOGGING DEVICE REQUIREMENTS.***

*Section 31137(b) of title 49, United States Code, is amended—*

*(1) in paragraph (1)(C) by striking ''apply to'' and inserting ''except as provided in paragraph (3), apply to''; and*

*(2) by adding at the end the following:*

*''(3) EXCEPTION.—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of the term 'driveaway-towaway operation' (as defined in section 390.5 of title 49, Code of Federal Regulations), may comply with the hours of service requirements by requiring each driver to use—*

*''(A) a paper record of duty status form; or*

*''(B) an electronic logging device.''.*

***SEC. 5508. TECHNICAL CORRECTIONS.***

*(a) TITLE 49.—Title 49, United States Code, is amended as follows:*

*(1) Section 13902(i)(2) is amended by inserting ''except as'' before ''described''.*

*(2) Section 13903(d) is amended by striking ''(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—'' and all that follows through ''(1) IN GENERAL.—A freight forwarder'' and inserting ''(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—A freight forwarder''.*

*(3) Section 13905(d)(2)(D) is amended—*

*(A) by striking ''the Secretary finds that—'' and all that follows through ''(i) the motor carrier,'' and inserting ''the Secretary finds that the motor carrier,''; and*

*(B) by adding a period at the end.*

*(4) Section 14901(h) is amended by striking ''HOUSEHOLD GOODS'' in the heading.*

*(5) Section 14916 is amended by striking the section designation and heading and inserting the following:*

***''§ 14916. Unlawful brokerage activities''.***

*(b) MAP–21.—Effective as of July 6, 2012, and as if included therein as enacted, MAP–21 (Public Law 112–141) is amended as follows:*

*(1) Section 32108(a)(4) (126 Stat. 782) is amended by inserting ''for'' before ''each additional day'' in the matter proposed to be struck.*

*(2) Section 32301(b)(3) (126 Stat. 786) is amended by striking ''by amending (a) to read as follows:'' and inserting ''by striking subsection (a) and inserting the following:''.*

*(3) Section 32302(c)(2)(B) (126 Stat. 789) is amended by striking ''section 32303(c)(1)'' and inserting ''section 32302(c)(1)''.*

*(4) Section 32921(b) (126 Stat. 828) is amended, in the matter to be inserted, by striking ''(A) In addition'' and inserting the following:*

*''(A) IN GENERAL.—In addition''.*

*(5) Section 32931(c) (126 Stat. 829) is amended—*

*(A) by striking ''Secretary'' and inserting ''Secretary of Transportation'' in the matter to be struck; and*

*(B) by striking ''Secretary'' and inserting ''Secretary of Transportation'' in the matter to be inserted.*

*(c) MOTOR CARRIER SAFETY IMPROVEMENT ACT OF 1999.—Section 229(a)(1) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended by inserting ''of title 49, United States Code,'' after ''sections 31136 and 31502''.*

***SEC. 5509. MINIMUM FINANCIAL RESPONSIBILITY.***

*(a) TRANSPORTING PROPERTY.—If the Secretary proceeds with a rulemaking to determine whether to increase the minimum levels of financial responsibility required under section*

*31139 of title 49, United States Code, the Secretary shall consider, prior to issuing a final rule—*

*(1) the rulemaking's potential impact on—*

*(A) the safety of motor vehicle transportation; and*

*(B) the motor carrier industry;*

*(2) the ability of the insurance industry to provide the required amount of insurance;*

*(3) the extent to which current minimum levels of financial responsibility adequately cover—*

*(A) medical care;*

*(B) compensation; and*

*(C) other identifiable costs;*

*(4) the frequency with which insurance claims exceed current minimum levels of financial responsibility in fatal accidents; and*

*(5) the impact of increased levels on motor carrier safety and accident reduction.*

*(b) TRANSPORTING PASSENGERS.—*

*(1) IN GENERAL.—Prior to initiating a rulemaking to change the minimum levels of financial responsibility under section 31138 of title 49, United States Code, the Secretary shall complete a study specific to the minimum financial responsibility requirements for motor carriers of passengers.*

*(2) STUDY CONTENTS.—A study under paragraph (1) shall include, to the extent practicable—*

*(A) a review of accidents, injuries, and fatalities in the over-the-road bus and school bus industries;*

*(B) a review of insurance held by over-the-road bus and public and private school bus companies, including companies of various sizes, and an analysis of whether such insurance is adequate to cover claims;*

*(C) an analysis of whether and how insurance affects the behavior and safety record of motor carriers of passengers, including with respect to crash reduction; and*

*(D) an analysis of the anticipated impacts of an increase in financial responsibility on insurance premiums for passenger carriers and service availability.*

*(3) CONSULTATION.—In conducting a study under paragraph (1), the Secretary shall consult with—*

*(A) representatives of the over-the-road bus and private school bus transportation industries, including representatives of bus drivers; and*

*(B) insurers of motor carriers of passengers.*

*(4) REPORT.—If the Secretary undertakes a study under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.*

***SEC. 5510. SAFETY STUDY REGARDING DOUBLE-DECKER MOTORCOACHES.***

*(a) STUDY.—The Secretary, in consultation with State transportation safety and law enforcement officials, shall conduct a study regarding the safety operations, fire suppression capability, tire loads, and pavement impacts of operating a double-decker motorcoach equipped with a device designed by the motorcoach manufacturer to attach to the rear of the motorcoach for use in transporting passenger baggage.*

*(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study to—*

*(1) the Committee on Transportation and Infrastructure of the House of Representatives; and*

*(2) the Committee on Commerce, Science, and Transportation of the Senate.*

***SEC. 5511. GAO REVIEW OF SCHOOL BUS SAFETY.***

*Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a review of the following:*

*(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.*

*(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:*

*(A) A failure by those same operators of State or local safety inspections.*

*(B) The average age or odometer readings of the school buses in the fleets of such operators.*

*(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.*

*(D) Violations of State or local law relating to illegal passing of a school bus.*

*(3) A regulatory framework comparison of public and private school bus operations.*

*(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.*

***SEC. 5512. ACCESS TO NATIONAL DRIVER REGISTER.***

*Section 30305(b) of title 49, United States Code, is amended by adding at the end the following:*

*''(13) The Administrator of the Federal Motor Carrier Safety Administration may request the chief driver licensing official of a State to provide information under subsection (a) of this section about an individual in connection with a safety investigation under the Administrator's jurisdiction.''.*

***SEC. 5513. REPORT ON DESIGN AND IMPLEMENTATION OF WIRELESS ROADSIDE INSPECTION SYSTEMS.***

*(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the design, development, testing, and implementation of wireless roadside inspection systems.*

*(b) ELEMENTS.—The report required under subsection (a) shall include a determination as to whether Federal wireless roadside inspection systems—*

*(1) conflict with existing electronic screening systems, or create capabilities already available;*

*(2) require additional statutory authority to incorporate generated inspection data into the safety measurement system or the safety fitness determinations program; and*

*(3) provide appropriate restrictions to specifically address privacy concerns of affected motor carriers and operators.*

***SEC. 5514. REGULATION OF TOW TRUCK OPERATIONS.***

*Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking ''the price of'' and all that follows through ''transportation is'' and inserting ''the regulation of tow truck operations''.*

***SEC. 5515. STUDY ON COMMERCIAL MOTOR VEHICLE DRIVER COMMUTING.***

*(a) EFFECTS OF COMMUTING.—The Administrator of the Federal Motor Carrier Safety Administration shall conduct a study on the safety effects of motor carrier operator commutes exceeding 150 minutes.*

*(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the findings under the study.*

***SEC. 5516. ADDITIONAL STATE AUTHORITY.***

*Notwithstanding any other provision of law, South Dakota shall be provided the opportunity to update and revise the routes designated as qualifying Federal-aid Primary System highways under section 31111(e) of title 49, United States Code, as long as the update shifts routes to divided highways or does not increase centerline miles by more than 5 percent and is expected to increase safety performance.*

***SEC. 5517. REPORT ON MOTOR CARRIER FINANCIAL RESPONSIBILITY.***

*(a) IN GENERAL.—Not later than January 1, 2017, the Secretary shall publish on a publicly accessible Internet Web site of the Department a report on the minimum levels of financial responsibility required under section 31139 of title 49, United States Code.*

*(b) CONTENTS.—The report required under subsection (a) shall include, to the extent practicable, an analysis of—*

*(1) the differences between State insurance requirements and Federal requirements;*

*(2) the extent to which current minimum levels of financial responsibility adequately cover—*

*(A) medical care;*

*(B) compensation; and*

*(C) other identifiable costs; and*

*(3) the frequency with which insurance claims exceed the current minimum levels of financial responsibility.*

***SEC. 5518. COVERED FARM VEHICLES.***

*Section 32934(b)(1) of MAP–21 (49 U.S.C. 31136 note) is amended by striking ''from'' and all that follows through the period at end and inserting the following: ''from—*

*''(A) a requirement described in subsection (a) or a compatible State requirement; or*

*''(B) any other minimum standard provided by a State relating to the operation of that vehicle.''.*

***SEC. 5519. OPERATORS OF HI-RAIL VEHICLES.***

*(a) IN GENERAL.—In the case of a commercial motor vehicle driver subject to the hours of service requirements in part 395 of title 49, Code of Federal Regulations, who is driving a hi-rail vehicle, the maximum on duty time under section 395.3 of such title for such driver shall not include time in transportation to or from a duty assignment if such time in transportation—*

*(1) does not exceed 2 hours per calendar day or a total of 30 hours per calendar month; and*

*(2) is fully and accurately accounted for in records to be maintained by the motor carrier and such records are made available upon request of the Federal Motor Carrier Safety Administration or the Federal Railroad Administration.*

*(b) HI-RAIL VEHICLE DEFINED.—In this section, the term ''hi-rail vehicle'' means an internal rail flaw detection vehicle equipped with flange hi-rails.*

***SEC. 5520. AUTOMOBILE TRANSPORTER.***

*(a) AUTOMOBILE TRANSPORTER DEFINED.—Section 31111(a)(1) of title 49, United States Code, is amended—*

*(1) by striking ''specifically''; and*

*(2) by adding at the end the following: ''An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it complies with weight limitations for a truck tractor and semitrailer combination.''.*

*(b) TRUCK TRACTOR DEFINED.—Section 31111(a)(3)(B) of title 49, United States Code, is amended—*

*(1) by striking ''only''; and*

*(2) by inserting before the period at the end the following: ''or any other commodity, including cargo or general freight on a backhaul''.*

*(c) BACKHAUL DEFINED.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:*

''(5) BACKHAUL.—The term 'backhaul' means the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route.''.

(d) STINGER-STEERED AUTOMOBILE TRANSPORTERS.—Section 31111(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (E) by striking ''or'' at the end;

(2) in subparagraph (F) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(G) imposes a vehicle length limitation of less than 80 feet on a stinger-steered automobile transporter with a front overhang of less than 4 feet and a rear overhang of less than 6 feet; or''.

**SEC. 5521. READY MIX CONCRETE DELIVERY VEHICLES.**

Section 31502 of title 49, United States Code, is amended by adding at the end the following:

''(f) READY MIXED CONCRETE DELIVERY VEHICLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, regulations issued under this section or section 31136 (including section 395.1(e)(1)(ii) of title 49, Code of Federal Regulations) regarding reporting, recordkeeping, or documentation of duty status shall not apply to any driver of a ready mixed concrete delivery vehicle if—

''(A) the driver operates within a 100 air-mile radius of the normal work reporting location;

''(B) the driver returns to the work reporting location and is released from work within 14 consecutive hours;

''(C) the driver has at least 10 consecutive hours off duty following each 14 hours on duty;

''(D) the driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty; and

''(E) the motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records that show—

''(i) the time the driver reports for duty each day;

''(ii) the total number of hours the driver is on duty each day;

''(iii) the time the driver is released from duty each day; and

''(iv) the total time for the preceding driving week the driver is used for the first time or intermittently.

''(2) DEFINITION.—In this section, the term 'driver of a ready mixed concrete delivery vehicle' means a driver of a vehicle designed to deliver ready mixed concrete on a daily basis and is equipped with a mechanism under which the vehicle's propulsion engine provides the power to operate a mixer drum to agitate and mix the product en route to the delivery site.''.

**SEC. 5522. TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.**

Section 229(e)(4) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended—

(1) by striking ''50 air mile radius'' and inserting ''75 air mile radius''; and

(2) by striking ''the driver.'' and inserting ''the driver, except that a State, upon notice to the Secretary, may establish a different air mile radius limitation for purposes of this paragraph if such limitation is between 50 and 75 air miles and applies only to movements that take place entirely within the State.''.

**SEC. 5523. COMMERCIAL DELIVERY OF LIGHT- AND MEDIUM-DUTY TRAILERS.**

(a) DEFINITIONS.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(6) TRAILER TRANSPORTER TOWING UNIT.—The term 'trailer transporter towing unit' means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

''(7) TOWAWAY TRAILER TRANSPORTER COMBINATION.—The term 'towaway trailer transporter combination' means a combination of vehicles consisting of a trailer transporter towing unit and 2 trailers or semitrailers—

''(A) with a total weight that does not exceed 26,000 pounds; and

''(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.''.

(b) GENERAL LIMITATIONS.—Section 31111(b)(1) of such title is amended by adding at the end the following:

''(H) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.''.

(c) CONFORMING AMENDMENTS.—

(1) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112(a)(1) of such title is amended by inserting before the period at the end the following: '', but not including a trailer or a semitrailer transported as part of a towaway trailer transporter combination (as defined in section 31111(a))''.

(2) ACCESS TO INTERSTATE SYSTEM.—Section 31114(a)(2) of such title is amended by inserting ''any towaway trailer transporter combination (as defined in section 31111(a)),'' after ''passengers,''.

**SEC. 5524. EXEMPTIONS FROM REQUIREMENTS FOR CERTAIN WELDING TRUCKS USED IN PIPELINE INDUSTRY.**

(a) COVERED MOTOR VEHICLE DEFINED.—In this section, the term ''covered motor vehicle'' means a motor vehicle that—

(1) is traveling in the State in which the vehicle is registered or another State;

(2) is owned by a welder;

(3) is a pick-up style truck;

(4) is equipped with a welding rig that is used in the construction or maintenance of pipelines; and

(5) has a gross vehicle weight and combination weight rating and weight of 15,000 pounds or less.

(b) FEDERAL REQUIREMENTS.—A covered motor vehicle, including the individual operating such vehicle and the employer of such individual, shall be exempt from the following:

(1) Any requirement relating to registration as a motor carrier, including the requirement to obtain and display a Department of Transportation number, established under chapters 139 and 311 of title 49, United States Code.

(2) Any requirement relating to driver qualifications established under chapter 311 of title 49, United States Code.

(3) Any requirement relating to driving of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(4) Any requirement relating to parts and accessories and inspection, repair, and maintenance of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(5) Any requirement relating to hours of service of drivers, including maximum driving and on duty time, established under chapter 315 of title 49, United States Code.

**SEC. 5525. REPORT.**

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the safety and enforcement impacts of sections 5520, 5521, 5522, 5523, 5524, and 7208 of this Act.

(b) CONSULTATION.—In preparing the report required under subsection (a), the Secretary shall consult with States, State law enforcement agencies, entities impacted by the sections described in subsection (a), and other entities the Secretary considers appropriate.

## TITLE VI—INNOVATION

**SEC. 6001. SHORT TITLE.**

This title may be cited as the ''Transportation for Tomorrow Act of 2015''.

**SEC. 6002. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—The following amounts are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out section 503(b) of title 23, United States Code, $125,000,000 for each of fiscal years 2016 through 2020.

(2) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out section 503(c) of title 23, United States Code—

(A) $67,000,000 for fiscal year 2016;

(B) $67,500,000 for fiscal year 2017;

(C) $67,500,000 for fiscal year 2018;

(D) $67,500,000 for fiscal year 2019; and

(E) $67,500,000 for fiscal year 2020.

(3) TRAINING AND EDUCATION.—To carry out section 504 of title 23, United States Code, $24,000,000 for each of fiscal years 2016 through 2020.

(4) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out sections 512 through 518 of title 23, United States Code, $100,000,000 for each of fiscal years 2016 through 2020.

(5) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out section 5505 of title 49, United States Code—

(A) $72,500,000 for fiscal year 2016;

(B) $75,000,000 for fiscal year 2017;

(C) $75,000,000 for fiscal year 2018;

(D) $77,500,000 for fiscal year 2019; and

(E) $77,500,000 for fiscal year 2020.

(6) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code, $26,000,000 for each of fiscal years 2016 through 2020.

(b) ADMINISTRATION.—The Federal Highway Administration shall—

(1) administer the programs described in paragraphs (1), (2), and (3) of subsection (a); and

(2) in consultation with relevant modal administrations, administer the programs described in subsection (a)(4).

(c) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable, except as otherwise provided in this Act.

**SEC. 6003. TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.**

Section 503(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C) by striking ''2013 through 2014'' and inserting ''2016 through 2020''; and

(2) by adding at the end the following:

''(D) PUBLICATION.—

''(i) IN GENERAL.—Not less frequently than annually, the Secretary shall issue and make available to the public on an Internet website a report on the cost and benefits from deployment of new technology and innovations that substantially and directly resulted from the program established under this paragraph.

''(ii) INCLUSIONS.—The report under clause (i) may include an analysis of—

''(I) Federal, State, and local cost savings;

''(II) project delivery time improvements;

''(III) reduced fatalities; and

''(IV) congestion impacts.''.

**SEC. 6004. ADVANCED TRANSPORTATION AND CONGESTION MANAGEMENT TECHNOLOGIES DEPLOYMENT.**

Section 503(c) of title 23, United States Code, is amended by adding at the end the following:

''(4) ADVANCED TRANSPORTATION TECHNOLOGIES DEPLOYMENT.—

''(A) IN GENERAL.—Not later than 6 months after the date of enactment of this paragraph, the Secretary shall establish an advanced trans-

*portation and congestion management technologies deployment initiative to provide grants to eligible entities to develop model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.*

*''(B) CRITERIA.—The Secretary shall develop criteria for selection of an eligible entity to receive a grant under this paragraph, including how the deployment of technology will—*

*''(i) reduce costs and improve return on investments, including through the enhanced use of existing transportation capacity;*

*''(ii) deliver environmental benefits that alleviate congestion and streamline traffic flow;*

*''(iii) measure and improve the operational performance of the applicable transportation network;*

*''(iv) reduce the number and severity of traffic crashes and increase driver, passenger, and pedestrian safety;*

*''(v) collect, disseminate, and use real-time traffic, transit, parking, and other transportation-related information to improve mobility, reduce congestion, and provide for more efficient and accessible transportation;*

*''(vi) monitor transportation assets to improve infrastructure management, reduce maintenance costs, prioritize investment decisions, and ensure a state of good repair;*

*''(vii) deliver economic benefits by reducing delays, improving system performance, and providing for the efficient and reliable movement of goods and services; or*

*''(viii) accelerate the deployment of vehicle-to-vehicle, vehicle-to-infrastructure, autonomous vehicles, and other technologies.*

*''(C) APPLICATIONS.—*

*''(i) REQUEST.—Not later than 6 months after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall request applications in accordance with clause (ii).*

*''(ii) CONTENTS.—An application submitted under this subparagraph shall include the following:*

*''(I) PLAN.—A plan to deploy and provide for the long-term operation and maintenance of advanced transportation and congestion management technologies to improve safety, efficiency, system performance, and return on investment.*

*''(II) OBJECTIVES.—Quantifiable system performance improvements, such as—*

*''(aa) reducing traffic-related crashes, congestion, and costs;*

*''(bb) optimizing system efficiency; and*

*''(cc) improving access to transportation services.*

*''(III) RESULTS.—Quantifiable safety, mobility, and environmental benefit projections such as data-driven estimates of how the project will improve the region's transportation system efficiency and reduce traffic congestion.*

*''(IV) PARTNERSHIPS.—A plan for partnering with the private sector or public agencies, including multimodal and multijurisdictional entities, research institutions, organizations representing transportation and technology leaders, or other transportation stakeholders.*

*''(V) LEVERAGING.—A plan to leverage and optimize existing local and regional advanced transportation technology investments.*

*''(D) GRANT SELECTION.—*

*''(i) GRANT AWARDS.—Not later than 1 year after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall award grants to not less than 5 and not more than 10 eligible entities.*

*''(ii) GEOGRAPHIC DIVERSITY.—In awarding a grant under this paragraph, the Secretary shall ensure, to the extent practicable, that grant recipients represent diverse geographic areas of the United States, including urban and rural areas.*

*''(iii) TECHNOLOGY DIVERSITY.—In awarding a grant under this paragraph, the Secretary shall ensure, to the extent practicable, that grant recipients represent diverse technology solutions.*

*''(E) USE OF GRANT FUNDS.—A grant recipient may use funds awarded under this paragraph to deploy advanced transportation and congestion management technologies, including—*

*''(i) advanced traveler information systems;*

*''(ii) advanced transportation management technologies;*

*''(iii) infrastructure maintenance, monitoring, and condition assessment;*

*''(iv) advanced public transportation systems;*

*''(v) transportation system performance data collection, analysis, and dissemination systems;*

*''(vi) advanced safety systems, including vehicle-to-vehicle and vehicle-to-infrastructure communications, technologies associated with autonomous vehicles, and other collision avoidance technologies, including systems using cellular technology;*

*''(vii) integration of intelligent transportation systems with the Smart Grid and other energy distribution and charging systems;*

*''(viii) electronic pricing and payment systems; or*

*''(ix) advanced mobility and access technologies, such as dynamic ridesharing and information systems to support human services for elderly and disabled individuals.*

*''(F) REPORT TO SECRETARY.—For each eligible entity that receives a grant under this paragraph, not later than 1 year after the entity receives the grant, and each year thereafter, the entity shall submit a report to the Secretary that describes—*

*''(i) deployment and operational costs of the project compared to the benefits and savings the project provides; and*

*''(ii) how the project has met the original expectations projected in the deployment plan submitted with the application, such as—*

*''(I) data on how the project has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;*

*''(II) data on the effect of measuring and improving transportation system performance through the deployment of advanced technologies;*

*''(III) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public to make informed travel decisions; and*

*''(IV) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.*

*''(G) REPORT.—Not later than 3 years after the date that the first grant is awarded under this paragraph, and each year thereafter, the Secretary shall make available to the public on an Internet website a report that describes the effectiveness of grant recipients in meeting their projected deployment plans, including data provided under subparagraph (F) on how the program has—*

*''(i) reduced traffic-related fatalities and injuries;*

*''(ii) reduced traffic congestion and improved travel time reliability;*

*''(iii) reduced transportation-related emissions;*

*''(iv) optimized multimodal system performance;*

*''(v) improved access to transportation alternatives;*

*''(vi) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;*

*''(vii) provided cost savings to transportation agencies, businesses, and the traveling public; or*

*''(viii) provided other benefits to transportation users and the general public.*

*''(H) ADDITIONAL GRANTS.—The Secretary may cease to provide additional grant funds to a recipient of a grant under this paragraph if—*

*''(i) the Secretary determines from such recipient's report that the recipient is not carrying out the requirements of the grant; and*

*''(ii) the Secretary provides written notice 60 days prior to withholding funds to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committees on Environment and Public Works and Commerce, Science, and Transportation of the Senate.*

*''(I) FUNDING.—*

*''(i) IN GENERAL.—From funds made available to carry out subsection (b), this subsection, and sections 512 through 518, the Secretary shall set aside for grants awarded under subparagraph (D) $60,000,000 for each of fiscal years 2016 through 2020.*

*''(ii) EXPENSES FOR THE SECRETARY.—Of the amounts set aside under clause (i), the Secretary may set aside $2,000,000 each fiscal year for program reporting, evaluation, and administrative costs related to this paragraph.*

*''(J) FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is awarded under this subsection shall not exceed 50 percent of the cost of the project.*

*''(K) GRANT LIMITATION.—The Secretary may not award more than 20 percent of the amount described under subparagraph (I) in a fiscal year to a single grant recipient.*

*''(L) EXPENSES FOR GRANT RECIPIENTS.—A grant recipient under this paragraph may use not more than 5 percent of the funds awarded each fiscal year to carry out planning and reporting requirements.*

*''(M) GRANT FLEXIBILITY.—*

*''(i) IN GENERAL.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements described in subparagraph (C) to carry out this section for a fiscal year, the Secretary shall transfer to the programs specified in clause (ii)—*

*''(I) any of the funds reserved for the fiscal year under subparagraph (I) that the Secretary has not yet awarded under this paragraph; and*

*''(II) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under subclause (I).*

*''(ii) PROGRAMS.—The programs referred to in clause (i) are—*

*''(I) the program under subsection (b);*

*''(II) the program under this subsection; and*

*''(III) the programs under sections 512 through 518.*

*''(iii) DISTRIBUTION.—Any transfer of funds and obligation limitation under clause (i) shall be divided among the programs referred to in that clause in the same proportions as the Secretary originally reserved funding from the programs for the fiscal year under subparagraph (I).*

*''(N) DEFINITIONS.—In this paragraph, the following definitions apply:*

*''(i) ELIGIBLE ENTITY.—The term 'eligible entity' means a State or local government, a transit agency, metropolitan planning organization representing a population of over 200,000, or other political subdivision of a State or local government or a multijurisdictional group or a consortia of research institutions or academic institutions.*

*''(ii) ADVANCED AND CONGESTION MANAGEMENT TRANSPORTATION TECHNOLOGIES.—The term 'advanced transportation and congestion management technologies' means technologies that improve the efficiency, safety, or state of good repair of surface transportation systems, including intelligent transportation systems.*

*''(iii) MULTIJURISDICTIONAL GROUP.—The term 'multijurisdictional group' means a any combination of State governments, local governments, metropolitan planning agencies, transit agencies, or other political subdivisions of a State for which each member of the group—*

*''(I) has signed a written agreement to implement the advanced transportation technologies deployment initiative across jurisdictional boundaries; and*

*''(II) is an eligible entity under this paragraph.''.*

***SEC. 6005. INTELLIGENT TRANSPORTATION SYSTEM GOALS.***

*Section 514(a) of title 23, United States Code, is amended—*

*(1) in paragraph (4) by striking ''and'' at the end;*

*(2) in paragraph (5) by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following:*

*''(6) enhancement of the national freight system and support to national freight policy goals.''.*

***SEC. 6006. INTELLIGENT TRANSPORTATION SYSTEM PURPOSES.***

*Section 514(b) of title 23, United States Code, is amended—*

*(1) in paragraph (8) by striking ''and'' at the end;*

*(2) in paragraph (9) by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following:*

*''(10) to assist in the development of cybersecurity research in cooperation with relevant modal administrations of the Department of Transportation and other Federal agencies to help prevent hacking, spoofing, and disruption of connected and automated transportation vehicles.''.*

***SEC. 6007. INTELLIGENT TRANSPORTATION SYSTEM PROGRAM REPORT.***

*Section 515(h)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A)—*

*(1) by striking ''February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012'' and inserting ''May 1 of each year''; and*

*(2) by striking ''submit to Congress'' and inserting ''make available to the public on a Department of Transportation website''.*

***SEC. 6008. INTELLIGENT TRANSPORTATION SYSTEM NATIONAL ARCHITECTURE AND STANDARDS.***

*Section 517(a)(3) of title 23, United States Code, is amended by striking ''memberships are comprised of, and represent,'' and inserting ''memberships include representatives of''.*

***SEC. 6009. COMMUNICATION SYSTEMS DEPLOYMENT REPORT.***

*Section 518(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''Not later than 3'' and all that follows through ''House of Representatives'' and inserting ''Not later than July 6, 2016, the Secretary shall make available to the public on a Department of Transportation website a report''.*

***SEC. 6010. INFRASTRUCTURE DEVELOPMENT.***

*(a) IN GENERAL.—Chapter 5 of title 23, United States Code, is amended by adding at the end the following:*

***''§ 519. Infrastructure development***

*''Funds made available to carry out this chapter for operational tests of intelligent transportation systems—*

*''(1) shall be used primarily for the development of intelligent transportation system infrastructure, equipment, and systems; and*

*''(2) to the maximum extent practicable, shall not be used for the construction of physical surface transportation infrastructure unless the construction is incidental and critically necessary to the implementation of an intelligent transportation system project.''.*

*(b) TECHNICAL AND CONFORMING AMENDMENTS.—*

*(1) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by adding at the end the following:*

*''519. Infrastructure development.''.*

*(2) TECHNICAL AMENDMENT.—The item relating to section 512 in the analysis for chapter 5 of title 23, United States Code, is amended to read as follows:*

*''512. National ITS program plan.''.*

***SEC. 6011. DEPARTMENTAL RESEARCH PROGRAMS.***

*(a) ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY.—Section 102(e)(1) of title 49, United States Code, is amended—*

*(1) in the matter preceding subparagraph (A) by striking ''5'' and inserting ''6''; and*

*(2) in subparagraph (A) by inserting ''an Assistant Secretary for Research and Technology,'' after ''Governmental Affairs,''.*

*(b) RESEARCH ACTIVITIES.—Section 330 of title 49, United States Code, is amended—*

*(1) in the section heading by striking ''**contracts**'' and inserting ''**activities**'';*

*(2) in subsection (a) by striking ''The Secretary of'' and inserting ''IN GENERAL.—The Secretary of'';*

*(3) in subsection (b) by striking ''In carrying'' and inserting ''RESPONSIBILITIES.—In carrying'';*

*(4) in subsection (c) by striking ''The Secretary'' and inserting ''PUBLICATIONS.—The Secretary''; and*

*(5) by adding at the end the following:*

*''(d) DUTIES.—The Secretary shall provide for the following:*

*''(1) Coordination, facilitation, and review of Department of Transportation research and development programs and activities.*

*''(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.*

*''(3) Comprehensive transportation statistics research, analysis, and reporting.*

*''(4) Education and training in transportation and transportation-related fields.*

*''(5) Activities of the Volpe National Transportation Systems Center.*

*''(6) Coordination in support of multimodal and multidisciplinary research activities.*

*''(e) ADDITIONAL AUTHORITIES.—The Secretary may—*

*''(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons to conduct research into transportation service and infrastructure assurance and to carry out other research activities of the Department of Transportation;*

*''(2) carry out, on a cost-shared basis, collaborative research and development to encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—*

*''(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;*

*''(B) Federal laboratories; and*

*''(C) other Federal agencies; and*

*''(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d))), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Academies, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.*

*''(f) FEDERAL SHARE.—*

*''(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.*

*''(2) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.*

*''(3) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in subsection (e)(3).*

*''(g) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2016 through 2020, the Secretary is authorized to expend not more than 1 ½ percent of the amounts authorized to be appropriated for the coordination, evaluation, and oversight of the programs administered by the Office of the Assistant Secretary for Research and Technology.*

*''(h) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).*

*''(i) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.''.*

*(c) CLERICAL AMENDMENT.—The item relating to section 330 in the analysis of chapter 3 of title 49, United States Code, is amended to read as follows:*

*''330. Research activities.''.*

*(d) TECHNICAL AND CONFORMING AMENDMENTS.—*

*(1) TITLE 5 AMENDMENTS.—*

*(A) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking ''The Under Secretary of Transportation for Security.''.*

*(B) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended in the undesignated item relating to Assistant Secretaries of Transportation by striking ''(4)'' and inserting ''(5)''.*

*(C) POSITIONS AT LEVEL V.—Section 5316 of title 5, United States Code, is amended by striking ''Associate Deputy Secretary, Department of Transportation.''.*

*(2) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302 of title 49, United States Code, is amended by striking subsection (a) and inserting the following:*

*''(a) IN GENERAL.—There shall be within the Department of Transportation the Bureau of Transportation Statistics.''.*

***SEC. 6012. RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION.***

*(a) REPEAL.—Section 112 of title 49, United States Code, is repealed.*

*(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 49, United States Code, is amended by striking the item relating to section 112.*

***SEC. 6013. WEB-BASED TRAINING FOR EMERGENCY RESPONDERS.***

*Section 5115(a) of title 49, United States Code, is amended in the first sentence by inserting '', including online curriculum as appropriate,'' after ''a current curriculum of courses''.*

***SEC. 6014. HAZARDOUS MATERIALS RESEARCH AND DEVELOPMENT.***

*Section 5118 of title 49, United States Code, is amended—*

*(1) in subsection (a)(2)—*

*(A) in subparagraph (A) by striking ''and'' at the end;*

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

*(C) by adding at the end the following:*

*''(C) coordinate, as appropriate, with other Federal agencies.''; and*

*(2) by adding at the end the following:*

*''(c) COOPERATIVE RESEARCH.—*

*''(1) IN GENERAL.—As part of the program established under subsection (a), the Secretary may carry out cooperative research on hazardous materials transport.*

*''(2) NATIONAL ACADEMIES.—The Secretary may enter into an agreement with the National Academies to support research described in paragraph (1).*

*''(3) RESEARCH.—Research conducted under this subsection may include activities relating to—*

*''(A) emergency planning and response, including information and programs that can be readily assessed and implemented in local jurisdictions;*

*''(B) risk analysis and perception and data assessment;*

*''(C) commodity flow data, including voluntary collaboration between shippers and first*

*responders for secure data exchange of critical information;*

*''(D) integration of safety and security;*

*''(E) cargo packaging and handling;*

*''(F) hazmat release consequences; and*

*''(G) materials and equipment testing.''.*

***SEC. 6015. OFFICE OF INTERMODALISM.***

*(a) REPEAL.—Section 5503 of title 49, United States Code, is repealed.*

*(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is amended by striking the item relating to section 5503.*

***SEC. 6016. UNIVERSITY TRANSPORTATION CENTERS.***

*Section 5505 of title 49, United States Code, is amended to read as follows:*

***''§5505. University transportation centers program***

*''(a) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—*

*''(1) ESTABLISHMENT AND OPERATION.—The Secretary shall make grants under this section to eligible nonprofit institutions of higher education to establish and operate university transportation centers.*

*''(2) ROLE OF CENTERS.—The role of each university transportation center referred to in paragraph (1) shall be—*

*''(A) to advance transportation expertise and technology in the varied disciplines that comprise the field of transportation through education, research, and technology transfer activities;*

*''(B) to provide for a critical transportation knowledge base outside of the Department of Transportation; and*

*''(C) to address critical workforce needs and educate the next generation of transportation leaders.*

*''(b) COMPETITIVE SELECTION PROCESS.—*

*''(1) APPLICATIONS.—To receive a grant under this section, a consortium of nonprofit institutions of higher education shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.*

*''(2) RESTRICTION.—*

*''(A) LIMITATION.—A lead institution of a consortium of nonprofit institutions of higher education, as applicable, may only receive 1 grant per fiscal year for each of the transportation centers described under paragraphs (2), (3), and (4) of subsection (c).*

*''(B) EXCEPTION FOR CONSORTIUM MEMBERS THAT ARE NOT LEAD INSTITUTIONS.—Subparagraph (A) shall not apply to a nonprofit institution of higher education that is a member of a consortium of nonprofit institutions of higher education but not the lead institution of such consortium.*

*''(3) COORDINATION.—The Secretary shall solicit grant applications for national transportation centers, regional transportation centers, and Tier 1 university transportation centers with identical advertisement schedules and deadlines.*

*''(4) GENERAL SELECTION CRITERIA.—*

*''(A) IN GENERAL.—Except as otherwise provided by this section, the Secretary shall award grants under this section in nonexclusive candidate topic areas established by the Secretary that address the research priorities identified in chapter 65.*

*''(B) CRITERIA.—The Secretary, in consultation with the Assistant Secretary for Research and Technology and the Administrator of the Federal Highway Administration and other modal administrations as appropriate, shall select each recipient of a grant under this section through a competitive process based on the assessment of the Secretary relating to—*

*''(i) the demonstrated ability of the recipient to address each specific topic area described in the research and strategic plans of the recipient;*

*''(ii) the demonstrated research, technology transfer, and education resources available to the recipient to carry out this section;*

*''(iii) the ability of the recipient to provide leadership in solving immediate and long-range national and regional transportation problems;*

*''(iv) the ability of the recipient to carry out research, education, and technology transfer activities that are multimodal and multidisciplinary in scope;*

*''(v) the demonstrated commitment of the recipient to carry out transportation workforce development programs through—*

*''(I) degree-granting programs or programs that provide other industry-recognized credentials; and*

*''(II) outreach activities to attract new entrants into the transportation field, including women and underrepresented populations;*

*''(vi) the demonstrated ability of the recipient to disseminate results and spur the implementation of transportation research and education programs through national or statewide continuing education programs;*

*''(vii) the demonstrated commitment of the recipient to the use of peer review principles and other research best practices in the selection, management, and dissemination of research projects;*

*''(viii) the strategic plan submitted by the recipient describing the proposed research to be carried out by the recipient and the performance metrics to be used in assessing the performance of the recipient in meeting the stated research, technology transfer, education, and outreach goals; and*

*''(ix) the ability of the recipient to implement the proposed program in a cost-efficient manner, such as through cost sharing and overall reduced overhead, facilities, and administrative costs.*

*''(5) TRANSPARENCY.—*

*''(A) IN GENERAL.—The Secretary shall provide to each applicant, upon request, any materials, including copies of reviews (with any information that would identify a reviewer redacted), used in the evaluation process of the proposal of the applicant.*

*''(B) REPORTS.—The Secretary shall submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the overall review process under paragraph (4) that includes—*

*''(i) specific criteria of evaluation used in the review;*

*''(ii) descriptions of the review process; and*

*''(iii) explanations of the selected awards.*

*''(6) OUTSIDE STAKEHOLDERS.—The Secretary shall, to the maximum extent practicable, consult external stakeholders, including the Transportation Research Board of the National Research Council of the National Academies, to evaluate and competitively review all proposals.*

*''(c) GRANTS.—*

*''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall select grant recipients under subsection (b) and make grant amounts available to the selected recipients.*

*''(2) NATIONAL TRANSPORTATION CENTERS.—*

*''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall provide grants to 5 consortia that the Secretary determines best meet the criteria described in subsection (b)(4).*

*''(B) RESTRICTIONS.—*

*''(i) IN GENERAL.—For each fiscal year, a grant made available under this paragraph shall be not greater than $4,000,000 and not less than $2,000,000 per recipient.*

*''(ii) FOCUSED RESEARCH.—A consortium receiving a grant under this paragraph shall focus research on 1 of the transportation issue areas specified in section 6503(c).*

*''(C) MATCHING REQUIREMENT.—*

*''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.*

*''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—*

*''(I) section 504(b) of title 23; or*

*''(II) section 505 of title 23.*

*''(3) REGIONAL UNIVERSITY TRANSPORTATION CENTERS.—*

*''(A) LOCATION OF REGIONAL CENTERS.—One regional university transportation center shall be located in each of the 10 Federal regions that comprise the Standard Federal Regions established by the Office of Management and Budget in the document entitled 'Standard Federal Regions' and dated April 1974 (circular A–105).*

*''(B) SELECTION CRITERIA.—In conducting a competition under subsection (b), the Secretary shall provide grants to 10 consortia on the basis of—*

*''(i) the criteria described in subsection (b)(4);*

*''(ii) the location of the lead center within the Federal region to be served; and*

*''(iii) whether the consortium of institutions demonstrates that the consortium has a well-established, nationally recognized program in transportation research and education, as evidenced by—*

*''(I) recent expenditures by the institution in highway or public transportation research;*

*''(II) a historical track record of awarding graduate degrees in professional fields closely related to highways and public transportation; and*

*''(III) an experienced faculty who specialize in professional fields closely related to highways and public transportation.*

*''(C) RESTRICTIONS.—For each fiscal year, a grant made available under this paragraph shall be not greater than $3,000,000 and not less than $1,500,000 per recipient.*

*''(D) MATCHING REQUIREMENTS.—*

*''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.*

*''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—*

*''(I) section 504(b) of title 23; or*

*''(II) section 505 of title 23.*

*''(E) FOCUSED RESEARCH.—The Secretary shall make a grant to 1 of the 10 regional university transportation centers established under this paragraph for the purpose of furthering the objectives described in subsection (a)(2) in the field of comprehensive transportation safety, congestion, connected vehicles, connected infrastructure, and autonomous vehicles.*

*''(4) TIER 1 UNIVERSITY TRANSPORTATION CENTERS.—*

*''(A) IN GENERAL.—The Secretary shall provide grants of not greater than $2,000,000 and not less than $1,000,000 to not more than 20 recipients to carry out this paragraph.*

*''(B) MATCHING REQUIREMENT.—*

*''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 50 percent of the amounts made available under the grant.*

*''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—*

*''(I) section 504(b) of title 23; or*

*''(II) section 505 of title 23.*

*''(C) FOCUSED RESEARCH.—In awarding grants under this section, consideration shall be given to minority institutions, as defined by section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k), or consortia that include such institutions that have demonstrated an ability in transportation-related research.*

*''(d) PROGRAM COORDINATION.—*

*''(1) IN GENERAL.—The Secretary shall—*

*''(A) coordinate the research, education, and technology transfer activities carried out by grant recipients under this section; and*

*''(B) disseminate the results of that research through the establishment and operation of a publicly accessible online information clearinghouse.*

*''(2) ANNUAL REVIEW AND EVALUATION.—Not less frequently than annually, and consistent with the plan developed under section 6503, the Secretary shall—*

''(A) review and evaluate the programs carried out under this section by grant recipients; and

''(B) submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committees on Environment and Public Works and Commerce, Science, and Transportation of the Senate a report describing that review and evaluation.

''(3) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2016 through 2020, the Secretary shall expend not more than 1 and a half percent of the amounts made available to the Secretary to carry out this section for any coordination, evaluation, and oversight activities of the Secretary under this section.

''(e) LIMITATION ON AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for obligation by the Secretary for a period of 3 years after the last day of the fiscal year for which the amounts are authorized.

''(f) INFORMATION COLLECTION.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out reporting requirements relating to any program assessment or evaluation activity under this section, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44.''.

***SEC. 6017. BUREAU OF TRANSPORTATION STATISTICS.***

Section 6302 of title 49, United States Code, is amended by adding at the end the following:

''(d) INDEPENDENCE OF BUREAU.—

''(1) IN GENERAL.—The Director shall not be required—

''(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

''(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

''(2) BUDGET AUTHORITY.—The Director shall have a significant role in the disposition and allocation of the authorized budget of the Bureau, including—

''(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

''(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

''(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

''(4) INFORMATION TECHNOLOGY.—The Department Chief Information Officer shall consult with the Director to ensure decisions related to information technology guarantee the protection of the confidentiality of information provided solely for statistical purposes, in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347).''.

***SEC. 6018. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.***

(a) IN GENERAL.—Chapter 63 of title 49, United States Code, is amended by adding at the end the following:

***''§6314. Port performance freight statistics program***

''(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

''(1) the Nation's top 25 ports by tonnage;

''(2) the Nation's top 25 ports by 20-foot equivalent unit; and

''(3) the Nation's top 25 ports by dry bulk.

''(b) REPORTS.—

''(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

''(2) PORT PERFORMANCE MEASURES.—The Director shall collect port performance measures for each of the United States ports referred to in subsection (a) that—

''(A) receives Federal assistance; or

''(B) is subject to Federal regulation to submit necessary information to the Bureau that includes statistics on capacity and throughput as applicable to the specific configuration of the port.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Director shall obtain recommendations for—

''(A) port performance measures, including specifications and data measurements to be used in the program established under subsection (a); and

''(B) a process for the Department to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

''(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of the Transportation for Tomorrow Act of 2015, the Director shall commission a working group composed of—

''(A) operating administrations of the Department;

''(B) the Coast Guard;

''(C) the Federal Maritime Commission;

''(D) U.S. Customs and Border Protection;

''(E) the Marine Transportation System National Advisory Council;

''(F) the Army Corps of Engineers;

''(G) the Saint Lawrence Seaway Development Corporation;

''(H) the Bureau of Labor Statistics;

''(I) the Maritime Advisory Committee for Occupational Safety and Health;

''(J) the Advisory Committee on Supply Chain Competitiveness;

''(K) 1 representative from the rail industry;

''(L) 1 representative from the trucking industry;

''(M) 1 representative from the maritime shipping industry;

''(N) 1 representative from a labor organization for each industry described in subparagraphs (K) through (M);

''(O) 1 representative from the International Longshoremen's Association;

''(P) 1 representative from the International Longshore and Warehouse Union;

''(Q) 1 representative from a port authority;

''(R) 1 representative from a terminal operator;

''(S) representatives of the National Freight Advisory Committee of the Department; and

''(T) representatives of the Transportation Research Board of the National Academies of Sciences, Engineering, and Medicine.

''(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of the Transportation for Tomorrow Act of 2015, the working group commissioned under paragraph (2) shall submit its recommendations to the Director.

''(d) ACCESS TO DATA.—The Director shall ensure that—

''(1) the statistics compiled under this section—

''(A) are readily accessible to the public; and

''(B) are consistent with applicable security constraints and confidentiality interests; and

''(2) the data acquired, regardless of source, shall be protected in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347).''.

(b) PROHIBITION ON CERTAIN DISCLOSURES; COPIES OF REPORTS.—Section 6307(b) of such title is amended, by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)'' each place it appears.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 63 of such title is amended by adding at the end the following:

''6314. Port performance freight statistics program.''.

***SEC. 6019. RESEARCH PLANNING.***

(a) FINDINGS.—Congress finds that—

(1) Federal transportation research planning—

(A) should be coordinated by the Office of the Secretary; and

(B) should be, to the extent practicable, multimodal and not occur solely within the subagencies of the Department;

(2) managing a multimodal research portfolio within the Office of the Secretary will—

(A) help identify opportunities in which research could be applied across modes; and

(B) prevent duplication of efforts and waste of limited Federal resources;

(3) the Assistant Secretary for Research and Technology at the Department of Transportation will—

(A) give stakeholders a formal opportunity to address concerns;

(B) ensure unbiased research; and

(C) improve the overall research products of the Department; and

(4) increasing transparency of transportation research and development efforts will—

(A) build stakeholder confidence in the final product; and

(B) lead to the improved implementation of research findings.

(b) RESEARCH PLANNING.—

(1) IN GENERAL.—Subtitle III of title 49, United States Code, is amended by inserting after chapter 63 the following:

***''CHAPTER 65—RESEARCH PLANNING***

''Sec.
''6501. Annual modal research plans.
''6502. Consolidated research database.
''6503. Transportation research and development 5-year strategic plan.

***''SEC. 6501. ANNUAL MODAL RESEARCH PLANS.***

''(a) MODAL PLANS REQUIRED.—

''(1) IN GENERAL.—Not later than May 1 of each year, the head of each modal administration and joint program office of the Department of Transportation shall submit to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this chapter as the 'Assistant Secretary') a comprehensive annual modal research plan for the upcoming fiscal year and a detailed outlook for the following fiscal year.

''(2) RELATIONSHIP TO STRATEGIC PLAN.—Each plan submitted under paragraph (1), after the plan required in 2016, shall be consistent with the strategic plan developed under section 6503.

''(b) REVIEW.—

''(1) IN GENERAL.—Not later than September 1 of each year, the Assistant Secretary, for each plan and outlook submitted pursuant to subsection (a), shall—

''(A) review the scope of the research; and

''(B)(i) approve the plan and outlook; or

''(ii) request that the plan and outlook be revised and resubmitted for approval.

''(2) PUBLICATIONS.—Not later than January 30 of each year, the Secretary shall publish on a public website each plan and outlook that has been approved under paragraph (1)(B)(i).

''(3) REJECTION OF DUPLICATIVE RESEARCH EFFORTS.—The Assistant Secretary may not approve any plan submitted by the head of a modal administration or joint program office pursuant to subsection (a) if any of the projects described in the plan duplicate significant aspects of research efforts of any other modal administration.

''(c) FUNDING LIMITATIONS.—No funds may be expended by the Department of Transportation on research that has been determined by the Assistant Secretary under subsection (b)(3) to be duplicative unless—

''(1) the research is required by an Act of Congress;

''(2) the research was part of a contract that was funded before the date of enactment of this chapter;

''(3) the research updates previously commissioned research; or

''(4) the Assistant Secretary certifies to Congress that such research is necessary, and provides justification for such certification.

''(d) CERTIFICATION.—

''(1) IN GENERAL.—The Secretary shall annually certify to Congress that—

''(A) each modal research plan has been reviewed; and

''(B) there is no duplication of study for research directed, commissioned, or conducted by the Department of Transportation.

''(2) CORRECTIVE ACTION PLAN.—If the Secretary, after submitting a certification under paragraph (1), identifies duplication of research within the Department of Transportation, the Secretary shall—

''(A) notify Congress of the duplicative research; and

''(B) submit to Congress a corrective action plan to eliminate the duplicative research.

**''SEC. 6502. CONSOLIDATED RESEARCH DATABASE.**

''(a) RESEARCH ABSTRACT DATABASE.—

''(1) IN GENERAL.—The Secretary shall annually publish on a public website a comprehensive database of all research projects conducted by the Department of Transportation, including, to the extent practicable, research funded through University Transportation Centers.

''(2) CONTENTS.—The database published under paragraph (1) shall, to the extent practicable—

''(A) include the consolidated modal research plans approved under section 6501(b)(1)(B)(i);

''(B) describe the research objectives, progress, findings, and allocated funds for each research project;

''(C) identify research projects with multimodal applications;

''(D) specify how relevant modal administrations have assisted, will contribute to, or plan to use the findings from the research projects identified under paragraph (1);

''(E) identify areas in which more than 1 modal administration is conducting research on a similar subject or a subject that has a bearing on more than 1 mode;

''(F) indicate how the findings of research are being disseminated to improve the efficiency, effectiveness, and safety of transportation systems; and

''(G) describe the public and stakeholder input to the research plans submitted under section 6501(a)(1).

''(b) FUNDING REPORT.—In conjunction with each of the annual budget requests submitted by the President under section 1105 of title 31, the Secretary shall annually publish on a public website and submit to the appropriate committees of Congress a report that describes—

''(1) the amount spent in the last full fiscal year on transportation research and development with specific descriptions of projects funded at $5,000,000 or more; and

''(2) the amount proposed in the current budget for transportation research and development with specific descriptions of projects funded at $5,000,000 or more.

''(c) PERFORMANCE PLANS AND REPORTS.—In the plans and reports submitted under sections 1115 and 1116 of title 31, the Secretary shall include—

''(1) a summary of the Federal transportation research and development activities for the previous fiscal year in each topic area;

''(2) the amount spent in each topic area;

''(3) a description of the extent to which the research and development is meeting the expectations described in section 6503(c)(1); and

''(4) any amendments to the strategic plan developed under section 6503.

**''SEC. 6503. TRANSPORTATION RESEARCH AND DEVELOPMENT 5-YEAR STRATEGIC PLAN.**

''(a) IN GENERAL.—The Secretary shall develop a 5-year transportation research and development strategic plan to guide future Federal transportation research and development activities.

''(b) CONSISTENCY.—The strategic plan developed under subsection (a) shall be consistent with—

''(1) section 306 of title 5;

''(2) sections 1115 and 1116 of title 31; and

''(3) any other research and development plan within the Department of Transportation.

''(c) CONTENTS.—The strategic plan developed under subsection (a) shall—

''(1) describe how the plan furthers the primary purposes of the transportation research and development program, which shall include—

''(A) improving mobility of people and goods;

''(B) reducing congestion;

''(C) promoting safety;

''(D) improving the durability and extending the life of transportation infrastructure;

''(E) preserving the environment; and

''(F) preserving the existing transportation system;

''(2) for each of the purposes referred to in paragraph (1), list the primary proposed research and development activities that the Department of Transportation intends to pursue to accomplish that purpose, which may include—

''(A) fundamental research pertaining to the applied physical and natural sciences;

''(B) applied science and research;

''(C) technology development research; and

''(D) social science research; and

''(3) for each research and development activity—

''(A) identify the anticipated annual funding levels for the period covered by the strategic plan; and

''(B) describe the research findings the Department expects to discover at the end of the period covered by the strategic plan.

''(d) CONSIDERATIONS.—The Secretary shall ensure that the strategic plan developed under this section—

''(1) reflects input from a wide range of external stakeholders;

''(2) includes and integrates the research and development programs of all of the modal administrations of the Department of Transportation, including aviation, transit, rail, and maritime and joint programs;

''(3) takes into account research and development by other Federal, State, local, private sector, and nonprofit institutions;

''(4) not later than December 31, 2016, is published on a public website; and

''(5) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions—

''(A) contributes to the achievement of the purposes identified under subsection (c)(1); and

''(B) avoids unnecessary duplication of those efforts.

''(e) INTERIM REPORT.—Not later than 2 ½ years after the date of enactment of this chapter, the Secretary may publish on a public website an interim report that—

''(1) provides an assessment of the 5-year research and development strategic plan of the Department of Transportation described in this section; and

''(2) includes a description of the extent to which the research and development is or is not successfully meeting the purposes described under subsection (c)(1).''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III of title 49, United States Code, is amended by adding at the end the following:

''63. Bureau of Transportation Statistics ..... 6301
''65. Research planning ..... 6501''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 5 OF TITLE 23.—Chapter 5 of title 23, United States Code, is amended—

(A) by striking section 508;

(B) in the table of contents, by striking the item relating to section 508;

(C) in section 502—

(i) in subsection (a)(9), by striking ''transportation research and technology development strategic plan developed under section 508'' and inserting ''transportation research and development strategic plan under section 6503 of title 49''; and

(ii) in subsection (b)(4), by striking ''transportation research and development strategic plan of the Secretary developed under section 508'' and inserting ''transportation research and development strategic plan under section 6503 of title 49''; and

(D) in section 512(b), by striking ''as part of the transportation research and development strategic plan developed under section 508''.

(2) INTELLIGENT TRANSPORTATION SYSTEMS.—The Intelligent Transportation Systems Act of 1998 (23 U.S.C. 502 note; Public Law 105–178) is amended—

(A) in section 5205(b), by striking ''as part of the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23'' and inserting ''as part of the transportation research and development strategic plan under section 6503 of title 49''; and

(B) in section 5206(e)(2)(A), by striking ''or the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23'' and inserting ''or the transportation research and development strategic plan under section 6503 of title 49''.

(3) INTELLIGENT TRANSPORTATION SYSTEM RESEARCH.—Section 5305(h)(3)(A) of SAFETEA–LU (23 U.S.C. 512 note; Public Law 109–59) is amended by striking ''the strategic plan under section 508 of title 23, United States Code'' and inserting ''the 5-year strategic plan under 6503 of title 49, United States Code''.

**SEC. 6020. SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.**

(a) IN GENERAL.—The Secretary shall establish a program to provide grants to States to demonstrate user-based alternative revenue mechanisms that utilize a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) APPLICATION.—To be eligible for a grant under this section, a State or group of States shall submit to the Secretary an application in such form and containing such information as the Secretary may require.

(c) OBJECTIVES.—The Secretary shall ensure that the activities carried out using funds provided under this section meet the following objectives:

(1) To test the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms.

(2) To improve the functionality of such user-based alternative revenue mechanisms.

(3) To conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and to provide information on possible approaches.

(4) To provide recommendations regarding adoption and implementation of user-based alternative revenue mechanisms.

(5) To minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(d) USE OF FUNDS.—A State or group of States receiving funds under this section to test the design, acceptance, and implementation of a user-based alternative revenue mechanism—

(1) shall address—

(A) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of the user-based alternative revenue mechanism;

(B) the protection of personal privacy;

(C) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(D) market-based congestion mitigation, if appropriate;

*(E) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;*

*(F) ease of compliance for different users of the transportation system; and*

*(G) the reliability and security of technology used to implement the user-based alternative revenue mechanism; and*

*(2) may address—*

*(A) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;*

*(B) the cost of administering the user-based alternative revenue mechanism; and*

*(C) the ability of the administering entity to audit and enforce user compliance.*

*(e) CONSIDERATION.—The Secretary shall consider geographic diversity in awarding grants under this section.*

*(f) LIMITATIONS ON REVENUE COLLECTED.—Any revenue collected through a user-based alternative revenue mechanism established using funds provided under this section shall not be considered a toll under section 301 of title 23, United States Code.*

*(g) FEDERAL SHARE.—The Federal share of the cost of an activity carried out under this section may not exceed 50 percent of the total cost of the activity.*

*(h) REPORT TO SECRETARY.—Not later than 1 year after the date on which the first eligible entity receives a grant under this section, and each year thereafter, each recipient of a grant under this section shall submit to the Secretary a report that describes—*

*(1) how the demonstration activities carried out with grant funds meet the objectives described in subsection (c); and*

*(2) lessons learned for future deployment of alternative revenue mechanisms that utilize a user fee structure.*

*(i) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the demonstration activities under this section, the Secretary shall make available to the public on an Internet website a report describing the progress of the demonstration activities.*

*(j) FUNDING.—Of the funds authorized to carry out section 503(b) of title 23, United States Code—*

*(1) $15,000,000 shall be used to carry out this section for fiscal year 2016; and*

*(2) $20,000,000 shall be used to carry out this section for each of fiscal years 2017 through 2020.*

*(k) GRANT FLEXIBILITY.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements of this section for a fiscal year, Secretary shall transfer to the program under section 503(b) of title 23, United States Code—*

*(1) any of the funds reserved for the fiscal year under subsection (j) that the Secretary has not yet awarded under this section; and*

*(2) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under paragraph (1).*

***SEC. 6021. FUTURE INTERSTATE STUDY.***

*(a) FUTURE INTERSTATE SYSTEM STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system that meets the growing and shifting demands of the 21st century.*

*(b) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials titled ''National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System'', dated December 2013.*

*(c) CONTENTS OF STUDY.—The study—*

*(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate; and*

*(2) is encouraged to build on the institutional knowledge in the highway industry in applying the techniques involved in implementing the study.*

*(d) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—*

*(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;*

*(2) the expected condition of the current Interstate System over the period of 50 years beginning on the date of enactment of this Act, including long-term deterioration and reconstruction needs;*

*(3) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost;*

*(4) those National Highway System routes that should be added to the existing Interstate System to more efficiently serve national traffic flows; and*

*(5) the resources necessary to maintain and improve the Interstate System, including the resources required to upgrade the National Highway System routes identified in paragraph (4) to Interstate standards.*

*(e) CONSULTATION.—In carrying out the study, the Transportation Research Board—*

*(1) shall convene and consult with a panel of national experts, including operators and users of the Interstate System and private sector stakeholders; and*

*(2) is encouraged to consult with—*

*(A) the Federal Highway Administration;*

*(B) States;*

*(C) planning agencies at the metropolitan, State, and regional levels;*

*(D) the motor carrier industry;*

*(E) freight shippers;*

*(F) highway safety groups; and*

*(G) other appropriate entities.*

*(f) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under this section.*

*(g) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Secretary shall use to carry out this section not more than $5,000,000 for fiscal year 2016.*

***SEC. 6022. HIGHWAY EFFICIENCY.***

*(a) STUDY.—*

*(1) IN GENERAL.—The Secretary may examine the impact of pavement durability and sustainability on vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs.*

*(2) METHODOLOGY.—In carrying out the study, the Secretary shall—*

*(A) conduct a thorough review of relevant peer-reviewed research published during at least the past 5 years;*

*(B) analyze impacts of different types of pavement on all motor vehicle types, including commercial vehicles;*

*(C) specifically examine the impact of pavement deformation and deflection; and*

*(D) analyze impacts of different types of pavement on road conditions and road repairs.*

*(3) CONSULTATION.—In carrying out the study, the Secretary shall consult with—*

*(A) modal administrations of the Department and other Federal agencies, including the National Institute of Standards and Technology;*

*(B) State departments of transportation;*

*(C) industry stakeholders; and*

*(D) appropriate academic experts.*

*(b) REPORT.—*

*(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish on a public website a report describing the results of the study.*

*(2) CONTENTS.—The report shall include—*

*(A) a summary of the different types of pavements analyzed in the study and the impacts of pavement durability and sustainability on safety, vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs; and*

*(B) recommendations for State and local governments on best practice methods for improving pavement durability and sustainability to maximize vehicle fuel economy, improve safety, ride quality, and road conditions, and to minimize the need for road and vehicle repairs.*

***SEC. 6023. TRANSPORTATION TECHNOLOGY POLICY WORKING GROUP.***

*To improve the scientific pursuit and research procedures concerning transportation, the Secretary may convene an interagency working group—*

*(1) to identify opportunities for coordination between the Department and universities and the private sector; and*

*(2) to identify and develop a plan to address related workforce development needs.*

***SEC. 6024. COLLABORATION AND SUPPORT.***

*The Secretary may solicit the support of, and identify opportunities to collaborate with, other Federal research agencies and national laboratories to assist in the effective and efficient pursuit and resolution of research challenges identified by the Secretary.*

***SEC. 6025. GAO REPORT.***

*Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—*

*(1) assesses the status of autonomous transportation technology policy developed by public entities in the United States;*

*(2) assesses the organizational readiness of the Department to address autonomous vehicle technology challenges, including consumer privacy protections; and*

*(3) recommends implementation paths for autonomous transportation technology, applications, and policies that are based on the assessment described in paragraph (2).*

***SEC. 6026. TRAFFIC CONGESTION.***

*(a) CONGESTION RESEARCH.—The Secretary may conduct research on the reduction of traffic congestion.*

*(b) CONSIDERATION.—The Secretary may—*

*(1) recommend research to accelerate the adoption of transportation management systems that allow traffic to flow in the safest and most efficient manner possible while alleviating current and future traffic congestion challenges;*

*(2) assess and analyze traffic, transit, and freight data from various sources relevant to efforts to reduce traffic congestion so as to maximize mobility, efficiency, and capacity while decreasing congestion and travel times;*

*(3) examine the use and integration of multiple data types from multiple sources and technologies, including road weather data, arterial and highway traffic conditions, transit vehicle arrival and departure times, real time navigation routing, construction zone information, and reports of incidents, to suggest improvements in effective communication of such data and information in real time;*

*(4) develop and disseminate suggested strategies and solutions to reduce congestion for high-*

*density traffic regions and to provide mobility in the event of an emergency or natural disaster; and*

*(5) collaborate with other relevant Federal agencies, State and local agencies, industry and industry associations, and university research centers to fulfill goals and objectives under this section.*

*(c) IDENTIFYING INFORMATION.—The Secretary shall ensure that information used pursuant to this section does not contain identifying information of any individual.*

*(d) REPORT.—Not later than 1 year after the completion of research under this section, the Secretary may make available on a public website a report on any activities under this section.*

***SEC. 6027. SMART CITIES TRANSPORTATION PLANNING STUDY.***

*(a) IN GENERAL.—The Secretary may conduct a study of digital technologies and information technologies, including shared mobility, data, transportation network companies, and on-demand transportation services—*

*(1) to understand the degree to which cities are adopting those technologies;*

*(2) to assess future planning, infrastructure, and investment needs; and*

*(3) to provide best practices to plan for smart cities in which information and technology are used—*

*(A) to improve city operations;*

*(B) to grow the local economy;*

*(C) to improve response in times of emergencies and natural disasters; and*

*(D) to improve the lives of city residents.*

*(b) COMPONENTS.—The study conducted under subsection (a) shall—*

*(1) identify broad issues that influence the ability of the United States to plan for and invest in smart cities, including barriers to collaboration and access to scientific information; and*

*(2) review how the expanded use of digital technologies, mobile devices, and information may—*

*(A) enhance the efficiency and effectiveness of existing transportation networks;*

*(B) optimize demand management services;*

*(C) impact low-income and other disadvantaged communities;*

*(D) assess opportunities to share, collect, and use data;*

*(E) change current planning and investment strategies; and*

*(F) provide opportunities for enhanced coordination and planning.*

*(c) REPORTING.—Not later than 18 months after the date of enactment of this Act, the Secretary may publish the report containing the results of the study conducted under subsection (a) to a public website.*

***SEC. 6028. PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM.***

*(a) PERFORMANCE MANAGEMENT DATA SUPPORT.—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).*

*(b) INCLUSIONS.—The data analysis activities authorized under subsection (a) may include—*

*(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;*

*(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;*

*(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;*

*(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and*

*(5) developing tools—*

*(A) to improve performance analysis; and*

*(B) to evaluate the effects of project investments on performance.*

*(c) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Administrator of the Federal Highway Administration may use up to $10,000,000 for each of fiscal years 2016 through 2020 to carry out this section.*

## *TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION*

***SEC. 7001. SHORT TITLE.***

*This title may be cited as the ''Hazardous Materials Transportation Safety Improvement Act of 2015''.*

### *Subtitle A—Authorizations*

***SEC. 7101. AUTHORIZATION OF APPROPRIATIONS.***

*Section 5128 of title 49, United States Code, is amended to read as follows:*

***''§ 5128. Authorization of appropriations***

*''(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—*

*''(1) $53,000,000 for fiscal year 2016;*

*''(2) $55,000,000 for fiscal year 2017;*

*''(3) $57,000,000 for fiscal year 2018;*

*''(4) $58,000,000 for fiscal year 2019; and*

*''(5) $60,000,000 for fiscal year 2020.*

*''(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(h), the Secretary may expend, for each of fiscal years 2016 through 2020—*

*''(1) $21,988,000 to carry out section 5116(a);*

*''(2) $150,000 to carry out section 5116(e);*

*''(3) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(h)(3); and*

*''(4) $1,000,000 to carry out section 5116(i).*

*''(c) HAZARDOUS MATERIALS TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(h), the Secretary may expend $4,000,000 for each of fiscal years 2016 through 2020 to carry out section 5107(e).*

*''(d) COMMUNITY SAFETY GRANTS.—Of the amounts made available under subsection (a) to carry out this chapter, the Secretary shall withhold $1,000,000 for each of fiscal years 2016 through 2020 to carry out section 5107(i).*

*''(e) CREDITS TO APPROPRIATIONS.—*

*''(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, Indian tribe, authority, or entity.*

*''(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.''.*

### *Subtitle B—Hazardous Material Safety and Improvement*

***SEC. 7201. NATIONAL EMERGENCY AND DISASTER RESPONSE.***

*Section 5103 of title 49, United States Code, is amended—*

*(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and*

*(2) by inserting after subsection (b) the following:*

*''(c) FEDERALLY DECLARED DISASTERS AND EMERGENCIES.—*

*''(1) IN GENERAL.—The Secretary may by order waive compliance with any part of an applicable standard prescribed under this chapter without prior notice and comment and on terms the Secretary considers appropriate if the Secretary determines that—*

*''(A) it is in the public interest to grant the waiver;*

*''(B) the waiver is not inconsistent with the safety of transporting hazardous materials; and*

*''(C) the waiver is necessary to facilitate the safe movement of hazardous materials into, from, and within an area of a major disaster or emergency that has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).*

*''(2) PERIOD OF WAIVER.—A waiver under this subsection may be issued for a period of not more than 60 days and may be renewed upon application to the Secretary only after notice and an opportunity for a hearing on the waiver. The Secretary shall immediately revoke the waiver if continuation of the waiver would not be consistent with the goals and objectives of this chapter.*

*''(3) STATEMENT OF REASONS.—The Secretary shall include in any order issued under this section the reasons for granting the waiver.''.*

***SEC. 7202. MOTOR CARRIER SAFETY PERMITS.***

*Section 5109(h) of title 49, United States Code, is amended to read as follows:*

*''(h) LIMITATION ON DENIAL.—The Secretary may not deny a non-temporary permit held by a motor carrier pursuant to this section based on a comprehensive review of that carrier triggered by safety management system scores or out-of-service disqualification standards, unless—*

*''(1) the carrier has the opportunity, prior to the denial of such permit, to submit a written description of corrective actions taken and other documentation the carrier wishes the Secretary to consider, including a corrective action plan; and*

*''(2) the Secretary determines the actions or plan is insufficient to address the safety concerns identified during the course of the comprehensive review.''.*

***SEC. 7203. IMPROVING THE EFFECTIVENESS OF PLANNING AND TRAINING GRANTS.***

*(a) PLANNING AND TRAINING GRANTS.—Section 5116 of title 49, United States Code, is amended—*

*(1) by redesignating subsections (c) through (k) as subsections (b) through (j), respectively,*

*(2) by striking subsection (b); and*

*(3) by striking subsection (a) and inserting the following:*

*''(a) PLANNING AND TRAINING GRANTS.—(1) The Secretary shall make grants to States and Indian tribes—*

*''(A) to develop, improve, and carry out emergency plans under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001 et seq.), including ascertaining flow patterns of hazardous material on lands under the jurisdiction of a State or Indian tribe, and between lands under the jurisdiction of a State or Indian tribe and lands of another State or Indian tribe;*

*''(B) to decide on the need for regional hazardous material emergency response teams; and*

*''(C) to train public sector employees to respond to accidents and incidents involving hazardous material.*

*''(2) To the extent that a grant is used to train emergency responders under paragraph (1)(C), the State or Indian tribe shall provide written certification to the Secretary that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence of responders to accidents and incidents involving hazardous materials.*

*''(3) The Secretary may make a grant to a State or Indian tribe under paragraph (1) of this subsection only if—*

*''(A) the State or Indian tribe certifies that the total amount the State or Indian tribe expends (except amounts of the Federal Government) for the purpose of the grant will at least equal the average level of expenditure for the last 5 years; and*

''(B) any emergency response training provided under the grant shall consist of—

''(i) a course developed or identified under section 5115 of this title; or

''(ii) any other course the Secretary determines is consistent with the objectives of this section.

''(4) A State or Indian tribe receiving a grant under this subsection shall ensure that planning and emergency response training under the grant is coordinated with adjacent States and Indian tribes.

''(5) A training grant under paragraph (1)(C) may be used—

''(A) to pay—

''(i) the tuition costs of public sector employees being trained;

''(ii) travel expenses of those employees to and from the training facility;

''(iii) room and board of those employees when at the training facility; and

''(iv) travel expenses of individuals providing the training;

''(B) by the State, political subdivision, or Indian tribe to provide the training; and

''(C) to make an agreement with a person (including an authority of a State, a political subdivision of a State or Indian tribe, or a local jurisdiction), subject to approval by the Secretary, to provide the training if—

''(i) the agreement allows the Secretary and the State or Indian tribe to conduct random examinations, inspections, and audits of the training without prior notice;

''(ii) the person agrees to have an auditable accounting system; and

''(iii) the State or Indian tribe conducts at least one on-site observation of the training each year.

''(6) The Secretary shall allocate amounts made available for grants under this subsection among eligible States and Indian tribes based on the needs of the States and Indian tribes for emergency response planning and training. In making a decision about those needs, the Secretary shall consider—

''(A) the number of hazardous material facilities in the State or on land under the jurisdiction of the Indian tribe;

''(B) the types and amounts of hazardous material transported in the State or on such land;

''(C) whether the State or Indian tribe imposes and collects a fee for transporting hazardous material;

''(D) whether such fee is used only to carry out a purpose related to transporting hazardous material;

''(E) the past record of the State or Indian tribe in effectively managing planning and training grants; and

''(F) any other factors the Secretary determines are appropriate to carry out this subsection.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 5108(g) of title 49, United States Code, is amended by striking ''5116(i)'' each place it appears and inserting ''5116(h)''.

(2) Section 5116 of such title is amended—

(A) in subsection (d), as so redesignated, by striking ''subsections (a)(2)(A) and (b)(2)(A)'' and inserting ''subsection (a)(3)(A)'';

(B) in subsection (h), as so redesignated—

(i) in paragraph (1) by inserting ''and section 5107(e)'' after ''section'';

(ii) in paragraph (2) by striking ''(f)'' and inserting ''(e)''; and

(iii) in paragraph (4) by striking ''5108(g)(2) and 5115'' and inserting ''5107(e) and 5108(g)(2)'';

(C) in subsection (i), as so redesignated, by striking ''subsection (b)'' and inserting ''subsection (a)''; and

(D) in subsection (j), as so redesignated—

(i) by striking ''planning grants allocated under subsection (a), training grants under subsection (b), and grants under subsection (j) of this section and under section 5107'' and inserting ''planning and training grants under subsection (a) and grants under subsection (i) of this section and under subsections (e) and (i) of section 5107''; and

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4), respectively.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to prohibit the Secretary from recovering and deobligating funds from grants that are not managed or expended in compliance with a grant agreement.

**SEC. 7204. IMPROVING PUBLICATION OF SPECIAL PERMITS AND APPROVALS.**

Section 5117 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''an application for a special permit'' and inserting ''an application for a new special permit or a modification to an existing special permit''; and

(B) by inserting after the second sentence the following: ''The Secretary shall make available to the public on the Department of Transportation's Internet Web site any special permit other than a new special permit or a modification to an existing special permit and shall give the public an opportunity to inspect the safety analysis and comment on the application for a period of not more than 15 days.''; and

(2) in subsection (c)—

(A) by striking ''publish'' and inserting ''make available to the public'';

(B) by striking ''in the Federal Register'';

(C) by striking ''180'' and inserting ''120''; and

(D) by striking ''the special permit'' each place it appears and inserting ''a special permit or approval''; and

(3) by adding at the end the following:

''(g) DISCLOSURE OF FINAL ACTION.—The Secretary shall periodically, but at least every 120 days—

''(1) publish in the Federal Register notice of the final disposition of each application for a new special permit, modification to an existing special permit, or approval during the preceding quarter; and

''(2) make available to the public on the Department of Transportation's Internet Web site notice of the final disposition of any other special permit during the preceding quarter.''.

**SEC. 7205. ENHANCED REPORTING.**

Section 5121(h) of title 49, United States Code, is amended by striking ''transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate'' and inserting ''make available to the public on the Department of Transportation's Internet Web site''.

**SEC. 7206. WETLINES.**

(a) WITHDRAWAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall withdraw the proposed rule described in the notice of proposed rulemaking issued on January 27, 2011, entitled ''Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids'' (76 Fed. Reg. 4847).

(b) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from issuing standards or regulations regarding the safety of external product piping on cargo tanks transporting flammable liquids after the withdrawal is carried out pursuant to subsection (a).

**SEC. 7207. GAO STUDY ON ACCEPTANCE OF CLASSIFICATION EXAMINATIONS.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall evaluate and transmit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, a report on the standards, metrics, and protocols that the Secretary uses to regulate the performance of persons approved to recommend hazard classifications pursuant to section 173.56(b) of title 49, Code of Federal Regulations (commonly referred to as ''third-party labs'').

(b) EVALUATION.—The evaluation required under subsection (a) shall—

(1) identify what standards and protocols are used to approve such persons, assess the adequacy of such standards and protocols to ensure that persons seeking approval are qualified and capable of performing classifications, and make recommendations to address any deficiencies identified;

(2) assess the adequacy of the Secretary's oversight of persons approved to perform the classifications, including the qualification of individuals engaged in the oversight of approved persons, and make recommendations to enhance oversight sufficiently to ensure that classifications are issued as required;

(3) identify what standards and protocols exist to rescind, suspend, or deny approval of persons who perform such classifications, assess the adequacy of such standards and protocols, and make recommendations to enhance such standards and protocols if necessary; and

(4) include annual data for fiscal years 2005 through 2015 on the number of applications received for new classifications pursuant to section 173.56(b) of title 49, Code of Federal Regulations, of those applications how many classifications recommended by persons approved by the Secretary were changed to another classification and the reasons for the change, and how many hazardous materials incidents have been attributed to a classification recommended by such approved persons in the United States.

(c) ACTION PLAN.—Not later than 180 days after receiving the report required under subsection (a), the Secretary shall make available to the public a plan describing any actions the Secretary will take to establish standards, metrics, and protocols based on the findings and recommendations in the report to ensure that persons approved to perform classification examinations required under section 173.56(b) of title 49, Code of Federal Regulations, can sufficiently perform such examinations in a manner that meets the hazardous materials regulations.

(d) REGULATIONS.—If the report required under subsection (a) recommends new regulations in order for the Secretary to have confidence in the accuracy of classification recommendations rendered by persons approved to perform classification examinations required under section 173.56(b) of title 49, Code of Federal Regulations, the Secretary shall consider such recommendations, and if determined appropriate, issue regulations to address the recommendations not later than 18 months after the date of the publication of the plan under subsection (c).

**SEC. 7208. HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.**

The Secretary shall allow a State, at the discretion of the State, to waive the requirement for a holder of a Class A commercial driver's license to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, if the license holder—

(1) is acting within the scope of the license holder's employment as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and

(2) is operating a service vehicle that is—

(A) transporting diesel in a quantity of 3,785 liters (1,000 gallons) or less; and

(B) clearly marked with a ''flammable'' or ''combustible'' placard, as appropriate.

***Subtitle C—Safe Transportation of Flammable Liquids by Rail***

**SEC. 7301. COMMUNITY SAFETY GRANTS.**

Section 5107 of title 49, United States Code, is amended by adding at the end the following:

''(i) COMMUNITY SAFETY GRANTS.—The Secretary shall establish a competitive program for making grants to nonprofit organizations for—

''(1) conducting national outreach and training programs to assist communities in preparing

*for and responding to accidents and incidents involving the transportation of hazardous materials, including Class 3 flammable liquids by rail; and*

*''(2) training State and local personnel responsible for enforcing the safe transportation of hazardous materials, including Class 3 flammable liquids.''.*

***SEC. 7302. REAL-TIME EMERGENCY RESPONSE INFORMATION.***

*(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with appropriate Federal agencies, shall issue regulations that—*

*(1) require a Class I railroad transporting hazardous materials—*

*(A) to generate accurate, real-time, and electronic train consist information, including—*

*(i) the identity, quantity, and location of hazardous materials on a train;*

*(ii) the point of origin and destination of the train;*

*(iii) any emergency response information or resources required by the Secretary; and*

*(iv) an emergency response point of contact designated by the Class I railroad; and*

*(B) to enter into a memorandum of understanding with each applicable fusion center to provide the fusion center with secure and confidential access to the electronic train consist information described in subparagraph (A) for each train transporting hazardous materials in the jurisdiction of the fusion center;*

*(2) require each applicable fusion center to provide the electronic train consist information described in paragraph (1)(A) to State and local first responders, emergency response officials, and law enforcement personnel that are involved in the response to or investigation of an accident, incident, or public health or safety emergency involving the rail transportation of hazardous materials and that request such electronic train consist information;*

*(3) require each Class I railroad to provide advanced notification and information on high-hazard flammable trains to each State emergency response commission, consistent with the notification content requirements in Emergency Order Docket No. DOT–OST–2014–0067, including—*

*(A) a reasonable estimate of the number of implicated trains that are expected to travel, per week, through each county within the applicable State;*

*(B) updates to such estimate prior to making any material changes to any volumes or frequencies of trains traveling through a county;*

*(C) identification and a description of the Class 3 flammable liquid being transported on such trains;*

*(D) applicable emergency response information, as required by regulation;*

*(E) identification of the routes over which such liquid will be transported; and*

*(F) a point of contact at the Class I railroad responsible for serving as the point of contact for State emergency response centers and local emergency responders related to the Class I railroad's transportation of such liquid.*

*(4) require each applicable State emergency response commission to provide to a political subdivision of a State, or public agency responsible for emergency response or law enforcement, upon request of the political subdivision or public agency, the information the commission receives from a Class I railroad pursuant to paragraph (3), including, for any such political subdivision or public agency responsible for emergency response or law enforcement that makes an initial request for such information, any updates received by the State emergency response commission.*

*(5) prohibit any Class I railroad, employee, or agent from withholding, or causing to be withheld, the train consist information from first responders, emergency response officials, and law enforcement personnel described in paragraph (2) in the event of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials;*

*(6) establish security and confidentiality protections, including protections from the public release of proprietary information or security-sensitive information, to prevent the release to unauthorized persons any electronic train consist information or advanced notification or information provided by Class I railroads under this section; and*

*(7) allow each Class I railroad to enter into a memorandum of understanding with any Class II railroad or Class III railroad that operates trains over the Class I railroad's line to incorporate the Class II railroad or Class III railroad's train consist information within the existing framework described in paragraph (1).*

*(b) DEFINITIONS.—In this section:*

*(1) APPLICABLE FUSION CENTER.—The term ''applicable fusion center'' means a fusion center with responsibility for a geographic area in which a Class I railroad operates.*

*(2) CLASS I RAILROAD; CLASS II RAILROAD; CLASS III RAILROAD.—The terms ''Class I railroad'', ''Class II railroad'', and ''Class III railroad'' have the meaning given those terms in section 20102 of title 49, United States Code.*

*(3) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.*

*(4) FUSION CENTER.—The term ''fusion center'' has the meaning given the term in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)).*

*(5) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates as hazardous under section 5103 of title 49, United States Code.*

*(6) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.*

*(7) TRAIN CONSIST.—The term ''train consist'' includes, with regard to a specific train, the number of rail cars and the commodity transported by each rail car.*

*(c) SAVINGS CLAUSE.—Nothing in this section may be construed to prohibit a Class I railroad from voluntarily entering into a memorandum of understanding, as described in subsection (a)(1)(B), with a State emergency response commission or an entity representing or including first responders, emergency response officials, and law enforcement personnel.*

***SEC. 7303. EMERGENCY RESPONSE.***

*(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine whether limitations or weaknesses exist in the emergency response information carried by train crews transporting hazardous materials.*

*(b) CONTENTS.—In conducting the study under subsection (a), the Comptroller General shall evaluate the differences between the emergency response information carried by train crews transporting hazardous materials and the emergency response guidance provided in the Emergency Response Guidebook issued by the Department of Transportation.*

*(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study under subsection (a) and any recommendations for legislative action.*

***SEC. 7304. PHASE-OUT OF ALL TANK CARS USED TO TRANSPORT CLASS 3 FLAMMABLE LIQUIDS.***

*(a) IN GENERAL.—Except as provided for in subsection (b), beginning on the date of enactment of this Act, all DOT–111 specification railroad tank cars used to transport Class 3 flammable liquids shall meet the DOT–117, DOT–117P, or DOT–117R specifications in part 179 of title 49, Code of Federal Regulations, regardless of train composition.*

*(b) PHASE-OUT SCHEDULE.—Certain tank cars not meeting DOT–117, DOT–117P, or DOT–117R specifications on the date of enactment of this Act may be used, regardless of train composition, until the following end-dates:*

*(1) For transport of unrefined petroleum products in Class 3 flammable service, including crude oil—*

*(A) January 1, 2018, for non-jacketed DOT–111 tank cars;*

*(B) March 1, 2018, for jacketed DOT–111 tank cars;*

*(C) April 1, 2020, for non-jacketed CPC–1232 tank cars; and*

*(D) May 1, 2025, for jacketed CPC–1232 tank cars.*

*(2) For transport of ethanol—*

*(A) May 1, 2023, for non-jacketed and jacketed DOT–111 tank cars;*

*(B) July 1, 2023, for non-jacketed CPC–1232 tank cars; and*

*(C) May 1, 2025, for jacketed CPC–1232 tank cars.*

*(3) For transport of Class 3 flammable liquids in Packing Group I, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2025.*

*(4) For transport of Class 3 flammable liquids in Packing Groups II and III, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2029.*

*(c) RETROFITTING SHOP CAPACITY.—The Secretary may extend the deadlines established under paragraphs (3) and (4) of subsection (b) for a period not to exceed 2 years if the Secretary determines that insufficient retrofitting shop capacity will prevent the phase-out of tank cars not meeting the DOT–117, DOT–117P, or DOT–117R specifications by the deadlines set forth in such paragraphs.*

*(d) CONFORMING REGULATORY AMENDMENTS.—*

*(1) IN GENERAL.—Immediately after the date of enactment of this section, the Secretary—*

*(A) shall remove or revise the date-specific deadlines in any applicable regulations or orders to the extent necessary to conform with the requirements of this section; and*

*(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the requirements of this section.*

*(2) IMPLEMENTATION.—Nothing in this section shall be construed to require the Secretary to issue regulations, except as required under paragraph (1), to implement this section.*

*(e) SAVINGS CLAUSE.—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule issued on May 08, 2015, entitled ''Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (80 Fed. Reg. 26643), other than the provisions of the final rule that are inconsistent with this section.*

*(f) CLASS 3 FLAMMABLE LIQUID DEFINED.—In this section, the term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.*

***SEC. 7305. THERMAL BLANKETS.***

*(a) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to require that each tank car built to meet the DOT–117 specification and each non-jacketed tank car modified to meet the DOT–117R specification be equipped with an insulating blanket with at least ½-inch-thick material that has been approved by the Secretary pursuant to section 179.18(c) of title 49, Code of Federal Regulations.*

*(b) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from approving new or alternative technologies or materials as they become available that provide a level of safety*

*at least equivalent to the level of safety provided for under subsection (a).*

***SEC. 7306. MINIMUM REQUIREMENTS FOR TOP FITTINGS PROTECTION FOR CLASS DOT–117R TANK CARS.***

*(a) PROTECTIVE HOUSING.—Except as provided in subsections (b) and (c), top fittings on DOT specification 117R tank cars shall be located inside a protective housing not less than ½-inch in thickness and constructed of a material having a tensile strength not less than 65 kilopound per square inch and conform to the following specifications:*

*(1) The protective housing shall be as tall as the tallest valve or fitting involved and the height of a valve or fitting within the protective housing must be kept to the minimum compatible with their proper operation.*

*(2) The protective housing or cover may not reduce the flow capacity of the pressure relief device below the minimum required.*

*(3) The protective housing shall provide a means of drainage with a minimum flow area equivalent to six 1-inch diameter holes.*

*(4) When connected to the nozzle or fittings cover plate and subject to a horizontal force applied perpendicular to and uniformly over the projected plane of the protective housing, the tensile connection strength of the protective housing shall be designed to be—*

*(A) no greater than 70 percent of the nozzle to tank tensile connection strength;*

*(B) no greater than 70 percent of the cover plate to nozzle connection strength; and*

*(C) no less than either 40 percent of the nozzle to tank tensile connection strength or the shear strength of twenty ½-inch bolts.*

*(b) PRESSURE RELIEF DEVICES.—*

*(1) The pressure relief device shall be located inside the protective housing, unless space does not permit. If multiple pressure relief devices are equipped, no more than 1 may be located outside of a protective housing.*

*(2) The highest point on any pressure relief device located outside of a protective housing may not be more than 12 inches above the tank jacket.*

*(3) The highest point on the closure of any unused pressure relief device nozzle may not be more than 6 inches above the tank jacket.*

*(c) ALTERNATIVE PROTECTION.—As an alternative to the protective housing requirements in subsection (a) of this section, the tank car may be equipped with a system that prevents the release of product from any top fitting in the case of an incident where any top fitting would be sheared off.*

*(d) IMPLEMENTATION.—Nothing in this section shall be construed to require the Secretary to issue regulations to implement this section.*

*(e) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from approving new technologies, methods or requirements that provide a level of safety equivalent to or greater than the level of safety provided for in this section.*

***SEC. 7307. RULEMAKING ON OIL SPILL RESPONSE PLANS.***

*The Secretary shall, not later than 30 days after the date of enactment of this Act and every 90 days thereafter until a final rule based on the advanced notice of proposed rulemaking issued on August 1, 2014, entitled ''Hazardous Materials: Oil Spill Response Plans for High-Hazard Flammable Trains'' (79 Fed. Reg. 45079) is promulgated, notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate in writing of—*

*(1) the status of such rulemaking;*

*(2) any reasons why such final rule has not been implemented;*

*(3) a plan for completing such final rule as soon as practicable; and*

*(4) the estimated date of completion of such final rule.*

***SEC. 7308. MODIFICATION REPORTING.***

*(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall implement a reporting requirement to monitor industry-wide progress toward modifying rail tank cars used to transport Class 3 flammable liquids by the applicable deadlines established in section 7304.*

*(b) TANK CAR DATA.—The Secretary shall collect data from shippers and rail tank car owners on—*

*(1) the total number of tank cars modified to meet the DOT–117R specification, or equivalent, specifying—*

*(A) the type or specification of each tank car before it was modified, including non-jacketed DOT–111, jacketed DOT–111, non-jacketed DOT–111 meeting the CPC–1232 standard, or jacketed DOT–111 meeting the CPC–1232 standard; and*

*(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year;*

*(2) the total number of tank cars built to meet the DOT–117 specification, or equivalent; and*

*(3) the total number of tank cars used or likely to be used to transport Class 3 flammable liquids that have not been modified, specifying—*

*(A) the type or specification of each tank car not modified, including the non-jacketed DOT–111, jacketed DOT–111, non-jacketed DOT–111 meeting the CPC–1232 standard, or jacketed DOT–111 meeting the CPC–1232 standard; and*

*(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year.*

*(c) TANK CAR SHOP DATA.—The Secretary shall conduct a survey of tank car facilities modifying tank cars to the DOT–117R specification, or equivalent, or building new tank cars to the DOT–117 specification, or equivalent, to generate statistically-valid estimates of the anticipated number of tank cars those facilities expect to modify to DOT–117R specification, or equivalent, or build to the DOT–117 specification, or equivalent.*

*(d) FREQUENCY.—The Secretary shall collect the data under subsection (b) and conduct the survey under subsection (c) annually until May 1, 2029.*

*(e) INFORMATION PROTECTIONS.—*

*(1) IN GENERAL.—The Secretary shall only report data in industry-wide totals and shall treat company-specific information as confidential business information.*

*(2) LEVEL OF CONFIDENTIALITY.—The Secretary shall ensure the data collected under subsection (b) and the survey data under subsection (c) have the same level of confidentiality as required by the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), as administered by the Bureau of Transportation Statistics.*

*(3) DESIGNEE.—The Secretary may—*

*(A) designate the Director of the Bureau of Transportation Statistics to collect data under subsection (b) and the survey data under subsection (c); and*

*(B) direct the Director to ensure the confidentially of company-specific information to the maximum extent permitted by law.*

*(f) REPORT.—Each year, not later than 60 days after the date that both the collection of the data under subsection (b) and the survey under subsection (c) are complete, the Secretary shall submit a written report on the aggregate results, without company-specific information, to—*

*(1) the Committee on Commerce, Science, and Transportation of the Senate; and*

*(2) the Committee on Transportation and Infrastructure of the House of Representatives.*

*(g) DEFINITION OF CLASS 3 FLAMMABLE LIQUID.—In this section, the term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120 of title 49, Code of Federal Regulations.*

***SEC. 7309. REPORT ON CRUDE OIL CHARACTERISTICS RESEARCH STUDY.***

*Not later than 180 days after the research completion of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment Plan study at Sandia National Laboratories, the Secretary of Energy, in cooperation with the Secretary of Transportation, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives that contains—*

*(1) the results of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment Plan study; and*

*(2) recommendations, based on the findings of the study, for—*

*(A) regulations by the Secretary of Transportation or the Secretary of Energy to improve the safe transport of crude oil; and*

*(B) legislation to improve the safe transport of crude oil.*

***SEC. 7310. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.***

*(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for railroad carriers transporting hazardous materials.*

*(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—*

*(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials;*

*(2) the level and structure of insurance that would be necessary and appropriate—*

*(A) to efficiently allocate risk and financial responsibility for claims; and*

*(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident; and*

*(3) the potential applicability, for a train transporting hazardous materials, of an alternative insurance model, including—*

*(A) a secondary liability coverage pool or pools to supplement commercial insurance; and*

*(B) other models administered by the Federal Government.*

*(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—*

*(1) the Committee on Commerce, Science, and Transportation of the Senate; and*

*(2) the Committee on Transportation and Infrastructure of the House of Representatives.*

*(d) DEFINITIONS.—In this section:*

*(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates as hazardous under section 5103 of title 49, United States Code.*

*(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.*

***SEC. 7311. STUDY AND TESTING OF ELECTRONICALLY CONTROLLED PNEUMATIC BRAKES.***

*(a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—*

*(1) IN GENERAL.—The Comptroller General of the United States shall conduct an independent evaluation of ECP brake systems, pilot program data, and the Department's research and analysis on the costs, benefits, and effects of ECP brake systems.*

*(2) STUDY ELEMENTS.—In completing the independent evaluation under paragraph (1), the Comptroller General shall examine the following issues related to ECP brake systems:*

*(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.*

*(B) Data and modeling results on business benefits, including the effects of dynamic braking.*

*(C) Data on costs, including up-front capital costs and on-going maintenance costs.*

*(D) Analysis of potential operational benefits and challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.*

*(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.*

*(F) Analysis of international experiences with the use of advanced braking technologies.*

*(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the independent evaluation under paragraph (1).*

*(b) EMERGENCY BRAKING APPLICATION TESTING.—*

*(1) IN GENERAL.—The Secretary shall enter into an agreement with the National Academy of Sciences to—*

*(A) complete testing of ECP brake systems during emergency braking application, including more than 1 scenario involving the uncoupling of a train with 70 or more DOT–117 specification or DOT–117R specification tank cars; and*

*(B) transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the testing.*

*(2) INDEPENDENT EXPERTS.—In completing the testing under paragraph (1)(A), the National Academy of Sciences may contract with 1 or more engineering or rail experts, as appropriate, that—*

*(A) are not railroad carriers, entities funded by such carriers, or entities directly impacted by the final rule issued on May 8, 2015, entitled ''Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (80 Fed. Reg. 26643); and*

*(B) have relevant experience in conducting railroad safety technology tests or similar crash tests.*

*(3) TESTING FRAMEWORK.—In completing the testing under paragraph (1), the National Academy of Sciences and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—*

*(A) the number of cars derailed;*

*(B) the number of cars punctured;*

*(C) the measures of in-train forces; and*

*(D) the stopping distance.*

*(4) FUNDING.—The Secretary shall provide funding, as part of the agreement under paragraph (1), to the National Academy of Sciences for the testing required under this section—*

*(A) using sums made available to carry out sections 20108 and 5118 of title 49, United States Code; and*

*(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Secretary, the Federal Railroad Administration, or the Pipeline and Hazardous Materials Safety Administration, or a combination thereof.*

*(5) EQUIPMENT.—*

*(A) RECEIPT.—The National Academy of Sciences and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a railroad carrier or other private entity for the purposes of conducting the testing required under this section.*

*(B) CONTRACTED USE.—Notwithstanding paragraph (2)(A), to facilitate testing, the National Academy of Sciences and each contractor may contract with a railroad carrier or any other private entity for the use of such carrier or entity's rolling stock, track, or other equipment and receive technical assistance on their use.*

*(c) EVIDENCE-BASED APPROACH.—*

*(1) ANALYSIS.—The Secretary shall—*

*(A) not later than 90 days after the report date, fully incorporate the results of the evaluation under subsection (a) and the testing under subsection (b) and update the regulatory impact analysis of the final rule described in subsection (b)(2)(A) of the costs, benefits, and effects of the applicable ECP brake system requirements;*

*(B) as soon as practicable after completion of the updated analysis under subparagraph (A), solicit public comment in the Federal Register on the analysis for a period of not more than 30 days; and*

*(C) not later than 60 days after the end of the public comment period under subparagraph (B), post the final updated regulatory impact analysis on the Department of Transportation's Internet Web site.*

*(2) DETERMINATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall—*

*(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed the costs of such requirements, whether the applicable ECP brake system requirements are justified;*

*(B) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination and reasons for such determination; and*

*(C) if the Secretary does not publish the determination under subparagraph (B), repeal the applicable ECP brake system requirements.*

*(3) SAVINGS CLAUSE.—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule described under subsection (b)(2)(A) prior to the determination required under subsection (c)(2) of this section, or require the Secretary to promulgate a new rule on the provisions of such final rule, other than on the applicable ECP brake system requirements, if the Secretary does not determine that the applicable ECP brake system requirements are justified pursuant to this subsection.*

*(d) DEFINITIONS.—In this section, the following definitions apply:*

*(1) APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.—The term ''applicable ECP brake system requirements'' means sections 174.310(a)(3)(ii), 174.310(a)(3)(iii), 174.310(a)(5)(v), 179.202–10, 179.202–12(g), and 179.202–13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.*

*(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.*

*(3) ECP.—The term ''ECP'' means electronically controlled pneumatic when applied to a brake or brakes.*

*(4) ECP BRAKE MODE.—The term ''ECP brake mode'' includes any operation of a rail car or an entire train using an ECP brake system.*

*(5) ECP BRAKE SYSTEM.—*

*(A) IN GENERAL.—The term ''ECP brake system'' means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP–EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.*

*(B) INCLUSIONS.—The term ''ECP brake system'' includes dual mode and stand-alone ECP brake systems.*

*(6) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.*

*(7) REPORT DATE.—The term ''report date'' means the date that the reports under subsections (a)(3) and (b)(1)(B) are required to be transmitted pursuant to those subsections.*

## *TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION*

### *SEC. 8001. MULTIMODAL FREIGHT TRANSPORTATION.*

*(a) IN GENERAL.—Subtitle IX of title 49, United States Code, is amended to read as follows:*

### *''Subtitle IX—Multimodal Freight Transportation*



### *''CHAPTER 701—MULTIMODAL FREIGHT POLICY*



#### *''§ 70101. National multimodal freight policy*

*''(a) IN GENERAL.—It is the policy of the United States to maintain and improve the condition and performance of the National Multimodal Freight Network established under section 70103 to ensure that the Network provides a foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).*

*''(b) GOALS.—The goals of the national multimodal freight policy are—*

*''(1) to identify infrastructure improvements, policies, and operational innovations that—*

*''(A) strengthen the contribution of the National Multimodal Freight Network to the economic competitiveness of the United States;*

*''(B) reduce congestion and eliminate bottlenecks on the National Multimodal Freight Network; and*

*''(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;*

*''(2) to improve the safety, security, efficiency, and resiliency of multimodal freight transportation;*

*''(3) to achieve and maintain a state of good repair on the National Multimodal Freight Network;*

*''(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Multimodal Freight Network;*

*''(5) to improve the economic efficiency and productivity of the National Multimodal Freight Network;*

*''(6) to improve the reliability of freight transportation;*

*''(7) to improve the short- and long-distance movement of goods that—*

*''(A) travel across rural areas between population centers;*

*''(B) travel between rural areas and population centers; and*

*''(C) travel from the Nation's ports, airports, and gateways to the National Multimodal Freight Network;*

*''(8) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address multimodal freight connectivity;*

*''(9) to reduce the adverse environmental impacts of freight movement on the National Multimodal Freight Network; and*

*''(10) to pursue the goals described in this subsection in a manner that is not burdensome to State and local governments.*

*''(c) IMPLEMENTATION.—The Under Secretary of Transportation for Policy, who shall be re-*

*sponsible for the oversight and implementation of the national multimodal freight policy, shall—*

*''(1) carry out sections 70102 and 70103;*

*''(2) assist with the coordination of modal freight planning; and*

*''(3) identify interagency data sharing opportunities to promote freight planning and coordination.*

***''§ 70102. National freight strategic plan***

*''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Under Secretary of Transportation for Policy shall—*

*''(1) develop a national freight strategic plan in accordance with this section; and*

*''(2) publish the plan on the public Internet Web site of the Department of Transportation.*

*''(b) CONTENTS.—The national freight strategic plan shall include—*

*''(1) an assessment of the condition and performance of the National Multimodal Freight Network established under section 70103;*

*''(2) forecasts of freight volumes for the succeeding 5-, 10-, and 20-year periods;*

*''(3) an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators;*

*''(4) an identification of bottlenecks on the National Multimodal Freight Network that create significant freight congestion, based on a quantitative methodology developed by the Under Secretary, which shall include, at a minimum—*

*''(A) information from the Freight Analysis Framework of the Federal Highway Administration; and*

*''(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;*

*''(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance, and a description of opportunities for overcoming the barriers;*

*''(6) a process for addressing multistate projects and encouraging jurisdictions to collaborate;*

*''(7) strategies to improve freight intermodal connectivity;*

*''(8) an identification of corridors providing access to energy exploration, development, installation, or production areas;*

*''(9) an identification of corridors providing access to major areas for manufacturing, agriculture, or natural resources;*

*''(10) an identification of best practices for improving the performance of the National Multimodal Freight Network, including critical commerce corridors and rural and urban access to critical freight corridors; and*

*''(11) an identification of best practices to mitigate the impacts of freight movement on communities.*

*''(c) UPDATES.—Not later than 5 years after the date of completion of the national freight strategic plan under subsection (a), and every 5 years thereafter, the Under Secretary shall update the plan and publish the updated plan on the public Internet Web site of the Department of Transportation.*

*''(d) CONSULTATION.—The Under Secretary shall develop and update the national freight strategic plan—*

*''(1) after providing notice and an opportunity for public comment; and*

*''(2) in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders.*

***''§ 70103. National Multimodal Freight Network***

*''(a) IN GENERAL.—The Under Secretary of Transportation for Policy shall establish a National Multimodal Freight Network in accordance with this section—*

*''(1) to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on the Network;*

*''(2) to inform freight transportation planning;*

*''(3) to assist in the prioritization of Federal investment; and*

*''(4) to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23.*

*''(b) INTERIM NETWORK.—*

*''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Under Secretary shall establish an interim National Multimodal Freight Network in accordance with this subsection.*

*''(2) NETWORK COMPONENTS.—The interim National Multimodal Freight Network shall include—*

*''(A) the National Highway Freight Network, as established under section 167 of title 23;*

*''(B) the freight rail systems of Class I railroads, as designated by the Surface Transportation Board;*

*''(C) the public ports of the United States that have total annual foreign and domestic trade of at least 2,000,000 short tons, as identified by the Waterborne Commerce Statistics Center of the Army Corps of Engineers, using the data from the latest year for which such data is available;*

*''(D) the inland and intracoastal waterways of the United States, as described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804);*

*''(E) the Great Lakes, the St. Lawrence Seaway, and coastal and ocean routes along which domestic freight is transported;*

*''(F) the 50 airports located in the United States with the highest annual landed weight, as identified by the Federal Aviation Administration; and*

*''(G) other strategic freight assets, including strategic intermodal facilities and freight rail lines of Class II and Class III railroads, designated by the Under Secretary as critical to interstate commerce.*

*''(c) FINAL NETWORK.—*

*''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Under Secretary, after soliciting input from stakeholders, including multimodal freight system users, transportation providers, metropolitan planning organizations, local governments, ports, airports, railroads, and States, through a public process to identify critical freight facilities and corridors, including critical commerce corridors, that are vital to achieve the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23, and after providing notice and an opportunity for comment on a draft system, shall designate a National Multimodal Freight Network with the goal of—*

*''(A) improving network and intermodal connectivity; and*

*''(B) using measurable data as part of the assessment of the significance of freight movement, including the consideration of points of origin, destinations, and linking components of domestic and international supply chains.*

*''(2) FACTORS.—In designating or redesignating the National Multimodal Freight Network, the Under Secretary shall consider—*

*''(A) origins and destinations of freight movement within, to, and from the United States;*

*''(B) volume, value, tonnage, and the strategic importance of freight;*

*''(C) access to border crossings, airports, seaports, and pipelines;*

*''(D) economic factors, including balance of trade;*

*''(E) access to major areas for manufacturing, agriculture, or natural resources;*

*''(F) access to energy exploration, development, installation, and production areas;*

*''(G) intermodal links and intersections that promote connectivity;*

*''(H) freight choke points and other impediments contributing to significant measurable congestion, delay in freight movement, or inefficient modal connections;*

*''(I) impacts on all freight transportation modes and modes that share significant freight infrastructure;*

*''(J) facilities and transportation corridors identified by a multi-State coalition, a State, a State freight advisory committee, or a metropolitan planning organization, using national or local data, as having critical freight importance to the region;*

*''(K) major distribution centers, inland intermodal facilities, and first- and last-mile facilities; and*

*''(L) the significance of goods movement, including consideration of global and domestic supply chains.*

*''(3) CONSIDERATIONS.—In designating or redesignating the National Multimodal Freight Network, the Under Secretary shall—*

*''(A) use, to the extent practicable, measurable data to assess the significance of goods movement, including the consideration of points of origin, destinations, and linking components of the United States global and domestic supply chains;*

*''(B) consider—*

*''(i) the factors described in paragraph (2); and*

*''(ii) any changes in the economy that affect freight transportation network demand; and*

*''(C) provide the States with an opportunity to submit proposed designations in accordance with paragraph (4).*

*''(4) STATE INPUT.—*

*''(A) IN GENERAL.—Each State that proposes additional designations for the National Multimodal Freight Network shall—*

*''(i) consider nominations for additional designations from metropolitan planning organizations and State freight advisory committees, as applicable, within the State;*

*''(ii) consider nominations for additional designations from owners and operators of port, rail, pipeline, and airport facilities; and*

*''(iii) ensure that additional designations are consistent with the State transportation improvement program or freight plan.*

*''(B) CRITICAL RURAL FREIGHT FACILITIES AND CORRIDORS.—As part of the designations under subparagraph (A), a State may designate a freight facility or corridor within the borders of the State as a critical rural freight facility or corridor if the facility or corridor—*

*''(i) is a rural principal arterial;*

*''(ii) provides access or service to energy exploration, development, installation, or production areas;*

*''(iii) provides access or service to—*

*''(I) a grain elevator;*

*''(II) an agricultural facility;*

*''(III) a mining facility;*

*''(IV) a forestry facility; or*

*''(V) an intermodal facility;*

*''(iv) connects to an international port of entry;*

*''(v) provides access to a significant air, rail, water, or other freight facility in the State; or*

*''(vi) has been determined by the State to be vital to improving the efficient movement of freight of importance to the economy of the State.*

*''(C) LIMITATION.—*

*''(i) IN GENERAL.—A State may propose additional designations to the National Multimodal Freight Network in the State in an amount that is not more than 20 percent of the total mileage designated by the Under Secretary in the State.*

*''(ii) DETERMINATION BY UNDER SECRETARY.—The Under Secretary shall determine how to apply the limitation under clause (i) to the components of the National Multimodal Freight Network.*

*''(D) SUBMISSION AND CERTIFICATION.—A State shall submit to the Under Secretary—*

''(i) a list of any additional designations proposed to be added under this paragraph; and

''(ii) a certification that—

''(I) the State has satisfied the requirements of subparagraph (A); and

''(II) the designations referred to in clause (i) address the factors for designation described in this subsection.

''(d) REDESIGNATION OF NATIONAL MULTIMODAL FREIGHT NETWORK.—Not later than 5 years after the initial designation under subsection (c), and every 5 years thereafter, the Under Secretary, using the designation factors described in subsection (c), shall redesignate the National Multimodal Freight Network.

**"CHAPTER 702—MULTIMODAL FREIGHT TRANSPORTATION PLANNING AND INFORMATION**

''Sec.
''70201. State freight advisory committees.
''70202. State freight plans.
''70203. Transportation investment data and planning tools.
''70204. Savings provision.

**"§ 70201. State freight advisory committees**

''(a) IN GENERAL.—The Secretary of Transportation shall encourage each State to establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, freight railroads, shippers, carriers, freight-related associations, third-party logistics providers, the freight industry workforce, the transportation department of the State, and local governments.

''(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

''(1) advise the State on freight-related priorities, issues, projects, and funding needs;

''(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

''(3) communicate and coordinate regional priorities with other organizations;

''(4) promote the sharing of information between the private and public sectors on freight issues; and

''(5) participate in the development of the freight plan of the State described in section 70202.

**"§ 70202. State freight plans**

''(a) IN GENERAL.—Each State that receives funding under section 167 of title 23 shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

''(b) PLAN CONTENTS.—A State freight plan described in subsection (a) shall include, at a minimum—

''(1) an identification of significant freight system trends, needs, and issues with respect to the State;

''(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

''(3) when applicable, a listing of—

''(A) multimodal critical rural freight facilities and corridors designated within the State under section 70103 of this title; and

''(B) critical rural and urban freight corridors designated within the State under section 167 of title 23;

''(4) a description of how the plan will improve the ability of the State to meet the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23;

''(5) a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;

''(6) in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of the roadways, a description of improvements that may be required to reduce or impede the deterioration;

''(7) an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and for those facilities that are State owned or operated, a description of the strategies the State is employing to address the freight mobility issues;

''(8) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay;

''(9) a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched; and

''(10) consultation with the State freight advisory committee, if applicable.

''(c) RELATIONSHIP TO LONG-RANGE PLAN.—

''(1) INCORPORATION.—A State freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23.

''(2) FISCAL CONSTRAINT.—The freight investment plan component of a freight plan shall include a project, or an identified phase of a project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.

''(d) PLANNING PERIOD.—A State freight plan described in subsection (a) shall address a 5-year forecast period.

''(e) UPDATES.—

''(1) IN GENERAL.—A State shall update a State freight plan described in subsection (a) not less frequently than once every 5 years.

''(2) FREIGHT INVESTMENT PLAN.—A State may update a freight investment plan described in subsection (b)(9) more frequently than is required under paragraph (1).

**"§ 70203. Transportation investment data and planning tools**

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation shall—

''(1) begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

''(A) methodologies for systematic analysis of benefits and costs on a national or regional basis;

''(B) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;

''(C) improved methods for data collection and trend analysis;

''(D) encouragement of public-private collaboration to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

''(E) other tools to assist in effective transportation planning;

''(2) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

''(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

''(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).

**"§ 70204. Savings provision**

''Nothing in this subtitle provides additional authority to regulate or direct private activity on freight networks designated under this subtitle.''.

(b) CLERICAL AMENDMENT.—The analysis of subtitles for title 49, United States Code, is amended by striking the item relating to subtitle IX and inserting the following:

**"IX. Multimodal Freight Transportation ..... 70101".**

**TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU**

**SEC. 9001. NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU.**

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, is amended by adding at the end the following:

**"§ 116. National Surface Transportation and Innovative Finance Bureau**

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a National Surface Transportation and Innovative Finance Bureau in the Department.

''(b) PURPOSES.—The purposes of the Bureau shall be—

''(1) to provide assistance and communicate best practices and financing and funding opportunities to eligible entities for the programs referred to in subsection (d)(1);

''(2) to administer the application processes for programs within the Department in accordance with subsection (d);

''(3) to promote innovative financing best practices in accordance with subsection (e);

''(4) to reduce uncertainty and delays with respect to environmental reviews and permitting in accordance with subsection (f); and

''(5) to reduce costs and risks to taxpayers in project delivery and procurement in accordance with subsection (g).

''(c) EXECUTIVE DIRECTOR.—

''(1) APPOINTMENT.—The Bureau shall be headed by an Executive Director, who shall be appointed in the competitive service by the Secretary, with the approval of the President.

''(2) DUTIES.—The Executive Director shall—

''(A) report to the Under Secretary of Transportation for Policy;

''(B) be responsible for the management and oversight of the daily activities, decisions, operations, and personnel of the Bureau;

''(C) support the Council on Credit and Finance established under section 117 in accordance with this section; and

''(D) carry out such additional duties as the Secretary may prescribe.

''(d) ADMINISTRATION OF CERTAIN APPLICATION PROCESSES.—

''(1) IN GENERAL.—The Bureau shall administer the application processes for the following programs:

''(A) The infrastructure finance programs authorized under chapter 6 of title 23.

''(B) The railroad rehabilitation and improvement financing program authorized under sections 501 through 503 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821–823).

''(C) Amount allocations authorized under section 142(m) of the Internal Revenue Code of 1986.

''(D) The nationally significant freight and highway projects program under section 117 of title 23.

''(2) CONGRESSIONAL NOTIFICATION.—The Executive Director shall ensure that the congressional notification requirements for each program referred to in paragraph (1) are followed in accordance with the statutory provisions applicable to the program.

''(3) REPORTS.—The Executive Director shall ensure that the reporting requirements for each program referred to in paragraph (1) are followed in accordance with the statutory provisions applicable to the program.

''(4) COORDINATION.—In administering the application processes for the programs referred to in paragraph (1), the Executive Director shall

*coordinate with appropriate officials in the Department and its modal administrations responsible for administering such programs.*

*''(5) STREAMLINING APPROVAL PROCESSES.—Not later than 1 year after the date of enactment of this section, the Executive Director shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Environment and Public Works of the Senate a report that—*

*''(A) evaluates the application processes for the programs referred to in paragraph (1);*

*''(B) identifies administrative and legislative actions that would improve the efficiency of the application processes without diminishing Federal oversight; and*

*''(C) describes how the Executive Director will implement administrative actions identified under subparagraph (B) that do not require an Act of Congress.*

*''(6) PROCEDURES AND TRANSPARENCY.—*

*''(A) PROCEDURES.—With respect to the programs referred to in paragraph (1), the Executive Director shall—*

*''(i) establish procedures for analyzing and evaluating applications and for utilizing the recommendations of the Council on Credit and Finance;*

*''(ii) establish procedures for addressing late-arriving applications, as applicable, and communicating the Bureau's decisions for accepting or rejecting late applications to the applicant and the public; and*

*''(iii) document major decisions in the application evaluation process through a decision memorandum or similar mechanism that provides a clear rationale for such decisions.*

*''(B) REVIEW.—*

*''(i) IN GENERAL.—The Comptroller General of the United States shall review the compliance of the Executive Director with the requirements of this paragraph.*

*''(ii) RECOMMENDATIONS.—The Comptroller General may make recommendations to the Executive Director in order to improve compliance with the requirements of this paragraph.*

*''(iii) REPORT.—Not later than 3 years after the date of enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review conducted under clause (i), including findings and recommendations for improvement.*

*''(e) INNOVATIVE FINANCING BEST PRACTICES.—*

*''(1) IN GENERAL.—The Bureau shall work with the modal administrations within the Department, eligible entities, and other public and private interests to develop and promote best practices for innovative financing and public-private partnerships.*

*''(2) ACTIVITIES.—The Bureau shall carry out paragraph (1)—*

*''(A) by making Federal credit assistance programs more accessible to eligible recipients;*

*''(B) by providing advice and expertise to eligible entities that seek to leverage public and private funding;*

*''(C) by sharing innovative financing best practices and case studies from eligible entities with other eligible entities that are interested in utilizing innovative financing methods; and*

*''(D) by developing and monitoring—*

*''(i) best practices with respect to standardized State public-private partnership authorities and practices, including best practices related to—*

*''(I) accurate and reliable assumptions for analyzing public-private partnership procurements;*

*''(II) procedures for the handling of unsolicited bids;*

*''(III) policies with respect to noncompete clauses; and*

*''(IV) other significant terms of public-private partnership procurements, as determined appropriate by the Bureau;*

*''(ii) standard contracts for the most common types of public-private partnerships for transportation facilities; and*

*''(iii) analytical tools and other techniques to aid eligible entities in determining the appropriate project delivery model, including a value for money analysis.*

*''(3) TRANSPARENCY.—The Bureau shall—*

*''(A) ensure the transparency of a project receiving credit assistance under a program referred to in subsection (d)(1) and procured as a public-private partnership by—*

*''(i) requiring the sponsor of the project to undergo a value for money analysis or a comparable analysis prior to deciding to advance the project as a public-private partnership;*

*''(ii) requiring the analysis required under subparagraph (A), and other key terms of the relevant public-private partnership agreement, to be made publicly available by the project sponsor at an appropriate time;*

*''(iii) not later than 3 years after the date of completion of the project, requiring the sponsor of the project to conduct a review regarding whether the private partner is meeting the terms of the relevant public-private partnership agreement; and*

*''(iv) providing a publicly available summary of the total level of Federal assistance in such project; and*

*''(B) develop guidance to implement this paragraph that takes into consideration variations in State and local laws and requirements related to public-private partnerships.*

*''(4) SUPPORT TO PROJECT SPONSORS.—At the request of an eligible entity, the Bureau shall provide technical assistance to the eligible entity regarding proposed public-private partnership agreements for transportation facilities, including assistance in performing a value for money analysis or comparable analysis.*

*''(f) ENVIRONMENTAL REVIEW AND PERMITTING.—*

*''(1) IN GENERAL.—The Bureau shall take actions that are appropriate and consistent with the Department's goals and policies to improve the delivery timelines for projects carried out under the programs referred to in subsection (d)(1).*

*''(2) ACTIVITIES.—The Bureau shall carry out paragraph (1)—*

*''(A) by serving as the Department's liaison to the Council on Environmental Quality;*

*''(B) by coordinating efforts to improve the efficiency and effectiveness of the environmental review and permitting process;*

*''(C) by providing technical assistance and training to field and headquarters staff of Federal agencies on policy changes and innovative approaches to the delivery of projects; and*

*''(D) by identifying, developing, and tracking metrics for permit reviews and decisions by Federal agencies for projects under the National Environmental Policy Act of 1969.*

*''(3) SUPPORT TO PROJECT SPONSORS.—At the request of an eligible entity that is carrying out a project under a program referred to in subsection (d)(1), the Bureau, in coordination with the appropriate modal administrations within the Department, shall provide technical assistance with regard to the compliance of the project with the requirements of the National Environmental Policy Act 1969 and relevant Federal environmental permits.*

*''(g) PROJECT PROCUREMENT.—*

*''(1) IN GENERAL.—The Bureau shall promote best practices in procurement for a project receiving assistance under a program referred to in subsection (d)(1) by developing, in coordination with modal administrations within the Department as appropriate, procurement benchmarks in order to ensure accountable expenditure of Federal assistance over the life cycle of the project.*

*''(2) PROCUREMENT BENCHMARKS.—To the maximum extent practicable, the procurement benchmarks developed under paragraph (1) shall—*

*''(A) establish maximum thresholds for acceptable project cost increases and delays in project delivery;*

*''(B) establish uniform methods for States to measure cost and delivery changes over the life cycle of a project; and*

*''(C) be tailored, as necessary, to various types of project procurements, including design-bid-build, design-build, and public-private partnerships.*

*''(3) DATA COLLECTION.—The Bureau shall—*

*''(A) collect information related to procurement benchmarks developed under paragraph (1), including project specific information detailed under paragraph (2); and*

*''(B) provide on a publicly accessible Internet Web site of the Department a report on the information collected under subparagraph (A).*

*''(h) ELIMINATION AND CONSOLIDATION OF DUPLICATIVE OFFICES.—*

*''(1) ELIMINATION OF OFFICES.—The Secretary may eliminate any office within the Department if the Secretary determines that—*

*''(A) the purposes of the office are duplicative of the purposes of the Bureau; and*

*''(B) the elimination of the office does not adversely affect the obligations of the Secretary under any Federal law.*

*''(2) CONSOLIDATION OF OFFICES AND OFFICE FUNCTIONS.—The Secretary may consolidate any office or office function within the Department into the Bureau that the Secretary determines has duties, responsibilities, resources, or expertise that support the purposes of the Bureau.*

*''(3) STAFFING AND BUDGETARY RESOURCES.—*

*''(A) IN GENERAL.—The Secretary shall ensure that the Bureau is adequately staffed and funded.*

*''(B) STAFFING.—The Secretary may transfer to the Bureau a position within the Department from any office that is eliminated or consolidated under this subsection if the Secretary determines that the position is necessary to carry out the purposes of the Bureau.*

*''(C) SAVINGS PROVISION.—If the Secretary transfers a position to the Bureau under subparagraph (B), the Secretary, in coordination with the appropriate modal administration, shall ensure that the transfer of the position does not adversely affect the obligations of the modal administration under any Federal law.*

*''(D) BUDGETARY RESOURCES.—*

*''(i) TRANSFER OF FUNDS FROM ELIMINATED OR CONSOLIDATED OFFICES.—During the 2-year period beginning on the date of enactment of this section, the Secretary may transfer to the Bureau funds allocated to any office or office function that is eliminated or consolidated under this subsection to carry out the purposes of the Bureau.*

*''(ii) TRANSFER OF FUNDS ALLOCATED TO ADMINISTRATIVE COSTS.—During the 2-year period beginning on the date of enactment of this section, the Secretary may transfer to the Bureau funds allocated to the administrative costs of processing applications for the programs referred to in subsection (d)(1).*

*''(4) NOTIFICATION.—Not later than 90 days after the date of enactment of this section, and every 90 days thereafter, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate of—*

*''(A) the offices eliminated under paragraph (1) and the rationale for elimination of the offices;*

*''(B) the offices and office functions consolidated under paragraph (2) and the rationale for consolidation of the offices and office functions;*

*''(C) the actions taken under paragraph (3) and the rationale for taking such actions; and*

*''(D) any additional legislative actions that may be needed.*

''(i) SAVINGS PROVISIONS.—

''(1) LAWS AND REGULATIONS.—Nothing in this section may be construed to change a law or regulation with respect to a program referred to in subsection (d)(1).

''(2) RESPONSIBILITIES.—Nothing in this section may be construed to abrogate the responsibilities of an agency, operating administration, or office within the Department otherwise charged by a law or regulation with other aspects of program administration, oversight, or project approval or implementation for the programs and projects subject to this section.

''(3) APPLICABILITY.—Nothing in this section may be construed to affect any pending application under 1 or more of the programs referred to in subsection (d)(1) that was received by the Secretary on or before the date of enactment of this section.

''(j) DEFINITIONS.—In this section, the following definitions apply:

''(1) BUREAU.—The term 'Bureau' means the National Surface Transportation and Innovative Finance Bureau of the Department.

''(2) DEPARTMENT.—The term 'Department' means the Department of Transportation.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means an eligible applicant receiving financial or credit assistance under 1 or more of the programs referred to in subsection (d)(1).

''(4) EXECUTIVE DIRECTOR.—The term 'Executive Director' means the Executive Director of the Bureau.

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project involving the participation of more than 1 modal administration or secretarial office within the Department.

''(6) PROJECT.—The term 'project' means a highway project, public transportation capital project, freight or passenger rail project, or multimodal project.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''116. National Surface Transportation and Innovative Finance Bureau.''.

**SEC. 9002. COUNCIL ON CREDIT AND FINANCE.**

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

**''§ 117. Council on Credit and Finance**

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Council on Credit and Finance in accordance with this section.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of the following members:

''(A) The Deputy Secretary of Transportation.

''(B) The Under Secretary of Transportation for Policy.

''(C) The Chief Financial Officer and Assistant Secretary for Budget and Programs.

''(D) The General Counsel of the Department of Transportation.

''(E) The Assistant Secretary for Transportation Policy.

''(F) The Administrator of the Federal Highway Administration.

''(G) The Administrator of the Federal Transit Administration.

''(H) The Administrator of the Federal Railroad Administration.

''(2) ADDITIONAL MEMBERS.—The Secretary may designate up to 3 additional officials of the Department to serve as at-large members of the Council.

''(3) CHAIRPERSON AND VICE CHAIRPERSON.—

''(A) CHAIRPERSON.—The Deputy Secretary of Transportation shall serve as the chairperson of the Council.

''(B) VICE CHAIRPERSON.—The Chief Financial Officer and Assistant Secretary for Budget and Programs shall serve as the vice chairperson of the Council.

''(4) EXECUTIVE DIRECTOR.—The Executive Director of the National Surface Transportation and Innovative Finance Bureau shall serve as a nonvoting member of the Council.

''(c) DUTIES.—The Council shall—

''(1) review applications for assistance submitted under the programs referred to in subparagraphs (A), (B), and (C) of section 116(d)(1);

''(2) review applications for assistance submitted under the program referred to in section 116(d)(1)(D), as determined appropriate by the Secretary;

''(3) make recommendations to the Secretary regarding the selection of projects to receive assistance under such programs;

''(4) review, on a regular basis, projects that received assistance under such programs; and

''(5) carry out such additional duties as the Secretary may prescribe.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is further amended by adding at the end the following:

''117. Council on Credit and Finance.''.

***TITLE X—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY***

**SEC. 10001. ALLOCATIONS.**

(a) AUTHORIZATION.—Section 3 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777b) is amended by striking ''57 percent'' and inserting ''58.012 percent''.

(b) IN GENERAL.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''For each'' and all that follows through ''the balance'' and inserting ''For each fiscal year through fiscal year 2021, the balance''; and

(ii) by striking ''multistate conservation grants under section 14'' and inserting ''activities under section 14(e)'';

(B) in paragraph (1), by striking ''18.5 percent'' and inserting ''18.673 percent'';

(C) in paragraph (2) by striking ''18.5 percent'' and inserting ''17.315 percent'';

(D) by striking paragraphs (3) and (4);

(E) by redesignating paragraph (5) as paragraph (4); and

(F) by inserting after paragraph (2) the following:

''(3) BOATING INFRASTRUCTURE IMPROVEMENT.—

''(A) IN GENERAL.—An amount equal to 4 percent to the Secretary of the Interior for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note) and section 7404(d) of the Sportfishing and Boating Safety Act of 1998 (16 U.S.C. 777g–1(d)).

''(B) LIMITATION.—Not more than 75 percent of the amount under subparagraph (A) shall be available for projects under either of the sections referred to in subparagraph (A).'';

(2) in subsection (b)—

(A) in paragraph (1)(A) by striking ''for each'' and all that follows through ''the Secretary'' and inserting ''for each fiscal year through fiscal year 2021, the Secretary'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) SET-ASIDE FOR COAST GUARD ADMINISTRATION.—

''(A) IN GENERAL.—From the annual appropriation made in accordance with section 3, for each of fiscal years 2016 through 2021, the Secretary of the department in which the Coast Guard is operating may use no more than the amount specified in subparagraph (B) for the fiscal year for the purposes set forth in section 13107(c) of title 46, United States Code. The amount specified in subparagraph (B) for a fiscal year may not be included in the amount of the annual appropriation distributed under subsection (a) for the fiscal year.

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for fiscal year 2016, $7,700,000; and

''(ii) for fiscal year 2017 and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.''; and

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (A), by striking ''until the end of the fiscal year.'' and inserting ''until the end of the subsequent fiscal year.''; and

(ii) in subparagraph (B) by striking ''under subsection (e)'' and inserting ''under subsection (c)'';

(3) in subsection (c)—

(A) by striking ''(c) The Secretary'' and inserting ''(c)(1) The Secretary,'';

(B) by striking ''grants under section 14 of this title'' and inserting ''activities under section 14(e)'';

(C) by striking ''57 percent'' and inserting ''58.012 percent''; and

(D) by adding at the end the following:

''(2) The Secretary shall deduct from the amount to be apportioned under paragraph (1) the amounts used for grants under section 14(a).''; and

(4) in subsection (e)(1), by striking ''those subsections,'' and inserting ''those paragraphs,''.

(c) SUBMISSION AND APPROVAL OF PLANS AND PROJECTS.—Section 6(d) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777e(d)) is amended by striking ''for appropriations'' and inserting ''from appropriations''.

(d) UNEXPENDED OR UNOBLIGATED FUNDS.—Section 8(b)(2) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777g(b)(2)) is amended by striking ''57 percent'' and inserting ''58.012 percent''.

(e) COOPERATION.—Section 12 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777k) is amended—

(1) by striking ''57 percent'' and inserting ''58.012 percent''; and

(2) by striking ''under section 4(b)'' and inserting ''under section 4(c)''.

(f) OTHER ACTIVITIES.—Section 14 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m) is amended—

(1) in subsection (a)(1), by striking ''of each annual appropriation made in accordance with the provisions of section 3''; and

(2) in subsection (e)—

(A) in the matter preceding paragraph (1) by striking ''Of amounts made available under section 4(b) for each fiscal year—'' and inserting ''Not more than $1,200,000 of each annual appropriation made in accordance with the provisions of section 3 shall be distributed to the Secretary of the Interior for use as follows:''; and

(B) in paragraph (1)(D) by striking ''; and'' and inserting a period.

(g) REPEAL.—The Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) is amended—

(1) by striking section 15; and

(2) by redesignating section 16 as section 15.

**SEC. 10002. RECREATIONAL BOATING SAFETY.**

Section 13107 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''(1) Subject to paragraph (2) and subsection (c),'' and inserting ''Subject to subsection (c),'';

(B) by striking ''the sum of (A) the amount made available from the Boat Safety Account for that fiscal year under section 15 of the Dingell-Johnson Sport Fish Restoration Act and (B)''; and

(C) by striking paragraph (2); and

(2) in subsection (c)—

(A) by striking the subsection designation and paragraph (1) and inserting the following:

''(c)(1)(A) The Secretary may use amounts made available each fiscal year under section

*4(b)(2) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)(2)) for payment of expenses of the Coast Guard for investigations, personnel, and activities directly related to—*

*''(i) administering State recreational boating safety programs under this chapter; or*

*''(ii) coordinating or carrying out the national recreational boating safety program under this title.*

*''(B) Of the amounts used by the Secretary each fiscal year under subparagraph (A)—*

*''(i) not less than $2,100,000 is available to ensure compliance with chapter 43 of this title; and*

*''(ii) not more than $1,500,000 is available to conduct by grant or contract a survey of levels of recreational boating participation and related matters in the United States.''; and*

*(B) in paragraph (2)—*

*(i) by striking ''No funds'' and inserting ''On and after October 1, 2016, no funds''; and*

*(ii) by striking ''traditionally''.*

## *TITLE XI—RAIL*

***SEC. 11001. SHORT TITLE.***

*This title may be cited as the ''Passenger Rail Reform and Investment Act of 2015''.*

### *Subtitle A—Authorizations*

***SEC. 11101. AUTHORIZATION OF GRANTS TO AMTRAK.***

*(a) NORTHEAST CORRIDOR.—There are authorized to be appropriated to the Secretary for the use of Amtrak for activities associated with the Northeast Corridor the following amounts:*

*(1) For fiscal year 2016, $450,000,000.*
*(2) For fiscal year 2017, $474,000,000.*
*(3) For fiscal year 2018, $515,000,000.*
*(4) For fiscal year 2019, $557,000,000.*
*(5) For fiscal year 2020, $600,000,000.*

*(b) NATIONAL NETWORK.—There are authorized to be appropriated to the Secretary for the use of Amtrak for activities associated with the National Network the following amounts:*

*(1) For fiscal year 2016, $1,000,000,000.*
*(2) For fiscal year 2017, $1,026,000,000.*
*(3) For fiscal year 2018, $1,085,000,000.*
*(4) For fiscal year 2019, $1,143,000,000.*
*(5) For fiscal year 2020, $1,200,000,000.*

*(c) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to one half of 1 percent of the amount appropriated under subsections (a) and (b) for the costs of management oversight of Amtrak.*

*(d) GULF COAST WORKING GROUP.—Of the total amount made available to the Office of the Secretary of Transportation and the Federal Railroad Administration, for each of fiscal years 2016 and 2017, $500,000 shall be used to convene the Gulf Coast rail service working group established under section 11304 of this Act and carry out its responsibilities under such section.*

*(e) COMPETITION.—In administering grants to Amtrak under section 24319 of title 49, United States Code, the Secretary may withhold, from amounts that would otherwise be made available to Amtrak, such sums as are necessary from the amount appropriated under subsection (b) of this section to cover the operating subsidy described in section 24711(b)(1)(E)(ii) of title 49, United States Code.*

*(f) STATE-SUPPORTED ROUTE COMMITTEE.—The Secretary may withhold up to $2,000,000 from the amount appropriated in each fiscal year under subsection (b) of this section for the use of the State-Supported Route Committee established under section 24712 of title 49, United States Code.*

*(g) NORTHEAST CORRIDOR COMMISSION.—The Secretary may withhold up to $5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission established under section 24905 of title 49, United States Code.*

*(h) NORTHEAST CORRIDOR.—For purposes of this section, the term ''Northeast Corridor'' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.*

*(i) SMALL BUSINESS PARTICIPATION STUDY.—Of the total amount made available to the Office of the Secretary of Transportation and the Federal Railroad Administration, for each of fiscal years 2016 and 2017, $1,500,000 shall be used to implement the small business participation study authorized under section 11310 of this Act.*

***SEC. 11102. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.***

*(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under section 24407 of title 49, United States Code, (as added by section 11301 of this Act), the following amounts:*

*(1) For fiscal year 2016, $98,000,000.*
*(2) For fiscal year 2017, $190,000,000.*
*(3) For fiscal year 2018, $230,000,000.*
*(4) For fiscal year 2019, $255,000,000.*
*(5) For fiscal year 2020, $330,000,000.*

*(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under section 24407 of title 49, United States Code.*

***SEC. 11103. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.***

*(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under section 24911 of title 49, United States Code, (as added by section 11302 of this Act), the following amounts:*

*(1) For fiscal year 2016, $82,000,000.*
*(2) For fiscal year 2017, $140,000,000.*
*(3) For fiscal year 2018, $175,000,000.*
*(4) For fiscal year 2019, $300,000,000.*
*(5) For fiscal year 2020, $300,000,000.*

*(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under section 24911 of title 49, United States Code.*

***SEC. 11104. RESTORATION AND ENHANCEMENT GRANTS.***

*(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under section 24408 of title 49, United States Code, (as added by section 11303 of this Act), $20,000,000 for each of fiscal years 2016 through 2020.*

*(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under section 24408 of title 49, United States Code.*

***SEC. 11105. AUTHORIZATION OF APPROPRIATIONS FOR AMTRAK OFFICE OF INSPECTOR GENERAL.***

*There are authorized to be appropriated to the Office of Inspector General of Amtrak the following amounts:*

*(1) For fiscal year 2016, $20,000,000.*
*(2) For fiscal year 2017, $20,500,000.*
*(3) For fiscal year 2018, $21,000,000.*
*(4) For fiscal year 2019, $21,500,000.*
*(5) For fiscal year 2020, $22,000,000.*

***SEC. 11106. DEFINITIONS.***

*(a) TITLE 49 AMENDMENTS.—Section 24102 of title 49, United States Code, is amended—*

*(1) by redesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;*

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

*''(5) 'long-distance route' means a route described in subparagraph (C) of paragraph (7).*

*''(6) 'National Network' includes long-distance routes and State-supported routes.''; and*

*(3) by adding at the end the following new paragraphs:*

*''(12) 'state-of-good-repair' means a condition in which physical assets, both individually and as a system, are—*

*''(A) performing at a level at least equal to that called for in their as-built or as-modified design specification during any period when the life cycle cost of maintaining the assets is lower than the cost of replacing them; and*

*''(B) sustained through regular maintenance and replacement programs.*

*''(13) 'State-supported route' means a route described in subparagraph (B) or (D) of paragraph (7), or in section 24702, that is operated by Amtrak, excluding those trains operated by Amtrak on the routes described in paragraph (7)(A).''.*

*(b) CONFORMING AMENDMENTS.—*

*(1) Section 217 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24702 note) is amended by striking ''24102(5)(D)'' and inserting ''24102(7)(D)''.*

*(2) Section 209(a) of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended by striking ''24102(5)(B) and (D)'' and inserting ''24102(7)(B) and (D)''.*

### *Subtitle B—Amtrak Reforms*

***SEC. 11201. ACCOUNTS.***

*(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is amended by adding at the end the following:*

***''§ 24317. Accounts***

*''(a) PURPOSE.—The purpose of this section is to—*

*''(1) promote the effective use and stewardship by Amtrak of Amtrak revenues, Federal, State, and third party investments, appropriations, grants and other forms of financial assistance, and other sources of funds; and*

*''(2) enhance the transparency of the assignment of revenues and costs among Amtrak business lines while ensuring the health of the Northeast Corridor and National Network.*

*''(b) ACCOUNT STRUCTURE.—Not later than 180 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation, in consultation with Amtrak, shall define an account structure and improvements to accounting methodologies, as necessary, to support, at a minimum, the Northeast Corridor and the National Network.*

*''(c) FINANCIAL SOURCES.—In defining the account structure and improvements to accounting methodologies required under subsection (b), the Secretary shall ensure, to the greatest extent practicable, that Amtrak assigns the following:*

*''(1) For the Northeast Corridor account, all revenues, appropriations, grants and other forms of financial assistance, compensation, and other sources of funds associated with the Northeast Corridor, including—*

*''(A) grant funds appropriated for the Northeast Corridor pursuant to section 11101(a) of the Passenger Rail Reform and Investment Act of 2015 or any subsequent Act;*

*''(B) compensation received from commuter rail passenger transportation providers for such providers' share of capital and operating costs on the Northeast Corridor provided to Amtrak pursuant to section 24905(c); and*

*''(C) any operating surplus of the Northeast Corridor, as allocated pursuant to section 24318.*

*''(2) For the National Network account, all revenues, appropriations, grants and other forms of financial assistance, compensation, and other sources of funds associated with the National Network, including—*

*''(A) grant funds appropriated for the National Network pursuant to section 11101(b) of the Passenger Rail Reform and Investment Act of 2015 or any subsequent Act;*

*''(B) compensation received from States provided to Amtrak pursuant to section 209 of the Passenger Rail Investment and Improvement Act of 2008 (42 U.S.C. 24101 note); and*

*''(C) any operating surplus of the National Network, as allocated pursuant to section 24318.*

*''(d) FINANCIAL USES.—In defining the account structure and improvements to accounting methodologies required under subsection (b), the Secretary shall ensure, to the greatest extent practicable, that amounts assigned to the Northeast Corridor and National Network accounts shall be used by Amtrak for the following:*

''(1) For the Northeast Corridor, all associated costs, including—

''(A) operating activities;

''(B) capital activities as described in section 24904(a)(2)(E);

''(C) acquiring, rehabilitating, manufacturing, remanufacturing, overhauling, or improving equipment and associated facilities used for intercity rail passenger transportation by Northeast Corridor train services;

''(D) payment of principal and interest on loans for capital projects described in this paragraph or for capital leases attributable to the Northeast Corridor;

''(E) other capital projects on the Northeast Corridor, determined appropriate by the Secretary, and consistent with section 24905(c)(1)(A)(i); and

''(F) if applicable, capital projects described in section 24904(b).

''(2) For the National Network, all associated costs, including—

''(A) operating activities;

''(B) capital activities; and

''(C) the payment of principal and interest on loans or capital leases attributable to the National Network.

''(e) IMPLEMENTATION AND REPORTING.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak, in consultation with the Secretary, shall implement any account structures and improvements defined under subsection (b) so that Amtrak is able to produce profit and loss statements for each of the business lines described in section 24320(b)(1) and, as appropriate, each of the asset categories described in section 24320(c)(1) that identify sources and uses of—

''(A) revenues;

''(B) appropriations; and

''(C) transfers between business lines.

''(2) UPDATED PROFIT AND LOSS STATEMENTS.—Not later than 1 month after the implementation under paragraph (1), and monthly thereafter, Amtrak shall submit updated profit and loss statements for each of the business lines and asset categories to the Secretary.

''(f) ACCOUNT MANAGEMENT.—For the purposes of account management, Amtrak may transfer funds between the Northeast Corridor account and National Network account without prior notification and approval under subsection (g) if such transfers—

''(1) do not materially impact Amtrak's ability to achieve its anticipated financial, capital, and operating performance goals for the fiscal year; and

''(2) would not materially change any grant agreement entered into pursuant to section 24319(d), or other agreements made pursuant to applicable Federal law.

''(g) TRANSFER AUTHORITY.—

''(1) IN GENERAL.—If Amtrak determines that a transfer between the accounts defined under subsection (b) does not meet the account management standards established under subsection (f), Amtrak may transfer funds between the Northeast Corridor and National Network accounts if—

''(A) Amtrak notifies the Amtrak Board of Directors, including the Secretary, at least 10 days prior to the expected date of transfer; and

''(B) solely for a transfer that will materially change a grant agreement, the Secretary approves.

''(2) REPORT.—Not later than 5 days after the Amtrak Board of Directors receives notification from Amtrak under paragraph (1)(A), the Board shall transmit to the Secretary, the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, a report that includes—

''(A) the amount of the transfer; and

''(B) a detailed explanation of the reason for the transfer, including—

''(i) the effects on Amtrak services funded by the account from which the transfer is drawn, in comparison to a scenario in which no transfer was made; and

''(ii) the effects on Amtrak services funded by the account receiving the transfer, in comparison to a scenario in which no transfer was made.

''(3) NOTIFICATIONS.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a transfer under paragraph (1) to or from an account, Amtrak shall transmit to the State-Supported Route Committee and Northeast Corridor Commission a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(h) REPORT.—Not later than 2 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall submit to the Secretary a report assessing the account and reporting structure established under this section and providing any recommendations for further action. Not later than 180 days after the date of receipt of such report, the Secretary shall provide an assessment that supplements Amtrak's report and submit the Amtrak report with the supplemental assessment to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(i) DEFINITION OF NORTHEAST CORRIDOR.—Notwithstanding section 24102, for purposes of this section, the term 'Northeast Corridor' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 243 is amended by adding at the end the following:

''24317. Accounts.''.

***SEC. 11202. AMTRAK GRANT PROCESS.***

(a) REQUIREMENTS AND PROCEDURES.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following:

***''§24318. Costs and revenues***

''(a) ALLOCATION.—Not later than 180 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall establish and maintain internal controls to ensure Amtrak's costs, revenues, and other compensation are appropriately allocated to the Northeast Corridor, including train services or infrastructure, or the National Network, including proportional shares of common and fixed costs.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of Amtrak to enter into an agreement with 1 or more States to allocate operating and capital costs under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(c) DEFINITION OF NORTHEAST CORRIDOR.—Notwithstanding section 24102, for purposes of this section, the term 'Northeast Corridor' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.

***''§24319. Grant process***

''(a) PROCEDURES FOR GRANT REQUESTS.—Not later than 90 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation shall establish and transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives substantive and procedural requirements, including schedules, for grant requests under this section.

''(b) GRANT REQUESTS.—Amtrak shall transmit to the Secretary grant requests for Federal funds appropriated to the Secretary of Transportation for the use of Amtrak.

''(c) CONTENTS.—A grant request under subsection (b) shall, as applicable—

''(1) describe projected operating and capital costs for the upcoming fiscal year for Northeast Corridor activities, including train services and infrastructure, and National Network activities, including State-supported routes and long-distance routes, in comparison to prior fiscal year actual financial performance;

''(2) describe the capital projects to be funded, with cost estimates and an estimated timetable for completion of the projects covered by the request; and

''(3) assess Amtrak's financial condition.

''(d) REVIEW AND APPROVAL.—

''(1) THIRTY-DAY APPROVAL PROCESS.—

''(A) IN GENERAL.—Not later than 30 days after the date that Amtrak submits a grant request under this section, the Secretary of Transportation shall complete a review of the request and provide notice to Amtrak that—

''(i) the request is approved; or

''(ii) the request is disapproved, including the reason for the disapproval and an explanation of any incomplete or deficient items.

''(B) GRANT AGREEMENT.—If a grant request is approved, the Secretary shall enter into a grant agreement with Amtrak.

''(2) FIFTEEN-DAY MODIFICATION PERIOD.—Not later than 15 days after the date of a notice under paragraph (1)(A)(ii), Amtrak shall submit a modified request for the Secretary's review.

''(3) MODIFIED REQUESTS.—Not later than 15 days after the date that Amtrak submits a modified request under paragraph (2), the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

''(e) PAYMENTS TO AMTRAK.—

''(1) IN GENERAL.—A grant agreement entered into under subsection (d) shall specify the operations, services, and other activities to be funded by the grant. The grant agreement shall include provisions, consistent with the requirements of this chapter, to measure Amtrak's performance and ensure accountability in delivering the operations, services, or activities to be funded by the grant.

''(2) SCHEDULE.—Except as provided in paragraph (3), in each fiscal year for which amounts are appropriated to the Secretary for the use of Amtrak, and for which the Secretary and Amtrak have entered into a grant agreement under subsection (d), the Secretary shall disburse grant funds to Amtrak on the following schedule:

''(A) 50 percent on October 1.

''(B) 25 percent on January 1.

''(C) 25 percent on April 1.

''(3) EXCEPTIONS.—The Secretary may make a payment to Amtrak of appropriated funds—

''(A) more frequently than the schedule under paragraph (2) if Amtrak, for good cause, requests more frequent payment before the end of a payment period; or

''(B) with a different frequency or in different percentage allocations in the event of a continuing resolution or in the absence of an appropriations Act for the duration of a fiscal year.

''(f) AVAILABILITY OF AMOUNTS AND EARLY APPROPRIATIONS.—Amounts appropriated to the Secretary for the use of Amtrak shall remain available until expended. Amounts for capital acquisitions and improvements may be appropriated for a fiscal year before the fiscal year in which the amounts will be obligated.

''(g) LIMITATIONS ON USE.—Amounts appropriated to the Secretary for the use of Amtrak

*may not be used to cross-subsidize operating losses or capital costs of commuter rail passenger or freight rail transportation.*

*''(h) DEFINITION OF NORTHEAST CORRIDOR.—Notwithstanding section 24102, for purposes of this section, the term 'Northeast Corridor' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.''.*

*(b) CONFORMING AMENDMENTS.—The table of contents for chapter 243 is further amended by adding at the end the following:*

*''24318. Costs and revenues.*

*''24319. Grant process.''.*

*(c) REPEALS.—*

*(1) ESTABLISHMENT OF GRANT PROCESS.—Section 206 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) and the item relating to that section in the table of contents of that Act are repealed.*

*(2) AUTHORIZATION OF APPROPRIATIONS.—Section 24104 of title 49, United States Code, and the item relating to that section in the table of contents of chapter 241 are repealed.*

***SEC. 11203. 5-YEAR BUSINESS LINE AND ASSET PLANS.***

*(a) AMTRAK 5-YEAR BUSINESS LINE AND ASSET PLANS.—Chapter 243 of title 49, United States Code, is further amended by inserting after section 24319 the following:*

***''§24320. Amtrak 5-year business line and asset plans***

*''(a) IN GENERAL.—*

*''(1) FINAL PLANS.—Not later than February 15 of each year, Amtrak shall submit to Congress and the Secretary of Transportation final 5-year business line plans and 5-year asset plans prepared in accordance with this section. These final plans shall form the basis for Amtrak's general and legislative annual report to the President and Congress required by section 24315(b). Each plan shall cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed.*

*''(2) FISCAL CONSTRAINT.—Each plan prepared under this section shall be based on funding levels authorized or otherwise available to Amtrak in a fiscal year. In the absence of an authorization or appropriation of funds for a fiscal year, the plans shall be based on the amount of funding available in the previous fiscal year, plus inflation. Amtrak may include an appendix to the asset plan required in subsection (c) that describes any funding needs in excess of amounts authorized or otherwise available to Amtrak in a fiscal year.*

*''(b) AMTRAK 5-YEAR BUSINESS LINE PLANS.—*

*''(1) AMTRAK BUSINESS LINES.—Amtrak shall prepare a 5-year business line plan for each of the following business lines and services:*

*''(A) Northeast Corridor train services.*

*''(B) State-supported routes operated by Amtrak.*

*''(C) Long-distance routes operated by Amtrak.*

*''(D) Ancillary services operated by Amtrak, including commuter operations and other revenue generating activities as determined by the Secretary in coordination with Amtrak.*

*''(2) CONTENTS OF 5-YEAR BUSINESS LINE PLANS.—The 5-year business line plan for each business line shall include, at a minimum—*

*''(A) a statement of Amtrak's objectives, goals, and service plan for the business line, in consultation with any entities that are contributing capital or operating funding to support passenger rail services within those business lines, and aligned with Amtrak's Strategic Plan and 5-year asset plans under subsection (c);*

*''(B) all projected revenues and expenditures for the business line, including identification of revenues and expenditures incurred by—*

*''(i) passenger operations;*

*''(ii) non-passenger operations that are directly related to the business line; and*

*''(iii) governmental funding sources, including revenues and other funding received from States;*

*''(C) projected ridership levels for all passenger operations;*

*''(D) estimates of long-term and short-term debt and associated principal and interest payments (both current and forecasts);*

*''(E) annual profit and loss statements and forecasts and balance sheets;*

*''(F) annual cash flow forecasts;*

*''(G) a statement describing the methodologies and significant assumptions underlying estimates and forecasts;*

*''(H) specific performance measures that demonstrate year over year changes in the results of Amtrak's operations;*

*''(I) financial performance for each route within each business line, including descriptions of the cash operating loss or contribution and productivity for each route;*

*''(J) specific costs and savings estimates resulting from reform initiatives;*

*''(K) prior fiscal year and projected equipment reliability statistics; and*

*''(L) an identification and explanation of any major adjustments made from previously-approved plans.*

*''(3) 5-YEAR BUSINESS LINE PLANS PROCESS.—In meeting the requirements of this section, Amtrak shall—*

*''(A) consult with the Secretary in the development of the business line plans;*

*''(B) for the Northeast Corridor business line plan, consult with the Northeast Corridor Commission and transmit to the Commission the final plan under subsection (a)(1), and consult with other entities, as appropriate;*

*''(C) for the State-supported route business line plan, consult with the State-Supported Route Committee established under section 24712;*

*''(D) for the long-distance route business line plan, consult with any States or Interstate Compacts that provide funding for such routes, as appropriate;*

*''(E) ensure that Amtrak's general and legislative annual report, required under section 24315(b), to the President and Congress is consistent with the information in the 5-year business line plans; and*

*''(F) identify the appropriate Amtrak officials that are responsible for each business line.*

*''(4) DEFINITION OF NORTHEAST CORRIDOR.—Notwithstanding section 24102, for purposes of this section, the term 'Northeast Corridor' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.*

*''(c) AMTRAK 5-YEAR ASSET PLANS.—*

*''(1) ASSET CATEGORIES.—Amtrak shall prepare a 5-year asset plan for each of the following asset categories:*

*''(A) Infrastructure, including all Amtrak-controlled Northeast Corridor assets and other Amtrak-owned infrastructure, and the associated facilities that support the operation, maintenance, and improvement of those assets.*

*''(B) Passenger rail equipment, including all Amtrak-controlled rolling stock, locomotives, and mechanical shop facilities that are used to overhaul equipment.*

*''(C) Stations, including all Amtrak-controlled passenger rail stations and elements of other stations for which Amtrak has legal responsibility or intends to make capital investments.*

*''(D) National assets, including national reservations, security, training and training centers, and other assets associated with Amtrak's national rail passenger transportation system.*

*''(2) CONTENTS OF 5-YEAR ASSET PLANS.—Each asset plan shall include, at a minimum—*

*''(A) a summary of Amtrak's 5-year strategic plan for each asset category, including goals, objectives, any relevant performance metrics, and statutory or regulatory actions affecting the assets;*

*''(B) an inventory of existing Amtrak capital assets, to the extent practicable, including information regarding shared use or ownership, if applicable;*

*''(C) a prioritized list of proposed capital investments that—*

*''(i) categorizes each capital project as being primarily associated with—*

*''(I) normalized capital replacement;*

*''(II) backlog capital replacement;*

*''(III) improvements to support service enhancements or growth;*

*''(IV) strategic initiatives that will improve overall operational performance, lower costs, or otherwise improve Amtrak's corporate efficiency; or*

*''(V) statutory, regulatory, or other legal mandates;*

*''(ii) identifies each project or program that is associated with more than 1 category described in clause (i); and*

*''(iii) describes the anticipated business outcome of each project or program identified under this subparagraph, including an assessment of—*

*''(I) the potential effect on passenger operations, safety, reliability, and resilience;*

*''(II) the potential effect on Amtrak's ability to meet regulatory requirements if the project or program is not funded; and*

*''(III) the benefits and costs; and*

*''(D) annual profit and loss statements and forecasts and balance sheets for each asset category.*

*''(3) 5-YEAR ASSET PLAN PROCESS.—In meeting the requirements of this subsection, Amtrak shall—*

*''(A) consult with each business line described in subsection (b)(1) in the preparation of each 5-year asset plan and ensure integration of each 5-year asset plan with the 5-year business line plans;*

*''(B) as applicable, consult with the Northeast Corridor Commission, the State-Supported Route Committee, and owners of assets affected by 5-year asset plans; and*

*''(C) identify the appropriate Amtrak officials that are responsible for each asset category.*

*''(4) EVALUATION OF NATIONAL ASSETS COSTS.—The Secretary shall—*

*''(A) evaluate the costs and scope of all national assets; and*

*''(B) determine the activities and costs that are—*

*''(i) required in order to ensure the efficient operations of a national rail passenger system;*

*''(ii) appropriate for allocation to 1 of the other Amtrak business lines; and*

*''(iii) extraneous to providing an efficient national rail passenger system or are too costly relative to the benefits or performance outcomes they provide.*

*''(5) DEFINITION OF NATIONAL ASSETS.—In this section, the term 'national assets' means the Nation's core rail assets shared among Amtrak services, including national reservations, security, training and training centers, and other assets associated with Amtrak's national rail passenger transportation system.*

*''(6) RESTRUCTURING OF NATIONAL ASSETS.—Not later than 1 year after the date of completion of the evaluation under paragraph (4), the Administrator of the Federal Railroad Administration, in consultation with the Amtrak Board of Directors, the governors of each relevant State, and the Mayor of the District of Columbia, or their designees, shall restructure or reallocate, or both, the national assets costs in accordance with the determination under that section, including making appropriate updates to Amtrak's cost accounting methodology and system.*

*''(7) EXEMPTION.—*

*''(A) IN GENERAL.—Upon written request from the Amtrak Board of Directors, the Secretary may exempt Amtrak from including in a plan required under this subsection any information described in paragraphs (1) and (2).*

*''(B) PUBLIC AVAILABILITY.—The Secretary shall make available to the public on the Department's Internet Web site any exemption granted under subparagraph (A) and a detailed justification for granting such exemption.*

*''(C) INCLUSION IN PLAN.—Amtrak shall include in the plan required under this subsection*

*any request granted under subparagraph (A) and justification under subparagraph (B).*

*''(d) STANDARDS TO PROMOTE FINANCIAL STABILITY.—In preparing plans under this section, Amtrak shall—*

*''(1) apply sound budgetary practices, including reducing costs and other expenditures, improving productivity, increasing revenues, or combinations of such practices; and*

*''(2) use the categories specified in the financial accounting and reporting system developed under section 203 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).''.*

*(b) EFFECTIVE DATES.—The requirement for Amtrak to submit 5-year business line plans under section 24320(a)(1) of title 49, United States Code, shall take effect on February 15, 2017, the due date of the first business line plans. The requirement for Amtrak to submit 5-year asset plans under section 24320(a)(1) of such title shall take effect on February 15, 2019, the due date of the first asset plans.*

*(c) CONFORMING AMENDMENTS.—The table of contents for chapter 243 of title 49, United States Code, is amended by adding at the end the following:*

*''24320. Amtrak 5-year business line and asset plans.''.*

*(d) REPEAL OF 5-YEAR FINANCIAL PLAN.—Section 204 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note), and the item relating to that section in the table of contents of that Act, are repealed.*

***SEC. 11204. STATE-SUPPORTED ROUTE COMMITTEE.***

*(a) AMENDMENT.—Chapter 247 of title 49, United States Code, is amended by adding at the end the following:*

***''§ 24712. State-supported routes operated by Amtrak***

*''(a) STATE-SUPPORTED ROUTE COMMITTEE.—*

*''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation shall establish the State-Supported Route Committee (referred to in this section as the 'Committee') to promote mutual cooperation and planning pertaining to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-supported routes and to further implement section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).*

*''(2) MEMBERSHIP.—*

*''(A) IN GENERAL.—The Committee shall consist of—*

*''(i) members representing Amtrak;*

*''(ii) members representing the Department of Transportation, including the Federal Railroad Administration; and*

*''(iii) members representing States.*

*''(B) NON-VOTING MEMBERS.—The Committee may invite and accept other non-voting members to participate in Committee activities, as appropriate.*

*''(3) DECISIONMAKING.—The Committee shall establish a bloc voting system under which, at a minimum—*

*''(A) there are 3 separate voting blocs to represent the Committee's voting members, including—*

*''(i) 1 voting bloc to represent the members described in paragraph (2)(A)(i);*

*''(ii) 1 voting bloc to represent the members described in paragraph (2)(A)(ii); and*

*''(iii) 1 voting bloc to represent the members described in paragraph (2)(A)(iii);*

*''(B) each voting bloc has 1 vote;*

*''(C) the vote of the voting bloc representing the members described in paragraph (2)(A)(iii) requires the support of at least two-thirds of that voting bloc's members; and*

*''(D) the Committee makes decisions by unanimous consent of the 3 voting blocs.*

*''(4) MEETINGS; RULES AND PROCEDURES.—The Committee shall convene a meeting and shall define and implement the rules and procedures governing the Committee's proceedings not later than 180 days after the date of establishment of the Committee by the Secretary. The rules and procedures shall—*

*''(A) incorporate and further describe the decisionmaking procedures to be used in accordance with paragraph (3); and*

*''(B) be adopted in accordance with such decisionmaking procedures.*

*''(5) COMMITTEE DECISIONS.—Decisions made by the Committee in accordance with the Committee's rules and procedures, once established, are binding on all Committee members.*

*''(6) COST ALLOCATION METHODOLOGY.—*

*''(A) IN GENERAL.—Subject to subparagraph (B), the Committee may amend the cost allocation methodology required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).*

*''(B) PROCEDURES FOR CHANGING METHODOLOGY.—The rules and procedures implemented under paragraph (4) shall include procedures for changing the cost allocation methodology.*

*''(C) REQUIREMENTS.—The cost allocation methodology shall—*

*''(i) ensure equal treatment in the provision of like services of all States and groups of States; and*

*''(ii) allocate to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.*

*''(b) INVOICES AND REPORTS.—Not later than April 15, 2016, and monthly thereafter, Amtrak shall provide to each State that sponsors a State-supported route a monthly invoice of the cost of operating such route, including fixed costs and third-party costs. The Committee shall determine the frequency and contents of financial and performance reports that Amtrak shall provide to the States, as well as the planning and demand reports that the States shall provide to Amtrak.*

*''(c) DISPUTE RESOLUTION.—*

*''(1) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with respect to the rules and procedures implemented under subsection (a)(4), an invoice or a report provided under subsection (b), implementation or compliance with the cost allocation methodology developed under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) or amended under subsection (a)(6) of this section, either Amtrak or the State may request that the Surface Transportation Board conduct dispute resolution under this subsection.*

*''(2) PROCEDURES.—The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this subsection, which may include provision of professional mediation services.*

*''(3) BINDING EFFECT.—A decision of the Surface Transportation Board under this subsection shall be binding on the parties to the dispute.*

*''(4) OBLIGATION.—Nothing in this subsection shall affect the obligation of a State to pay an amount not in dispute.*

*''(d) ASSISTANCE.—*

*''(1) IN GENERAL.—The Secretary may provide assistance to the parties in the course of negotiations for a contract for operation of a State-supported route.*

*''(2) FINANCIAL ASSISTANCE.—From among available funds, the Secretary shall provide—*

*''(A) financial assistance to Amtrak or 1 or more States to perform requested independent technical analysis of issues before the Committee; and*

*''(B) administrative expenses that the Secretary determines necessary.*

*''(e) PERFORMANCE METRICS.—In negotiating a contract for operation of a State-supported route, Amtrak and the State or States that sponsor the route shall consider including provisions that provide penalties and incentives for performance.*

*''(f) STATEMENT OF GOALS AND OBJECTIVES.—*

*''(1) IN GENERAL.—The Committee shall develop a statement of goals, objectives, and associated recommendations concerning the future of State-supported routes operated by Amtrak. The statement shall identify the roles and responsibilities of Committee members and any other relevant entities, such as host railroads, in meeting the identified goals and objectives, or carrying out the recommendations. The Committee may consult with such relevant entities, as the Committee considers appropriate, when developing the statement.*

*''(2) TRANSMISSION OF STATEMENT OF GOALS AND OBJECTIVES.—Not later than 2 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Committee shall transmit the statement developed under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

*''(g) RULE OF CONSTRUCTION.—The decisions of the Committee—*

*''(1) shall pertain to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-sponsored routes; and*

*''(2) shall not pertain to the rail operations or related activities of services operated by other rail carriers on State-supported routes.*

*''(h) DEFINITION OF STATE.—In this section, the term 'State' means any of the 50 States, including the District of Columbia, that sponsor the operation of trains by Amtrak on a State-supported route, or a public entity that sponsors such operation on such a route.''.*

*(b) TECHNICAL AND CONFORMING AMENDMENTS.—*

*(1) TABLE OF CONTENTS.—The table of contents for chapter 247 of title 49, United States Code, is amended by adding at the end the following:*

*''24712. State-supported routes operated by Amtrak.''.*

*(2) PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT.—Section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—*

*(A) by striking subsection (b); and*

*(B) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.*

***SEC. 11205. COMPOSITION OF AMTRAK'S BOARD OF DIRECTORS.***

*Section 24302 of title 49, United States Code, is amended—*

*(1) in subsection (a)(1)—*

*(A) by striking ''9 directors'' and inserting ''10 directors'';*

*(B) in subparagraph (B) by inserting '', who shall serve as a nonvoting member of the Board'' after ''Amtrak''; and*

*(C) in subparagraph (C) by striking ''7'' and inserting ''8''; and*

*(2) in subsection (e), by inserting ''who are eligible to vote'' after ''serving''.*

***SEC. 11206. ROUTE AND SERVICE PLANNING DECISIONS.***

*Section 208 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended to read as follows:*

***''SEC. 208. METHODOLOGIES FOR AMTRAK ROUTE AND SERVICE PLANNING DECISIONS.***

*''(a) METHODOLOGY DEVELOPMENT.—Not later than 180 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall obtain the services of an independent entity to develop and recommend objective methodologies for Amtrak to use in determining what intercity rail passenger transportation routes and services it should provide, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes.*

*''(b) CONSIDERATIONS.—Amtrak shall require the independent entity, in developing the methodologies described in subsection (a), to consider—*

*''(1) the current and expected performance and service quality of intercity rail passenger*

*transportation operations, including cost recovery, on-time performance, ridership, on-board services, stations, facilities, equipment, and other services;*

*''(2) the connectivity of a route with other routes;*

*''(3) the transportation needs of communities and populations that are not well served by intercity rail passenger transportation service or by other forms of intercity transportation;*

*''(4) the methodologies of Amtrak and major intercity rail passenger transportation service providers in other countries for determining intercity passenger rail routes and services;*

*''(5) the financial and operational effects on the overall network, including the effects on direct and indirect costs;*

*''(6) the views of States, rail carriers that own infrastructure over which Amtrak operates, Interstate Compacts established by Congress and States, Amtrak employee representatives, stakeholder organizations, and other interested parties; and*

*''(7) the funding levels that will be available under authorization levels that have been enacted into law.*

*''(c) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the recommendations developed by the independent entity under subsection (a).*

*''(d) CONSIDERATION OF RECOMMENDATIONS.—Not later than 90 days after the date on which the recommendations are transmitted under subsection (c), the Amtrak Board of Directors shall consider the adoption of each recommendation and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for adopting or not adopting each recommendation.''.*

***SEC. 11207. FOOD AND BEVERAGE REFORM.***

*(a) AMENDMENT.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following new section:*

***''§ 24321. Food and beverage reform***

*''(a) PLAN.—Not later than 90 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall develop and begin implementing a plan to eliminate, within 5 years of such date of enactment, the operating loss associated with providing food and beverage service on board Amtrak trains.*

*''(b) CONSIDERATIONS.—In developing and implementing the plan, Amtrak shall consider a combination of cost management and revenue generation initiatives, including—*

*''(1) scheduling optimization;*

*''(2) on-board logistics;*

*''(3) product development and supply chain efficiency;*

*''(4) training, awards, and accountability;*

*''(5) technology enhancements and process improvements; and*

*''(6) ticket revenue allocation.*

*''(c) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee holding a position as of the date of enactment of the Passenger Rail Reform and Investment Act of 2015 is involuntarily separated because of—*

*''(1) the development and implementation of the plan required under subsection (a); or*

*''(2) any other action taken by Amtrak to implement this section.*

*''(d) NO FEDERAL FUNDING FOR OPERATING LOSSES.—Beginning on the date that is 5 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or a rail carrier that operates a route in lieu of Amtrak pursuant to section 24711.*

*''(e) REPORT.—Not later than 120 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, and annually thereafter for 5 years, Amtrak shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the plan developed pursuant to subsection (a) and a description of progress in the implementation of the plan.''.*

*(b) CONFORMING AMENDMENT.—The table of sections for chapter 243 of title 49, United States Code, is further amended by adding at the end the following new item:*

*''24321. Food and beverage reform.''.*

***SEC. 11208. ROLLING STOCK PURCHASES.***

*(a) AMENDMENT.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following new section:*

***''§ 24322. Rolling stock purchases***

*''(a) IN GENERAL.—Prior to entering into any contract in excess of $100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary of Transportation, the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.*

*''(b) CONTENTS.—The business case analysis shall—*

*''(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;*

*''(2) set forth the total payments by fiscal year;*

*''(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;*

*''(4) include an explanation of whether any payment under the contract will increase Amtrak's funding request in its general and legislative annual report required under section 24315(b) in a particular fiscal year; and*

*''(5) describe how Amtrak will adjust the procurement if future funding is not available.*

*''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak to disclose confidential information regarding a potential vendor's proposed pricing or other sensitive business information prior to contract execution or prohibiting Amtrak from entering into a contract after submission of a business case analysis under subsection (a).''.*

*(b) CONFORMING AMENDMENT.—The table of sections for chapter 243 of title 49, United States Code, is further amended by adding at the end the following new item:*

*''24322. Rolling stock purchases.''.*

***SEC. 11209. LOCAL PRODUCTS AND PROMOTIONAL EVENTS.***

*(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, Amtrak shall establish a pilot program for a State or States that sponsor a State-supported route operated by Amtrak to facilitate—*

*(1) onboard purchase and sale of local food and beverage products; and*

*(2) partnerships with local entities to hold promotional events on trains or in stations.*

*(b) PROGRAM DESIGN.—The pilot program under paragraph (1) shall—*

*(1) allow a State or States to nominate and select a local food and beverage products supplier or suppliers or local promotional event partner;*

*(2) allow a State or States to charge a reasonable price or fee for local food and beverage products or promotional events and related activities to help defray the costs of program administration and State-supported routes; and*

*(3) provide a mechanism to ensure that State products can effectively be handled and integrated into existing food and beverage services, including compliance with all applicable regulations and standards governing such services.*

*(c) PROGRAM ADMINISTRATION.—The pilot program shall—*

*(1) for local food and beverage products, ensure the products are integrated into existing food and beverage services, including compliance with all applicable regulations and standards;*

*(2) for promotional events, ensure the events are held in compliance with all applicable regulations and standards, including terms to address insurance requirements; and*

*(3) require an annual report that documents revenues and costs and indicates whether the products or events resulted in a reduction in the financial contribution of a State or States to the applicable State-supported route.*

*(d) REPORT.—Not later than 4 years after the date of enactment of this Act, Amtrak shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on which States have participated in the pilot programs under this section. The report shall summarize the financial and operational outcomes of the pilot programs and include any plan for future action.*

*(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting Amtrak's ability to operate special trains in accordance with section 216 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24308 note).*

***SEC. 11210. AMTRAK PILOT PROGRAM FOR PASSENGERS TRANSPORTING DOMESTICATED CATS AND DOGS.***

*(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall develop a pilot program that allows passengers to transport domesticated cats or dogs on certain trains operated by Amtrak.*

*(b) PET POLICY.—In developing the pilot program required under subsection (a), Amtrak shall—*

*(1) in the case of a passenger train that is comprised of more than 1 car, designate, where feasible, at least 1 car in which a ticketed passenger may transport a domesticated cat or dog in the same manner as carry-on baggage if—*

*(A) the cat or dog is contained in a pet kennel;*

*(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;*

*(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(7) of title 49, United States Code; and*

*(D) the passenger pays a fee described in paragraph (3);*

*(2) allow a ticketed passenger to transport a domesticated cat or dog on a train in the same manner as cargo if—*

*(A) the cat or dog is contained in a pet kennel;*

*(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;*

*(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(7) of title 49, United States Code;*

*(D) the cargo area is temperature controlled in a manner protective of cat and dog safety and health; and*

*(E) the passenger pays a fee described in paragraph (3); and*

*(3) collect fees for each cat or dog transported by a ticketed passenger in an amount that, in the aggregate and at a minimum, covers the full costs of the pilot program.*

*(c) REPORT.—Not later than 1 year after the pilot program required under subsection (a) is first implemented, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing an evaluation of the pilot program.*

*(d) LIMITATION ON STATUTORY CONSTRUCTION.—*

*(1) SERVICE ANIMALS.—The pilot program under subsection (a) shall be separate from and in addition to the policy governing Amtrak passengers traveling with service animals. Nothing in this section may be interpreted to limit or waive the rights of passengers to transport service animals.*

*(2) ADDITIONAL TRAIN CARS.—Nothing in this section may be interpreted to require Amtrak to add additional train cars or modify existing train cars.*

*(3) FEDERAL FUNDS.—No Federal funds may be used to implement the pilot program required under this section.*

***SEC. 11211. RIGHT-OF-WAY LEVERAGING.***

*(a) REQUEST FOR PROPOSALS.—*

*(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall issue a Request for Proposals seeking qualified persons or entities to utilize right-of-way and real estate owned, controlled, or managed by Amtrak for telecommunications systems, energy distribution systems, and other activities considered appropriate by Amtrak.*

*(2) CONTENTS.—The Request for Proposals shall provide sufficient information on the right-of-way and real estate assets to enable respondents to propose an arrangement that will monetize or generate additional revenue from such assets through revenue sharing or leasing agreements with Amtrak, to the extent possible.*

*(3) DEADLINE.—Amtrak shall set a deadline for the submission of proposals that is not later than 1 year after the issuance of the Request for Proposals under paragraph (1).*

*(b) CONSIDERATION OF PROPOSALS.—Not later than 180 days after the deadline for the receipt of proposals under subsection (a), the Amtrak Board of Directors shall review and consider each qualified proposal. Amtrak may enter into such agreements as are necessary to implement any qualified proposal.*

*(c) REPORT.—Not later than 1 year after the deadline for the receipt of proposals under subsection (a), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals required by this section, including summary information of any proposals submitted to Amtrak and any proposals accepted by the Amtrak Board of Directors.*

*(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to utilize right-of-way or real estate assets that it currently owns, controls, or manages or constrain Amtrak's ability to enter into agreements with other parties to utilize such assets.*

***SEC. 11212. STATION DEVELOPMENT.***

*(a) REPORT ON DEVELOPMENT OPTIONS.—Not later than 1 year after the date of enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—*

*(1) options to enhance economic development and accessibility of and around Amtrak stations and terminals, for the purposes of—*

*(A) improving station condition, functionality, capacity, and customer amenities;*

*(B) generating additional investment capital and development-related revenue streams;*

*(C) increasing ridership and revenue; and*

*(D) strengthening multimodal connections, including transit, intercity buses, roll-on and roll-off bicycles, and airports, as appropriate; and*

*(2) options for additional Amtrak stops that would have a positive incremental financial impact to Amtrak, based on Amtrak feasibility studies that demonstrate a financial benefit to Amtrak by generating additional revenue that exceeds any incremental costs.*

*(b) REQUEST FOR INFORMATION.—Not later than 90 days after the date the report is submitted under subsection (a), Amtrak shall issue a Request for Information for 1 or more owners of stations served by Amtrak to formally express an interest in completing the requirements of this section.*

*(c) PROPOSALS.—*

*(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date the Request for Information is issued under subsection (b), Amtrak shall issue a Request for Proposals from qualified persons, including small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses, to lead, participate, or partner with Amtrak, a station owner that responded under subsection (b), and other entities in enhancing development in and around such stations and terminals using applicable options identified under subsection (a) at facilities selected by Amtrak.*

*(2) CONSIDERATION OF PROPOSALS.—Not later than 1 year after the date the Request for Proposals is issued under paragraph (1), the Amtrak Board of Directors shall review and consider qualified proposals submitted under paragraph (1). Amtrak or a station owner that responded under subsection (b) may enter into such agreements as are necessary to implement any qualified proposal.*

*(d) REPORT.—Not later than 4 years after the date of enactment of this Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals process required under this section, including summary information of any qualified proposals submitted to Amtrak and any proposals acted upon by Amtrak or a station owner that responded under subsection (b).*

*(e) DEFINITIONS.—In this section, the terms ''small business concern'', ''socially and economically disadvantaged individual'', and ''veteran-owned small business'' have the meanings given the terms in section 11310(c) of this Act.*

*(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to develop its stations, terminals, or other assets, to constrain Amtrak's ability to enter into and carry out agreements with other parties to enhance development at or around Amtrak stations or terminals, or to affect any station development initiatives ongoing as of the date of enactment of this Act.*

***SEC. 11213. AMTRAK BOARDING PROCEDURES.***

*(a) REPORT.—Not later than 9 months after the date of enactment of this Act, the Amtrak Office of Inspector General shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—*

*(1) evaluates Amtrak's boarding procedures for passengers, including passengers using or transporting nonmotorized transportation, such as bicycles, at its 15 stations through which the most people pass;*

*(2) compares Amtrak's boarding procedures to—*

*(A) boarding procedures of providers of commuter railroad passenger transportation at stations shared with Amtrak;*

*(B) international intercity passenger rail boarding procedures; and*

*(C) fixed guideway transit boarding procedures; and*

*(3) makes recommendations, as appropriate, to improve Amtrak's boarding procedures, including recommendations regarding the queuing of passengers and free-flow of all station users and facility improvements needed to achieve the recommendations.*

*(b) CONSIDERATION OF RECOMMENDATIONS.—Not later than 6 months after the report is submitted under subsection (a), the Amtrak Board of Directors shall consider each recommendation provided under subsection (a)(3) for implementation at appropriate locations across the Amtrak system.*

***SEC. 11214. AMTRAK DEBT.***

*Section 205 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—*

*(1) by striking ''as of the date of enactment of this Act'' each place it appears;*

*(2) in subsection (a)—*

*(A) by inserting '', to the extent provided in advance in appropriations Acts'' after ''Amtrak's indebtedness''; and*

*(B) by striking the second sentence;*

*(3) in subsection (b) by striking ''The Secretary of the Treasury, in consultation'' and inserting ''To the extent amounts are provided in advance in appropriations Acts, the Secretary of the Treasury, in consultation'';*

*(4) in subsection (d), by inserting '', to the extent provided in advance in appropriations Acts'' after ''as appropriate'';*

*(5) in subsection (e)—*

*(A) in paragraph (1) by striking ''by section 102 of this division''; and*

*(B) in paragraph (2) by striking ''by section 102'' and inserting ''for Amtrak'';*

*(6) in subsection (g) by inserting '', unless that debt receives credit assistance, including direct loans and loan guarantees, under chapter 6 of title 23, United States Code or title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.)'' after ''Secretary''; and*

*(7) by striking subsection (h).*

***SEC. 11215. ELIMINATION OF DUPLICATIVE REPORTING.***

*Not later than 1 year after the date of enactment of this Act, the Secretary shall—*

*(1) review existing Amtrak reporting requirements and identify where the existing requirements are duplicative with the business line and asset plans required by section 24320 of title 49, United States Code, or any other planning or reporting requirements under Federal law or regulation;*

*(2) if the duplicative requirements identified under paragraph (1) are administrative, eliminate such requirements; and*

*(3) submit to Congress a report with any recommendations for repealing any other duplicative requirements.*

***Subtitle C—Intercity Passenger Rail Policy***

***SEC. 11301. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.***

*(a) IN GENERAL.—Chapter 244 of title 49, United States Code, is amended by adding at the end the following:*

***''§ 24407. Consolidated rail infrastructure and safety improvements***

*''(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.*

*''(b) ELIGIBLE RECIPIENTS.—The following entities are eligible to receive a grant under this section:*

*''(1) A State.*

*''(2) A group of States.*

*''(3) An Interstate Compact.*

*''(4) A public agency or publicly chartered authority established by 1 or more States.*

*''(5) A political subdivision of a State.*

*''(6) Amtrak or another rail carrier that provides intercity rail passenger transportation (as defined in section 24102).*

*''(7) A Class II railroad or Class III railroad (as those terms are defined in section 20102).*

*''(8) Any rail carrier or rail equipment manufacturer in partnership with at least 1 of the entities described in paragraphs (1) through (5).*

*''(9) The Transportation Research Board and any entity with which it contracts in the development of rail-related research, including cooperative research programs.*

*''(10) A University transportation center engaged in rail-related research.*

''(11) A non-profit labor organization representing a class or craft of employees of rail carriers or rail carrier contractors.

''(c) ELIGIBLE PROJECTS.—The following projects are eligible to receive grants under this section:

''(1) Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.

''(2) A capital project as defined in section 24401(2), except that a project shall not be required to be in a State rail plan developed under chapter 227.

''(3) A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.

''(4) A capital project identified by the Secretary as being necessary to reduce congestion and facilitate ridership growth in intercity passenger rail transportation along heavily traveled rail corridors.

''(5) A highway-rail grade crossing improvement project, including installation, repair, or improvement of grade separations, railroad crossing signals, gates, and related technologies, highway traffic signalization, highway lighting and crossing approach signage, roadway improvements such as medians or other barriers, railroad crossing panels and surfaces, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.

''(6) A rail line relocation and improvement project.

''(7) A capital project to improve short-line or regional railroad infrastructure.

''(8) The preparation of regional rail and corridor service development plans and corresponding environmental analyses.

''(9) Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service or commercial air service.

''(10) The development and implementation of a safety program or institute designed to improve rail safety.

''(11) Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.

''(12) Workforce development and training activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, the Department of Labor, and the Department of Education.

''(d) APPLICATION PROCESS.—The Secretary shall prescribe the form and manner of filing an application under this section.

''(e) PROJECT SELECTION CRITERIA.—

''(1) IN GENERAL.—In selecting a recipient of a grant for an eligible project, the Secretary shall—

''(A) give preference to a proposed project for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(B) after factoring in preference to projects under subparagraph (A), select projects that will maximize the net benefits of the funds appropriated for use under this section, considering the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project and factoring in the other considerations described in paragraph (2).

''(2) OTHER CONSIDERATIONS.—The Secretary shall also consider the following:

''(A) The degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the project.

''(B) The recipient's past performance in developing and delivering similar projects, and previous financial contributions.

''(C) Whether the recipient has or will have the legal, financial, and technical capacity to carry out the proposed project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities.

''(D) If applicable, the consistency of the proposed project with planning guidance and documents set forth by the Secretary or required by law or State rail plans developed under chapter 227.

''(E) If applicable, any technical evaluation ratings the proposed project received under previous competitive grant programs administered by the Secretary.

''(F) Such other factors as the Secretary considers relevant to the successful delivery of the project.

''(3) BENEFITS.—The benefits described in paragraph (1)(B) may include the effects on system and service performance, including measures such as improved safety, competitiveness, reliability, trip or transit time, resilience, efficiencies from improved integration with other modes, the ability to meet existing or anticipated demand, and any other benefits.

''(f) PERFORMANCE MEASURES.—The Secretary shall establish performance measures for each grant recipient to assess progress in achieving strategic goals and objectives. The Secretary may require a grant recipient to periodically report information related to such performance measures.

''(g) RURAL AREAS.—

''(1) IN GENERAL.—Of the amounts appropriated under this section, at least 25 percent shall be available for projects in rural areas. The Secretary shall consider a project to be in a rural area if all or the majority of the project (determined by the geographic location or locations where the majority of the project funds will be spent) is located in a rural area.

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area' means any area not in an urbanized area, as defined by the Bureau of the Census.

''(h) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COSTS.—The Secretary shall estimate the total costs of a project under this section based on the best available information, including any available engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total project costs under this section shall not exceed 80 percent.

''(3) TREATMENT OF PASSENGER RAIL REVENUE.—If Amtrak or another rail carrier is an applicant under this section, Amtrak or the other rail carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(i) APPLICABILITY.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements of this chapter.

''(j) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(k) LIMITATION.—The requirements of sections 24402, 24403, and 24404 and the definition contained in 24401(1) shall not apply to this section.

''(l) SPECIAL TRANSPORTATION CIRCUMSTANCES.—

''(1) IN GENERAL.—In carrying out this chapter, the Secretary shall allocate an appropriate portion of the amounts available to programs in this chapter to provide grants to States—

''(A) in which there is no intercity passenger rail service, for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 227 that provide public benefits (as defined in chapter 227), as determined by the Secretary; or

''(B) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.

''(2) DEFINITION.—For the purposes of this subsection, the term 'appropriate portion' means a share, for each State subject to paragraph (1), not less than the share of the total railroad route miles in such State of the total railroad route miles in the United States, excluding from all totals the route miles exclusively used for tourist, scenic, and excursion railroad operations.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 244 of title 49, United States Code, is amended by adding after the item relating to section 24406 the following:

''24407. Consolidated rail infrastructure and safety improvements.''.

(c) REPEALS.—

(1) Sections 20154 and 20167 of chapter 201 of title 49, United States Code, and the items relating to such sections in the table of contents of such chapter, are repealed.

(2) Section 24105 of chapter 241 of title 49, United States Code, and the item relating to such section in the table of contents of such chapter, is repealed.

(3) Chapter 225 of title 49, United States Code, and the item relating to such chapter in the table of contents of subtitle V of such title, is repealed.

(4) Section 22108 of chapter 221 of title 49, United States Code, and the item relating to such section in the table of contents of such chapter, are repealed.

***SEC. 11302. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.***

(a) AMENDMENT.—Chapter 249 of title 49, United States Code, is amended by inserting after section 24910 the following:

***''§ 24911. Federal-State partnership for state of good repair***

''(a) DEFINITIONS.—In this section:

''(1) APPLICANT.—The term 'applicant' means—

''(A) a State (including the District of Columbia);

''(B) a group of States;

''(C) an Interstate Compact;

''(D) a public agency or publicly chartered authority established by 1 or more States;

''(E) a political subdivision of a State;

''(F) Amtrak, acting on its own behalf or under a cooperative agreement with 1 or more States; or

''(G) any combination of the entities described in subparagraphs (A) through (F).

''(2) CAPITAL PROJECT.—The term 'capital project' means—

''(A) a project primarily intended to replace, rehabilitate, or repair major infrastructure assets utilized for providing intercity rail passenger service, including tunnels, bridges, stations, and other assets, as determined by the Secretary; or

''(B) a project primarily intended to improve intercity passenger rail performance, including reduced trip times, increased train frequencies, higher operating speeds, and other improvements, as determined by the Secretary.

''(3) INTERCITY RAIL PASSENGER TRANSPORTATION.—The term 'intercity rail passenger transportation' has the meaning given the term in section 24102.

''(4) NORTHEAST CORRIDOR.—The term 'Northeast Corridor' means—

''(A) the main rail line between Boston, Massachusetts and the District of Columbia;

''(B) the branch rail lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York; and

''(C) facilities and services used to operate and maintain lines described in subparagraphs (A) and (B).

''(5) QUALIFIED RAILROAD ASSET.—The term 'qualified railroad asset' means infrastructure, equipment, or a facility that—

''(A) is owned or controlled by an eligible applicant;

''(B) is contained in the planning document developed under section 24904 and for which a cost-allocation policy has been developed under section 24905(c), or is contained in an equivalent planning document and for which a similar cost-allocation policy has been developed; and

''(C) was not in a state of good repair on the date of enactment of the Passenger Rail Reform and Investment Act of 2015.

''(b) GRANT PROGRAM AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing grants to applicants, on a competitive basis, to fund capital projects that reduce the state of good repair backlog with respect to qualified railroad assets.

''(c) ELIGIBLE PROJECTS.—Projects eligible for grants under this section include capital projects to replace or rehabilitate qualified railroad assets, including—

''(1) capital projects to replace existing assets in-kind;

''(2) capital projects to replace existing assets with assets that increase capacity or provide a higher level of service;

''(3) capital projects to ensure that service can be maintained while existing assets are brought to a state of good repair; and

''(4) capital projects to bring existing assets into a state of good repair.

''(d) PROJECT SELECTION CRITERIA.—In selecting an applicant for a grant under this section, the Secretary shall—

''(1) give preference to eligible projects for which—

''(A) Amtrak is not the sole applicant;

''(B) applications were submitted jointly by multiple applicants; and

''(C) the proposed Federal share of total project costs does not exceed 50 percent; and

''(2) take into account—

''(A) the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project, including—

''(i) effects on system and service performance;

''(ii) effects on safety, competitiveness, reliability, trip or transit time, and resilience;

''(iii) efficiencies from improved integration with other modes; and

''(iv) ability to meet existing or anticipated demand;

''(B) the degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;

''(C) the applicant's past performance in developing and delivering similar projects, and previous financial contributions;

''(D) whether the applicant has, or will have—

''(i) the legal, financial, and technical capacity to carry out the project;

''(ii) satisfactory continuing control over the use of the equipment or facilities; and

''(iii) the capability and willingness to maintain the equipment or facilities;

''(E) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or required by law; and

''(F) any other relevant factors, as determined by the Secretary.

''(e) NORTHEAST CORRIDOR PROJECTS.—

''(1) COMPLIANCE WITH USAGE AGREEMENTS.—Grant funds may not be provided under this section to an eligible recipient for an eligible project located on the Northeast Corridor unless Amtrak and the public authorities providing commuter rail passenger transportation on the Northeast Corridor are in compliance with section 24905(c)(2).

''(2) CAPITAL INVESTMENT PLAN.—When selecting projects located on the Northeast Corridor, the Secretary shall consider the appropriate sequence and phasing of projects as contained in the Northeast Corridor capital investment plan developed pursuant to section 24904(a).

''(f) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COST.—The Secretary shall estimate the total cost of a project under this section based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total costs for a project under this section shall not exceed 80 percent.

''(3) TREATMENT OF AMTRAK REVENUE.—If Amtrak is an applicant under this section, Amtrak may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(g) LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary shall, to the maximum extent practicable, issue a letter of intent to a grantee under this section that—

''(A) announces an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project; and

''(B) states that the contingent commitment—

''(i) is not an obligation of the Federal Government; and

''(ii) is subject to the availability of appropriations for grants under this section and subject to Federal laws in force or enacted after the date of the contingent commitment.

''(2) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days before issuing a letter under paragraph (1), the Secretary shall submit written notification to—

''(i) the Committee on Commerce, Science, and Transportation of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives.

''(B) CONTENTS.—The notification submitted pursuant to subparagraph (A) shall include—

''(i) a copy of the proposed letter;

''(ii) the criteria used under subsection (d) for selecting the project for a grant award; and

''(iii) a description of how the project meets such criteria.

''(3) APPROPRIATIONS REQUIRED.—An obligation or administrative commitment may be made under this section only when amounts are appropriated for such purpose.

''(h) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(i) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the grant conditions under section 24405.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 249 is amended by inserting after the item relating to section 24910 the following:

''24911. Federal-State partnership for state of good repair.''.

**SEC. 11303. RESTORATION AND ENHANCEMENT GRANTS.**

(a) IN GENERAL.—Chapter 244 of title 49, United States Code, is further amended by adding at the end the following:

***''§ 24408. Restoration and enhancement grants***

''(a) APPLICANT DEFINED.—Notwithstanding section 24401(1), in this section, the term 'applicant' means—

''(1) a State, including the District of Columbia;

''(2) a group of States;

''(3) an Interstate Compact;

''(4) a public agency or publicly chartered authority established by 1 or more States;

''(5) a political subdivision of a State;

''(6) Amtrak or another rail carrier that provides intercity rail passenger transportation;

''(7) Any rail carrier in partnership with at least 1 of the entities described in paragraphs (1) through (5); and

''(8) any combination of the entities described in paragraphs (1) through (7).

''(b) GRANTS AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing operating assistance grants to applicants, on a competitive basis, for the purpose of initiating, restoring, or enhancing intercity rail passenger transportation.

''(c) APPLICATION.—An applicant for a grant under this section shall submit to the Secretary—

''(1) a capital and mobilization plan that—

''(A) describes any capital investments, service planning actions (such as environmental reviews), and mobilization actions (such as qualification of train crews) required for initiation of intercity rail passenger transportation; and

''(B) includes the timeline for undertaking and completing each of the investments and actions referred to in subparagraph (A);

''(2) an operating plan that describes the planned operation of the service, including—

''(A) the identity and qualifications of the train operator;

''(B) the identity and qualifications of any other service providers;

''(C) service frequency;

''(D) the planned routes and schedules;

''(E) the station facilities that will be utilized;

''(F) projected ridership, revenues, and costs;

''(G) descriptions of how the projections under subparagraph (F) were developed;

''(H) the equipment that will be utilized, how such equipment will be acquired or refurbished, and where such equipment will be maintained; and

''(I) a plan for ensuring safe operations and compliance with applicable safety regulations;

''(3) a funding plan that—

''(A) describes the funding of initial capital costs and operating costs for the first 3 years of operation;

''(B) includes a commitment by the applicant to provide the funds described in subparagraph (A) to the extent not covered by Federal grants and revenues; and

''(C) describes the funding of operating costs and capital costs, to the extent necessary, after the first 3 years of operation; and

''(4) a description of the status of negotiations and agreements with—

''(A) each of the railroads or regional transportation authorities whose tracks or facilities would be utilized by the service;

''(B) the anticipated railroad carrier, if such entity is not part of the applicant group; and

''(C) any other service providers or entities expected to provide services or facilities that will be used by the service, including any required access to Amtrak systems, stations, and facilities if Amtrak is not part of the applicant group.

''(d) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to applications—

''(1) for which planning, design, any environmental reviews, negotiation of agreements, acquisition of equipment, construction, and other actions necessary for initiation of service have been completed or nearly completed;

''(2) that would restore service over routes formerly operated by Amtrak, including routes described in section 11304 of the Passenger Rail Reform and Investment Act of 2015;

''(3) that would provide daily or daytime service over routes where such service did not previously exist;

''(4) that include funding (including funding from railroads), or other significant participation by State, local, and regional governmental and private entities;

''(5) that include a funding plan that demonstrates the intercity rail passenger service will be financially sustainable beyond the 3-year grant period;

''(6) that would provide service to regions and communities that are underserved or not served by other intercity public transportation;

''(7) that would foster economic development, particularly in rural communities and for disadvantaged populations;

''(8) that would provide other non-transportation benefits; and

''(9) that would enhance connectivity and geographic coverage of the existing national network of intercity rail passenger service.

''(e) LIMITATIONS.—

''(1) DURATION.—Federal operating assistance grants authorized under this section for any individual intercity rail passenger transportation route may not provide funding for more than 3 years and may not be renewed.

''(2) LIMITATION.—Not more than 6 of the operating assistance grants awarded pursuant to subsection (b) may be simultaneously active.

''(3) MAXIMUM FUNDING.—Grants described in paragraph (1) may not exceed—

''(A) 80 percent of the projected net operating costs for the first year of service;

''(B) 60 percent of the projected net operating costs for the second year of service; and

''(C) 40 percent of the projected net operating costs for the third year of service.

''(f) USE WITH CAPITAL GRANTS AND OTHER FEDERAL FUNDING.—A recipient of an operating assistance grant under subsection (b) may use that grant in combination with other Federal grants awarded that would benefit the applicable service.

''(g) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(h) COORDINATION WITH AMTRAK.—If the Secretary awards a grant under this section to a rail carrier other than Amtrak, Amtrak may be required consistent with section 24711(c)(1) of this title to provide access to its reservation system, stations, and facilities that are directly related to operations to such carrier, to the extent necessary to carry out the purposes of this section. The Secretary may award an appropriate portion of the grant to Amtrak as compensation for this access.

''(i) CONDITIONS.—

''(1) GRANT AGREEMENT.—The Secretary shall require a grant recipient under this section to enter into a grant agreement that requires such recipient to provide similar information regarding the route performance, financial, and ridership projections, and capital and business plans that Amtrak is required to provide, and such other data and information as the Secretary considers necessary.

''(2) INSTALLMENTS; TERMINATION.—The Secretary may—

''(A) award grants under this section in installments, as the Secretary considers appropriate; and

''(B) terminate any grant agreement upon—

''(i) the cessation of service; or

''(ii) the violation of any other term of the grant agreement.

''(3) GRANT CONDITIONS.—The Secretary shall require each recipient of a grant under this section to comply with the grant requirements of section 24405.

''(j) REPORT.—Not later than 4 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary, after consultation with grant recipients under this section, shall submit to Congress a report that describes—

''(1) the implementation of this section;

''(2) the status of the investments and operations funded by such grants;

''(3) the performance of the routes funded by such grants;

''(4) the plans of grant recipients for continued operation and funding of such routes; and

''(5) any legislative recommendations.''.

(b) CONFORMING AMENDMENTS.—

(1) CHAPTER 244.—Chapter 244 of title 49, United States Code, is further amended—

(A) in the table of contents by adding at the end the following:

''24408. Restoration and enhancement grants.'';

(B) in the chapter heading by striking ''***INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL ASSISTANCE***'' and inserting ''***RAIL IMPROVEMENT GRANTS***'';

(C) in section 24402 by striking subsection (j); and

(D) in section 24405—

(i) in subsection (b)(2) by striking ''(43'' and inserting ''(45'';

(ii) in subsection (c)(2)(B) by striking ''protective arrangements established'' and inserting ''protective arrangements that are equivalent to the protective arrangements established'';

(iii) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or unless Amtrak ceased providing intercity passenger railroad transportation over the affected route more than 3 years before the commencement of new service'' after ''unless such service was provided solely by Amtrak to another entity''; and

(iv) in subsection (f) by striking ''under this chapter for commuter rail passenger transportation, as defined in section 24102(4) of this title.'' and inserting ''under this chapter for commuter rail passenger transportation (as defined in section 24102(3)).''; and

(2) TABLE OF CHAPTERS AMENDMENT.—The item relating to chapter 244 in the table of chapters of subtitle V of title 49, United States Code, is amended by striking ''Intercity passenger rail service corridor capital assistance'' and inserting ''Rail improvement grants''.

***SEC. 11304. GULF COAST RAIL SERVICE WORKING GROUP.***

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall convene a working group to evaluate the restoration of intercity rail passenger service in the Gulf Coast region between New Orleans, Louisiana, and Orlando, Florida.

(b) MEMBERSHIP.—The working group convened pursuant to subsection (a) shall consist of representatives of—

(1) the Federal Railroad Administration, which shall serve as chair of the working group;

(2) Amtrak;

(3) the States along the proposed route or routes;

(4) regional transportation planning organizations and metropolitan planning organizations, municipalities, and communities along the proposed route or routes, which shall be selected by the Administrator;

(5) the Southern Rail Commission;

(6) railroad carriers whose tracks may be used for such service; and

(7) other entities determined appropriate by the Secretary, which may include other railroad carriers that express an interest in Gulf Coast service.

(c) RESPONSIBILITIES.—The working group shall—

(1) evaluate all options for restoring intercity rail passenger service in the Gulf Coast region, including options outlined in the report transmitted to Congress pursuant to section 226 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432);

(2) select a preferred option for restoring such service;

(3) develop a prioritized inventory of capital projects and other actions required to restore such service and cost estimates for such projects or actions; and

(4) identify Federal and non-Federal funding sources required to restore such service, including options for entering into public-private partnerships to restore such service.

(d) REPORT.—Not later than 9 months after the date of enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) the preferred option selected under subsection (c)(2) and the reasons for selecting such option;

(2) the information described in subsection (c)(3);

(3) the funding sources identified under subsection (c)(4);

(4) the costs and benefits of restoring intercity rail passenger transportation in the region; and

(5) any other information the working group determines appropriate.

(e) FUNDING.—From funds made available under section 11101(d), the Secretary shall provide—

(1) financial assistance to the working group to perform requested independent technical analysis of issues before the working group; and

(2) administrative expenses that the Secretary determines necessary.

***SEC. 11305. NORTHEAST CORRIDOR COMMISSION.***

(a) COMPOSITION.—Section 24905(a) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by inserting '', infrastructure investments,'' after ''rail operations'';

(B) by striking subparagraph (B) and inserting the following:

''(B) members representing the Department of Transportation, including the Office of the Secretary, the Federal Railroad Administration, and the Federal Transit Administration;''; and

(C) in subparagraph (D) by inserting ''and commuter'' after ''freight''; and

(2) by amending paragraph (6) to read as follows:

''(6) The members of the Commission shall elect co-chairs consisting of 1 member described in paragraph (1)(B) and 1 member described in paragraph (1)(C).''.

(b) STATEMENT OF GOALS AND RECOMMENDATIONS.—Section 24905(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by inserting ''and periodically update'' after ''develop'';

(2) in paragraph (2)(A) by striking ''beyond those specified in the state-of-good-repair plan under section 211 of the Passenger Rail Investment and Improvement Act of 2008''; and

(3) by adding at the end the following:

''(3) SUBMISSION OF STATEMENT OF GOALS, RECOMMENDATIONS, AND PERFORMANCE REPORTS.—The Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) any updates made to the statement of goals developed under paragraph (1) not later than 60 days after such updates are made; and

''(B) annual performance reports and recommendations for improvements, as appropriate, issued not later than March 31 of each year, for the prior fiscal year, which summarize—

''(i) the operations and performance of commuter, intercity, and freight rail transportation along the Northeast Corridor; and

''(ii) the delivery of the capital investment plan described in section 24904.''.

(c) COST ALLOCATION POLICY.—Section 24905(c) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''ACCESS COSTS'' and inserting ''ALLOCATION OF COSTS'';

(2) in paragraph (1)—

(A) in the paragraph heading by striking ''FORMULA'' and inserting ''POLICY'';

(B) in the matter preceding subparagraph (A) by striking ''Within 2 years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Commission'' and inserting ''The Commission'';

(C) in subparagraph (A) by striking ''formula'' and inserting ''policy''; and

(D) by striking subparagraphs (B) through (D) and inserting the following:

''(B) develop a proposed timetable for implementing the policy;

''(C) submit the policy and the timetable developed under subparagraph (B) to the Surface

*Transportation Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives;*

*''(D) not later than October 1, 2015, adopt and implement the policy in accordance with the timetable; and*

*''(E) with the consent of a majority of its members, petition the Surface Transportation Board to appoint a mediator to assist the Commission members through nonbinding mediation to reach an agreement under this section.'';*

*(3) in paragraph (2)—*

*(A) by striking ''formula proposed in'' and inserting ''policy developed under''; and*

*(B) in the second sentence—*

*(i) by striking ''the timetable, the Commission shall petition the Surface Transportation Board to'' and inserting ''paragraph (1)(D) or fail to comply with the policy thereafter, the Surface Transportation Board shall''; and*

*(ii) by striking ''amounts for such services in accordance with section 24904(c) of this title'' and inserting ''for such usage in accordance with the procedures and procedural schedule applicable to a proceeding under section 24903(c), after taking into consideration the policy developed under paragraph (1)(A), as applicable'';*

*(4) in paragraph (3), by striking ''formula'' and inserting ''policy''; and*

*(5) by adding at the end the following:*

*''(4) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with the implementation of, or compliance with, the policy developed under paragraph (1), the Commission, Amtrak, or public authorities providing commuter rail passenger transportation on the Northeast Corridor may request that the Surface Transportation Board conduct dispute resolution. The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this paragraph, which may include the provision of professional mediation services.''.*

*(d) CONFORMING AMENDMENTS.—*

*(1) TITLE 49.—Section 24905 of title 49, United States Code, is amended—*

*(A) in the section heading by striking ''**INFRASTRUCTURE AND OPERATIONS ADVISORY**'';*

*(B) in subsection (a)—*

*(i) in the heading by striking ''INFRASTRUCTURE AND OPERATIONS ADVISORY''; and*

*(ii) by striking ''Infrastructure and Operations Advisory'';*

*(C) by striking subsection (d);*

*(D) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;*

*(E) in subsection (d), as so redesignated—*

*(i) by striking ''to the Commission'' and inserting ''to the Secretary for the use of the Commission and the Northeast Corridor Safety Committee''; and*

*(ii) by striking ''for the period encompassing fiscal years 2009 through 2013 to carry out this section'' and inserting ''to carry out this section during fiscal years 2016 through 2020, in addition to any amounts withheld under section 11101(g) of the Passenger Rail Reform and Investment Act of 2015''; and*

*(F) in subsection (e)(2), as so redesignated, by striking ''on the main line.'' and inserting ''on the main line and meet annually with the Commission on the topic of Northeast Corridor safety and security.''.*

*(2) TABLE OF CONTENTS.—The table of contents for chapter 249 of title 49, United States Code, is amended by striking the item relating to section 24905 and inserting the following:*

*''24905. Northeast Corridor Commission.''.*

***SEC. 11306. NORTHEAST CORRIDOR PLANNING.***

*(a) AMENDMENT.—Chapter 249 of title 49, United States Code, is amended—*

*(1) by redesignating section 24904 as section 24903; and*

*(2) by inserting after section 24903, as so redesignated, the following:*

***''§ 24904. Northeast Corridor planning***

*''(a) NORTHEAST CORRIDOR CAPITAL INVESTMENT PLAN.—*

*''(1) REQUIREMENT.—Not later than May 1 of each year, the Northeast Corridor Commission established under section 24905 (referred to in this section as the 'Commission') shall—*

*''(A) develop a capital investment plan for the Northeast Corridor; and*

*''(B) submit the capital investment plan to the Secretary of Transportation and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

*''(2) CONTENTS.—The capital investment plan shall—*

*''(A) reflect coordination and network optimization across the entire Northeast Corridor;*

*''(B) integrate the individual capital and service plans developed by each operator using the methods described in the cost allocation policy developed under section 24905(c);*

*''(C) cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed;*

*''(D) notwithstanding section 24902(b), identify, prioritize, and phase the implementation of projects and programs to achieve the service outcomes identified in the Northeast Corridor service development plan and the asset condition needs identified in the Northeast Corridor asset management plans, once available, and consider—*

*''(i) the benefits and costs of capital investments in the plan;*

*''(ii) project and program readiness;*

*''(iii) the operational impacts; and*

*''(iv) Federal and non-Federal funding availability;*

*''(E) categorize capital projects and programs as primarily associated with—*

*''(i) normalized capital replacement and basic infrastructure renewals;*

*''(ii) replacement or rehabilitation of major Northeast Corridor infrastructure assets, including tunnels, bridges, stations, and other assets;*

*''(iii) statutory, regulatory, or other legal mandates;*

*''(iv) improvements to support service enhancements or growth; or*

*''(v) strategic initiatives that will improve overall operational performance or lower costs;*

*''(F) identify capital projects and programs that are associated with more than 1 category described in subparagraph (E);*

*''(G) describe the anticipated outcomes of each project or program, including an assessment of—*

*''(i) the potential effect on passenger accessibility, operations, safety, reliability, and resiliency;*

*''(ii) the ability of infrastructure owners and operators to meet regulatory requirements if the project or program is not funded; and*

*''(iii) the benefits and costs; and*

*''(H) include a financial plan.*

*''(3) FINANCIAL PLAN.—The financial plan under paragraph (2)(H) shall—*

*''(A) identify funding sources and financing methods;*

*''(B) identify the expected allocated shares of costs pursuant to the cost allocation policy developed under section 24905(c);*

*''(C) identify the projects and programs that the Commission expects will receive Federal financial assistance; and*

*''(D) identify the eligible entity or entities that the Commission expects will receive the Federal financial assistance described under subparagraph (C) and implement each capital project.*

*''(b) FAILURE TO DEVELOP A CAPITAL INVESTMENT PLAN.—If a capital investment plan has not been developed by the Commission for a given fiscal year, then the funds assigned to the Northeast Corridor account established under section 24317(b) for that fiscal year may be spent only on—*

*''(1) capital projects described in clause (i) or (iii) of subsection (a)(2)(E) of this section; or*

*''(2) capital projects described in subsection (a)(2)(E)(iv) or (v) of this section that are for the sole benefit of Amtrak.*

*''(c) NORTHEAST CORRIDOR ASSET MANAGEMENT.—*

*''(1) CONTENTS.—With regard to its infrastructure, Amtrak and each State and public transportation entity that owns infrastructure that supports or provides for intercity rail passenger transportation on the Northeast Corridor shall develop an asset management system and develop and update, as necessary, a Northeast Corridor asset management plan for each service territory described in subsection (a) that—*

*''(A) is consistent with the Federal Transit Administration process, as authorized under section 5326, when implemented; and*

*''(B) includes, at a minimum—*

*''(i) an inventory of all capital assets owned by the developer of the asset management plan;*

*''(ii) an assessment of asset condition;*

*''(iii) a description of the resources and processes necessary to bring or maintain those assets in a state of good repair, including decision-support tools and investment prioritization methods; and*

*''(iv) a description of changes in asset condition since the previous version of the plan.*

*''(2) TRANSMITTAL.—Each entity described in paragraph (1) shall transmit to the Commission—*

*''(A) not later than 2 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, a Northeast Corridor asset management plan developed under paragraph (1); and*

*''(B) at least biennially thereafter, an update to such plan.*

*''(d) NORTHEAST CORRIDOR SERVICE DEVELOPMENT PLAN UPDATES.—Not less frequently than once every 10 years, the Commission shall update the Northeast Corridor service development plan.*

*''(e) DEFINITION OF NORTHEAST CORRIDOR.—In this section, the term 'Northeast Corridor' means the main line between Boston, Massachusetts, and the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.''.*

*(b) CONFORMING AMENDMENTS.—*

*(1) NOTE AND MORTGAGE.—Section 24907(a) of title 49, United States Code, is amended by striking ''section 24904 of this title'' and inserting ''section 24903''.*

*(2) TABLE OF CONTENTS.—The table of contents for chapter 249 of title 49, United States Code, is amended—*

*(A) by redesignating the item relating to section 24904 as relating to section 24903; and*

*(B) by inserting after the item relating to section 24903, as so redesignated, the following:*

*''24904. Northeast Corridor planning.''.*

*(3) REPEAL.—Section 211 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24902 note) is repealed.*

***SEC. 11307. COMPETITION.***

*(a) COMPETITIVE PASSENGER RAIL SERVICE PILOT PROGRAM.—Section 24711 of title 49, United States Code, is amended to read as follows:*

***''§ 24711. Competitive passenger rail service pilot program***

*''(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation shall promulgate a rule to implement a pilot program for competitive selection of eligible petitioners described in subsection (b)(3) in lieu of Amtrak to operate not more than 3 long-distance routes (as defined in section 24102) operated by Amtrak on the date of enactment of such Act.*

*''(b) PILOT PROGRAM REQUIREMENTS.—*

*''(1) IN GENERAL.—The pilot program shall—*

*''(A) allow a petitioner described in paragraph (3) to petition the Secretary to provide intercity rail passenger transportation over a long-distance route described in subsection (a) for an*

*operation period of 4 years from the date of commencement of service by the winning bidder and, at the option of the Secretary, consistent with the rule promulgated under subsection (a), allow the contract to be renewed for 1 additional operation period of 4 years;*

*''(B) require the Secretary to—*

*''(i) notify the petitioner and Amtrak of receipt of the petition under subparagraph (A) and to publish in the Federal Register a notice of receipt not later than 30 days after the date of receipt;*

*''(ii) establish a deadline, of not more than 120 days after the notice of receipt is published in the Federal Register under clause (i), by which both the petitioner and Amtrak, if Amtrak chooses to do so, would be required to submit a complete bid to provide intercity rail passenger transportation over the applicable route; and*

*''(iii) upon selecting a winning bid, publish in the Federal Register the identity of the winning bidder, the long distance route that the bidder will operate, a detailed justification of the reasons why the Secretary selected the bid, and any other information the Secretary determines appropriate for public comment for a reasonable period of time not to exceed 30 days after the date on which the Secretary selects the bid;*

*''(C) require that each bid—*

*''(i) describe the capital needs, financial projections, and operational plans, including staffing plans, for the service, and such other factors as the Secretary considers appropriate; and*

*''(ii) be made available by the winning bidder to the public after the bid award with any appropriate redactions for confidential or proprietary information;*

*''(D) for a route that receives funding from a State or States, require that for each bid received from a petitioner described in paragraph (3), other than such State or States, the Secretary have the concurrence of the State or States that provide funding for that route; and*

*''(E) for a winning bidder that is not or does not include Amtrak, require the Secretary to execute a contract not later than 270 days after the deadline established under subparagraph (B)(ii) and award to the winning bidder—*

*''(i) subject to paragraphs (4) and (5), the right and obligation to provide intercity rail passenger transportation over that route subject to such performance standards as the Secretary may require; and*

*''(ii) an operating subsidy, as determined by the Secretary, for—*

*''(I) the first year at a level that does not exceed 90 percent of the level in effect for that specific route during the fiscal year preceding the fiscal year in which the petition was received, adjusted for inflation; and*

*''(II) any subsequent years at the level calculated under subclause (I), adjusted for inflation.*

*''(2) LIMITATION.—The requirements under paragraph (1)(E), including the amounts of operating subsidies in the first and any subsequent years under paragraph (1)(E)(ii), shall not apply to a winning bidder that is or includes Amtrak.*

*''(3) ELIGIBLE PETITIONERS.—The following parties are eligible to submit petitions under paragraph (1):*

*''(A) A rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route, or another rail carrier that has a written agreement with a rail carrier or rail carriers that own such infrastructure.*

*''(B) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.*

*''(C) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation and a rail carrier with a written agreement with another rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.*

*''(4) PERFORMANCE STANDARDS.—The performance standards required under paragraph (1)(E)(i) shall meet or exceed the performance required of or achieved by Amtrak on the applicable route during the last fiscal year.*

*''(5) AGREEMENT GOVERNING ACCESS ISSUES.—Unless the winning bidder already has applicable access rights or agreements in place or includes a rail carrier that owns the infrastructure used in the operation of the route, a winning bidder that is not or does not include Amtrak shall enter into a written agreement governing access issues between the winning bidder and the rail carrier or rail carriers that own the infrastructure over which the winning bidder would operate and that host or would host the intercity rail passenger transportation.*

*''(c) ACCESS TO FACILITIES; EMPLOYEES.—If the Secretary awards the right and obligation to provide intercity rail passenger transportation over a route described in this section to an eligible petitioner—*

*''(1) the Secretary shall, if necessary to carry out the purposes of this section, require Amtrak to provide access to the Amtrak-owned reservation system, stations, and facilities directly related to operations of the awarded routes to the eligible petitioner awarded a contract under this section, in accordance with subsection (g);*

*''(2) an employee of any person, except as provided in a collective bargaining agreement, used by such eligible petitioner in the operation of a route under this section shall be considered an employee of that eligible petitioner and subject to the applicable Federal laws and regulations governing similar crafts or classes of employees of Amtrak; and*

*''(3) the winning bidder shall provide hiring preference to qualified Amtrak employees displaced by the award of the bid, consistent with the staffing plan submitted by the bidder, and shall be subject to the grant conditions under section 24405.*

*''(d) CESSATION OF SERVICE.—If an eligible petitioner awarded a route under this section ceases to operate the service or fails to fulfill an obligation under a contract required under subsection (b)(1)(E), the Secretary, in collaboration with the Surface Transportation Board, shall take any necessary action consistent with this title to enforce the contract and ensure the continued provision of service, including—*

*''(1) the installment of an interim rail carrier;*

*''(2) providing to the interim rail carrier under paragraph (1) an operating subsidy necessary to provide service; and*

*''(3) rebidding the contract to operate the intercity rail passenger transportation.*

*''(e) BUDGET AUTHORITY.—*

*''(1) IN GENERAL.—The Secretary shall provide to a winning bidder that is not or does not include Amtrak and that is selected under this section any appropriations withheld under section 11101(e) of the Passenger Rail Reform and Investment Act of 2015, or any subsequent appropriation for the same purpose, necessary to cover the operating subsidy described in subsection (b)(1)(E)(ii).*

*''(2) ATTRIBUTABLE COSTS.—If the Secretary selects a winning bidder that is not or does not include Amtrak, the Secretary shall provide to Amtrak an appropriate portion of the appropriations under section 11101(b) of the Passenger Rail Reform and Investment Act of 2015, or any subsequent appropriation for the same purpose, to cover any cost directly attributable to the termination of Amtrak service on the route and any indirect costs to Amtrak imposed on other Amtrak routes as a result of losing service on the route operated by the winning bidder. Any amount provided by the Secretary to Amtrak under this paragraph shall not be deducted from or have any effect on the operating subsidy described in subsection (b)(1)(E)(ii).*

*''(f) REPORTING.—If the Secretary does not promulgate the final rule before the deadline under subsection (a), the Secretary shall, not later than 19 months after the date of enactment of the Passenger Rail Reform and Investment Act of 2015 and every 90 days thereafter until the rule is complete, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives in writing—*

*''(1) the reasons why the rule has not been issued;*

*''(2) a plan for completing the rule as soon as reasonably practicable; and*

*''(3) the estimated date of completion of the rule.*

*''(g) DISPUTES.—*

*''(1) PETITIONING SURFACE TRANSPORTATION BOARD.—If Amtrak and the eligible petitioner awarded a route under this section cannot agree upon terms to carry out subsection (c)(1), either party may petition the Surface Transportation Board for a determination as to—*

*''(A) whether access to Amtrak's facility or equipment, or the provisions of services by Amtrak, is necessary under subsection (c)(1); and*

*''(B) whether the operation of Amtrak's other services will not be unreasonably impaired by such access.*

*''(2) SURFACE TRANSPORTATION BOARD DETERMINATION.—If the Surface Transportation Board determines access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary under paragraph (1)(A) and the operation of Amtrak's other services will not be unreasonably impaired under paragraph (1)(B), the Board shall issue an order that—*

*''(A) requires Amtrak to provide the applicable facilities, equipment, and services; and*

*''(B) determines reasonable compensation, liability, and other terms for the use of the facilities and equipment and the provision of the services.*

*''(h) LIMITATION.—Not more than 3 long-distance routes may be selected under this section for operation by a winning bidder that is not or does not include Amtrak.*

*''(i) PRESERVATION OF RIGHT TO COMPETITION ON STATE-SUPPORTED ROUTES.—Nothing in this section shall be construed as prohibiting a State from introducing competition for intercity rail passenger transportation or services on its State-supported route or routes.*

*''(j) SAVINGS CLAUSE.—Nothing in this section shall affect Amtrak's access rights to railroad rights-of-way and facilities.''.*

*(b) CONFORMING AMENDMENT.—The table of contents for section 24711 of title 49, United States Code, is amended to read as follows:*

*''24711. Competitive passenger rail service pilot program.''.*

*(c) REPORT.—Not later than 4 years after the date of implementation of the pilot program under section 24711 of title 49, United States Code, and quadrennially thereafter until the pilot program is discontinued, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the pilot program to date and any recommendations for further action.*

***SEC. 11308. PERFORMANCE-BASED PROPOSALS.***

*(a) SOLICITATION OF PROPOSALS.—*

*(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of a high-speed passenger rail system operating within a high-speed rail corridor, including—*

*(A) the Northeast Corridor;*

*(B) the California Corridor;*

*(C) the Empire Corridor;*

*(D) the Pacific Northwest Corridor;*

*(E) the South Central Corridor;*

*(F) the Gulf Coast Corridor;*

*(G) the Chicago Hub Network;*
*(H) the Florida Corridor;*
*(I) the Keystone Corridor;*
*(J) the Northern New England Corridor; and*
*(K) the Southeast Corridor.*

*(2) SUBMISSION.—Proposals shall be submitted to the Secretary not later than 180 days after the publication of the request for proposals under paragraph (1).*

*(3) PERFORMANCE STANDARD.—Proposals submitted under paragraph (2) shall meet any standards established by the Secretary. For corridors with existing intercity passenger rail service, proposals shall also be designed to achieve a reduction of existing minimum intercity rail service trip times between the main corridor city pairs by a minimum of 25 percent. In the case of a proposal submitted with respect to paragraph (1)(A), the proposal shall be designed to achieve a 2-hour or less express service between Washington, District of Columbia, and New York City, New York.*

*(4) CONTENTS.—A proposal submitted under this subsection shall include—*

*(A) the names and qualifications of the persons submitting the proposal and the entities proposed to finance, design, construct, operate, and maintain the railroad, railroad equipment, and related facilities, stations, and infrastructure;*

*(B) a detailed description of the proposed rail service, including possible routes, required infrastructure investments and improvements, equipment needs and type, train frequencies, peak and average operating speeds, and trip times;*

*(C) a description of how the project would comply with all applicable Federal rail safety and security laws, orders, and regulations;*

*(D) the locations of proposed stations, which maximize the usage of existing infrastructure to the extent possible, and the populations such stations are intended to serve;*

*(E) the type of equipment to be used, including any technologies, to achieve trip time goals;*

*(F) a description of any proposed legislation needed to facilitate all aspects of the project;*

*(G) a financing plan identifying—*

*(i) projected revenue, and sources thereof;*

*(ii) the amount of any requested public contribution toward the project, and proposed sources;*

*(iii) projected annual ridership projections for the first 10 years of operations;*

*(iv) annual operations and capital costs;*

*(v) the projected levels of capital investments required both initially and in subsequent years to maintain a state-of-good-repair necessary to provide the initially proposed level of service or higher levels of service;*

*(vi) projected levels of private investment and sources thereof, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment; and*

*(vii) projected funding for the full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or Federal entity that would be acquired, impaired, or diminished in value as a result of a project, except as otherwise agreed to by the private person or entity;*

*(H) a description of how the project would contribute to the development of a national high-speed passenger rail system and an intermodal plan describing how the system will facilitate convenient travel connections with other transportation services;*

*(I) a description of how the project will ensure compliance with Federal laws governing the rights and status of employees associated with the route and service, including those specified in section 24405 of title 49, United States Code;*

*(J) a description of how the design, construction, implementation, and operation of the project will accommodate and allow for future growth of existing and projected intercity, commuter, and freight rail service;*

*(K) a description of how the project would comply with Federal and State environmental laws and regulations, of what environmental impacts would result from the project, and of how any adverse impacts would be mitigated; and*

*(L) a description of the project's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.*

*(b) DETERMINATION AND ESTABLISHMENT OF COMMISSIONS.—Not later than 90 days after receipt of the proposals under subsection (a), the Secretary shall—*

*(1) make a determination as to whether any such proposals—*

*(A) contain the information required under paragraphs (3) and (4) of subsection (a);*

*(B) are sufficiently credible to warrant further consideration;*

*(C) are likely to result in a positive impact on the Nation's transportation system; and*

*(D) are cost-effective and in the public interest;*

*(2) establish a commission for each corridor with 1 or more proposals that the Secretary determines satisfy the requirements of paragraph (1); and*

*(3) forward to each commission established under paragraph (2) the applicable proposals for review and consideration.*

*(c) COMMISSIONS.—*

*(1) MEMBERS.—Each commission established under subsection (b)(2) shall include—*

*(A) the Governors of the affected States, or their respective designees;*

*(B) mayors of appropriate municipalities with stops along the proposed corridor, or their respective designees;*

*(C) a representative from each freight railroad carrier using the relevant corridor, if applicable;*

*(D) a representative from each transit authority using the relevant corridor, if applicable;*

*(E) representatives of nonprofit employee labor organizations representing affected railroad employees; and*

*(F) the President of Amtrak or his or her designee.*

*(2) APPOINTMENT AND SELECTION.—The Secretary shall appoint the members under paragraph (1). In selecting each commission's members to fulfill the requirements under subparagraphs (B) and (E) of paragraph (1), the Secretary shall consult with the Chairperson and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and of the Committee on Transportation and Infrastructure of the House of Representatives.*

*(3) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice-Chairperson shall be elected from among members of each commission.*

*(4) QUORUM AND VACANCY.—*

*(A) QUORUM.—A majority of the members of each commission shall constitute a quorum.*

*(B) VACANCY.—Any vacancy in each commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.*

*(d) COMMISSION CONSIDERATION.—*

*(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals forwarded to it under that subsection and, not later than 90 days after the establishment of the commission, shall transmit to the Secretary a report, including—*

*(A) a summary of each proposal received;*

*(B) services to be provided under each proposal, including projected ridership, revenues, and costs;*

*(C) proposed public and private contributions for each proposal;*

*(D) the advantages offered by the proposal over existing intercity passenger rail services;*

*(E) public operating subsidies or assets needed for the proposed project;*

*(F) possible risks to the public associated with the proposal, including risks associated with project financing, implementation, completion, safety, and security;*

*(G) a ranked list of the proposals recommended for further consideration under subsection (e) in accordance with each proposal's projected positive impact on the Nation's transportation system;*

*(H) an identification of any proposed Federal legislation that would facilitate implementation of the projects and Federal legislation that would be required to implement the projects; and*

*(I) any other recommendations by the commission concerning the proposed projects.*

*(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.*

*(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for the use of each commission established under subsection (b)(2) such sums as are necessary to carry out this section.*

*(e) SELECTION BY SECRETARY.—*

*(1) IN GENERAL.—Not later than 60 days after receiving the recommended proposals of the commissions established under subsection (b)(2), the Secretary shall—*

*(A) review such proposals and select any proposal that provides substantial benefits to the public and the national transportation system, is cost-effective, offers significant advantages over existing services, and meets other relevant factors determined appropriate by the Secretary; and*

*(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subsection (a)(1)(A) that is selected by the Secretary under subparagraph (A) of this paragraph, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.*

*(2) SUBSEQUENT REPORT.—Following the submission of the report under paragraph (1)(B), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subparagraphs (B) through (K) of subsection (a)(1) that are selected by the Secretary under paragraph (1) of this subsection, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.*

*(3) LIMITATION ON REPORT SUBMISSION.—The report required under paragraph (2) shall not be submitted by the Secretary until the report submitted under paragraph (1)(B) has been considered through a hearing by the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the report submitted under paragraph (1)(B).*

*(f) NO ACTIONS WITHOUT ADDITIONAL AUTHORITY.—No Federal agency may take any action to implement, establish, facilitate, or otherwise act upon any proposal submitted under this section, other than those actions specifically authorized by this section, without explicit statutory authority enacted after the date of enactment of this Act.*

*(g) ADEQUATE RESOURCES.—Before taking any action authorized under this section the Secretary shall certify to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that the Secretary has sufficient resources that are adequate to undertake the program established under this section.*

*(h) DEFINITIONS.—In this section:*

*(1) INTERCITY PASSENGER RAIL.—The term ''intercity passenger rail'' has the meaning given the term in section 24102 of title 49, United States Code.*

*(2) STATE.—The term ''State'' means any of the 50 States or the District of Columbia.*

***SEC. 11309. LARGE CAPITAL PROJECT REQUIREMENTS.***

*Section 24402 of title 49, United States Code, is amended by inserting after subsection (i) the following:*

*''(j) LARGE CAPITAL PROJECT REQUIREMENTS.—*

*''(1) IN GENERAL.—For a grant awarded under this chapter for an amount in excess of $1,000,000,000, the following conditions shall apply:*

*''(A) The Secretary may not obligate any funding unless the applicant demonstrates, to the satisfaction of the Secretary, that the applicant has committed, and will be able to fulfill, the non-Federal share required for the grant within the applicant's proposed project completion timetable.*

*''(B) The Secretary may not obligate any funding for work activities that occur after the completion of final design unless—*

*''(i) the applicant submits a financial plan to the Secretary that generally identifies the sources of the non-Federal funding required for any subsequent segments or phases of the corridor service development program covering the project for which the grant is awarded;*

*''(ii) the grant will result in a useable segment, a transportation facility, or equipment, that has operational independence; and*

*''(iii) the intercity passenger rail benefits anticipated to result from the grant, such as increased speed, improved on-time performance, reduced trip time, increased frequencies, new service, safety improvements, improved accessibility, or other significant enhancements, are detailed by the grantee and approved by the Secretary.*

*''(C)(i) The Secretary shall ensure that the project is maintained to the level of utility that is necessary to support the benefits approved under subparagraph (B)(iii) for a period of 20 years from the date on which the useable segment, transportation facility, or equipment described in subparagraph (B)(ii) is placed in service.*

*''(ii) If the project property is not maintained as required under clause (i) for a 12-month period, the grant recipient shall refund a pro-rata share of the Federal contribution, based upon the percentage remaining of the 20-year period that commenced when the project property was placed in service.*

*''(2) EARLY WORK.—The Secretary may allow a grantee subject to this subsection to engage in at-risk work activities subsequent to the conclusion of final design if the Secretary determines that such work activities are reasonable and necessary.''.*

***SEC. 11310. SMALL BUSINESS PARTICIPATION STUDY.***

*(a) STUDY.—The Secretary shall conduct a nationwide disparity and availability study on the availability and use of small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses in publicly funded intercity rail passenger transportation projects.*

*(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study conducted under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

*(c) DEFINITIONS.—In this section:*

*(1) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632), except that the term does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.*

*(2) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term ''socially and economically disadvantaged individual'' has the meaning given such term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to such Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this section.*

*(3) VETERAN-OWNED SMALL BUSINESS.—The term ''veteran-owned small business'' has the meaning given the term ''small business concern owned and controlled by veterans'' in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)), except that the term does not include any concern or group of concerns controlled by the same veterans that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.*

***SEC. 11311. SHARED-USE STUDY.***

*(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with Amtrak, commuter rail passenger transportation authorities, other railroad carriers, railroad carriers that own rail infrastructure over which both passenger and freight trains operate, States, the Surface Transportation Board, the Northeast Corridor Commission established under section 24905 of title 49, United States Code, the State-Supported Route Committee established under section 24712 of such title, and groups representing rail passengers and customers, as appropriate, shall complete a study that evaluates—*

*(1) the shared use of right-of-way by passenger and freight rail systems; and*

*(2) the operational, institutional, and legal structures that would best support improvements to the systems referred to in paragraph (1).*

*(b) AREAS OF STUDY.—In conducting the study under subsection (a), the Secretary shall evaluate—*

*(1) the access and use of railroad right-of-way by a rail carrier that does not own the right-of-way, such as passenger rail services that operate over privately-owned right-of-way, including an analysis of—*

*(A) access agreements;*

*(B) costs of access; and*

*(C) the resolution of disputes relating to such access or costs;*

*(2) the effectiveness of existing contractual, statutory, and regulatory mechanisms for establishing, measuring, and enforcing train performance standards, including—*

*(A) the manner in which passenger train delays are recorded;*

*(B) the assignment of responsibility for such delays; and*

*(C) the use of incentives and penalties for performance;*

*(3) the strengths and weaknesses of the existing mechanisms described in paragraph (2) and possible approaches to address the weaknesses;*

*(4) mechanisms for measuring and maintaining public benefits resulting from publicly funded freight or passenger rail improvements, including improvements directed towards shared-use right-of-way by passenger and freight rail;*

*(5) approaches to operations, capacity, and cost estimation modeling that—*

*(A) allow for transparent decisionmaking; and*

*(B) protect the proprietary interests of all parties;*

*(6) liability requirements and arrangements, including—*

*(A) whether to expand statutory liability limits to additional parties;*

*(B) whether to revise the current statutory liability limits;*

*(C) whether current insurance levels of passenger rail operators are adequate and whether to establish minimum insurance requirements for such passenger rail operators; and*

*(D) whether to establish alternative insurance models, including other models administered by the Federal Government;*

*(7) the effect on rail passenger services, operations, liability limits, and insurance levels of the assertion of sovereign immunity by a State; and*

*(8) other issues identified by the Secretary.*

*(c) REPORT.—Not later than 60 days after the study under subsection (a) is complete, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—*

*(1) the results of the study; and*

*(2) any recommendations for further action, including any legislative proposals consistent with such recommendations.*

*(d) IMPLEMENTATION.—The Secretary shall integrate, as appropriate, the recommendations submitted under subsection (c) into the financial assistance programs under subtitle V of title 49, United States Code, and section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822).*

***SEC. 11312. NORTHEAST CORRIDOR THROUGH-TICKETING AND PROCUREMENT EFFICIENCIES.***

*(a) THROUGH-TICKETING STUDY.—*

*(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Northeast Corridor Commission established under section 24905(a) of title 49, United States Code (referred to in this section as the ''Commission''), in consultation with Amtrak and the commuter rail passenger transportation providers along the Northeast Corridor, shall complete a study on the feasibility of and options for permitting through-ticketing between Amtrak service and commuter rail services on the Northeast Corridor.*

*(2) CONTENTS.—In completing the study under paragraph (1), the Northeast Corridor Commission shall—*

*(A) examine the current state of intercity and commuter rail ticketing technologies, policies, and other relevant aspects on the Northeast Corridor;*

*(B) consider and recommend technology, process, policy, or other options that would permit through-ticketing to allow intercity and commuter rail passengers to purchase, in a single transaction, travel that utilizes Amtrak and connecting commuter rail services;*

*(C) consider options to expand through-ticketing to include local transit services;*

*(D) summarize costs, benefits, opportunities, and impediments to developing such through-ticketing options; and*

*(E) develop a proposed methodology, including cost and schedule estimates, for carrying out a pilot program on through-ticketing on the Northeast Corridor.*

*(3) REPORT.—Not later than 60 days after the date the study under paragraph (1) is complete, the Commission shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—*

*(A) the results of the study; and*

*(B) any recommendations for further action.*

*(4) REVIEW.—Not later than 180 days after receipt of the report under paragraph (3), the Secretary shall review the report and recommend best practices in developing through ticketing for other areas outside of the Northeast Corridor. The Secretary shall transmit the best practices to the State-Supported Route Committee established under section 24712 of title 49, United States Code.*

*(b) JOINT PROCUREMENT STUDY.—*

*(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in cooperation with the Commission, Amtrak, and commuter rail transportation authorities on the Northeast Corridor, shall complete a study of the potential benefits resulting from Amtrak and such authorities undertaking select joint procurements for common materials, assets, and*

*equipment when expending Federal funds for such joint procurements.*

*(2) CONTENTS.—In completing the study under paragraph (1), the Secretary shall consider—*

*(A) the types of materials, assets, and equipment that are regularly purchased by Amtrak and such authorities that are similar and could be jointly procured;*

*(B) the potential benefits of such joint procurements, including lower procurement costs, better pricing, greater market relevancy, and other efficiencies;*

*(C) the potential costs of such joint procurements;*

*(D) any significant impediments to undertaking joint procurements, including any necessary harmonization and reconciliation of Federal and State procurement or safety regulations or standards and other requirements; and*

*(E) whether to create Federal incentives or requirements relating to considering or carrying out joint procurements when expending Federal funds.*

*(3) TRANSMISSION.—Not later than 60 days after completing the study required under this subsection, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—*

*(A) the results of the study; and*

*(B) any recommendations for further action.*

*(c) NORTHEAST CORRIDOR.—In this section, the term ''Northeast Corridor'' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.*

***SEC. 11313. DATA AND ANALYSIS.***

*(a) DATA.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Surface Transportation Board, Amtrak, freight railroads, State and local governments, and regional business, tourism, and economic development agencies shall conduct a data needs assessment to—*

*(1) support the development of an efficient and effective intercity passenger rail network;*

*(2) identify the data needed to conduct cost-effective modeling and analysis for intercity passenger rail development programs;*

*(3) determine limitations to the data used for inputs;*

*(4) develop a strategy to address such limitations;*

*(5) identify barriers to accessing existing data;*

*(6) develop recommendations regarding whether the authorization of additional data collection for intercity passenger rail travel is warranted; and*

*(7) determine which entities should be responsible for generating or collecting needed data.*

*(b) BENEFIT-COST ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enhance the usefulness of assessments of benefits and costs for intercity passenger rail and freight rail projects by—*

*(1) providing ongoing guidance and training on developing benefit and cost information for rail projects;*

*(2) providing more direct and consistent requirements for assessing benefits and costs across transportation funding programs, including the appropriate use of discount rates;*

*(3) requiring applicants to clearly communicate the methodology used to calculate the project benefits and costs, including non-proprietary information on—*

*(A) assumptions underlying calculations;*

*(B) strengths and limitations of data used; and*

*(C) the level of uncertainty in estimates of project benefits and costs; and*

*(4) ensuring that applicants receive clear and consistent guidance on values to apply for key assumptions used to estimate potential project benefits and costs.*

*(c) CONFIDENTIAL DATA.—The Secretary shall protect all sensitive and confidential information to the greatest extent permitted by law. Nothing in this section shall require any entity to provide information to the Secretary in the absence of a voluntary agreement.*

***SEC. 11314. AMTRAK INSPECTOR GENERAL.***

*(a) AUTHORITY.—*

*(1) IN GENERAL.—The Inspector General of Amtrak shall have the authority available to other Inspectors General, as necessary in carrying out the duties specified in the Inspector General Act of 1978 (5 U.S.C. App.), to investigate any alleged violation of sections 286, 287, 371, 641, 1001, 1002 and 1516 of title 18, United States Code.*

*(2) AGENCY.—For purposes of sections 286, 287, 371, 641, 1001, 1002, and 1516 of title 18, United States Code, Amtrak and the Amtrak Office of Inspector General, shall be considered a corporation in which the United States has a proprietary interest as set forth in section 6 of such title.*

*(b) ASSESSMENT.—The Inspector General of Amtrak shall—*

*(1) not later than 60 days after the date of enactment of this Act, initiate an assessment to determine whether current expenditures or procurements involving Amtrak's fulfillment of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) utilize competitive, market-driven provisions that are applicable throughout the entire term of such related expenditures or procurements; and*

*(2) not later than 6 months after the date of enactment of this Act, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the assessment under paragraph (1).*

*(c) LIMITATION.—The authority provided by subsection (a) shall be effective only with respect to a fiscal year for which Amtrak receives a Federal subsidy.*

***SEC. 11315. MISCELLANEOUS PROVISIONS.***

*(a) TITLE 49 AMENDMENTS.—*

*(1) AUTHORITY.—Section 22702(b)(4) of title 49, United States Code, is amended by striking ''5 years for reapproval by the Secretary'' and inserting ''4 years for acceptance by the Secretary''.*

*(2) CONTENTS OF STATE RAIL PLANS.—Section 22705(a) of title 49, United States Code, is amended by striking paragraph (12).*

*(b) PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT AMENDMENTS.—Section 305 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—*

*(1) in subsection (a) by inserting after ''equipment manufacturers,'' the following: ''nonprofit organizations representing employees who perform overhaul and maintenance of passenger railroad equipment,'';*

*(2) in subsection (c) by striking '', and may establish a corporation, which may be owned or jointly-owned by Amtrak, participating States, or other entities, to perform these functions''; and*

*(3) in subsection (e) by striking ''and establishing a jointly-owned corporation to manage that equipment''.*

*(c) CERTAIN PROJECTS.—A project described in 1307(a)(3) of SAFETEA–LU (Public Law 109–59) may be eligible for the Railroad Rehabilitation and Improvement Financing program if the Secretary determines such project meets the requirements of sections 502 and 503 of the Railroad Revitalization and Regulatory Reform Act of 1976.*

*(d) CLARIFICATION.—*

*(1) AMENDMENT.—Section 20157(g) of title 49, United States Code, is amended by adding at the end the following new paragraph:*

*''(4) CLARIFICATION.—*

*''(A) PROHIBITIONS.—The Secretary is prohibited from—*

*''(i) approving or disapproving a revised plan submitted under subsection (a)(1);*

*''(ii) considering a revised plan under subsection (a)(1) as a request for amendment under section 236.1021 of title 49, Code of Federal Regulations; or*

*''(iii) requiring the submission, as part of the revised plan under subsection (a)(1), of—*

*''(I) only a schedule and sequence under subsection (a)(2)(A)(iii)(VII); or*

*''(II) both a schedule and sequence under subsection (a)(2)(A)(iii)(VII) and an alternative schedule and sequence under subsection (a)(2)(B).*

*''(B) CIVIL PENALTY AUTHORITY.—Except as provided in paragraph (2) and this paragraph, nothing in this subsection shall be construed to limit the Secretary's authority to assess civil penalties pursuant to subsection (e), consistent with the requirements of this section.*

*''(C) RETAINED REVIEW AUTHORITY.—The Secretary retains the authority to review revised plans submitted under subsection (a)(1) and is authorized to require modifications of those plans to the extent necessary to ensure that such plans include the descriptions under subsection (a)(2)(A)(i), the contents under subsection (a)(2)(A)(ii), and the year or years, totals, and summary under subsection (a)(2)(A)(iii)(I) through (VI).''.*

*(2) CONFORMING AMENDMENT.—Section 20157(g)(3) of title 49, United States Code, is amended by striking ''by paragraph (2) and subsection (k)'' and inserting ''to conform with this section''.*

***SEC. 11316. TECHNICAL AND CONFORMING AMENDMENTS.***

*(a) ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 1139 of title 49, United States Code, is amended—*

*(1) in subsection (a)(1), by striking ''phone number'' and inserting ''telephone number'';*

*(2) in subsection (a)(2), by striking ''post trauma communication with families'' and inserting ''post-trauma communication with families''; and*

*(3) in subsection (j), by striking ''railroad passenger accident'' each place it appears and inserting ''rail passenger accident''.*

*(b) SOLID WASTE RAIL TRANSFER FACILITY LAND-USE EXEMPTION.—Section 10909 of title 49, United States Code, is amended—*

*(1) in subsection (b), in the matter preceding paragraph (1), by striking ''Clean Railroad Act of 2008'' and inserting ''Clean Railroads Act of 2008''; and*

*(2) in subsection (e), by striking ''Upon the granting of petition from the State'' and inserting ''Upon the granting of a petition from the State''.*

*(c) RULEMAKING PROCESS.—Section 20116 of title 49, United States Code, is amended—*

*(1) by inserting ''(2)'' before ''the code, rule, standard, requirement, or practice has been subject to notice and comment under a rule or order issued under this part.'' and indenting accordingly;*

*(2) by inserting ''(1)'' after ''unless'' and indenting accordingly;*

*(3) in paragraph (1), as redesignated, by striking ''order, or'' and inserting ''order; or''; and*

*(4) in the matter preceding paragraph (1), as redesignated, by striking ''unless'' and inserting ''unless—''.*

*(d) ENFORCEMENT REPORT.—Section 20120(a) of title 49, United States Code, is amended—*

*(1) in the matter preceding paragraph (1), by striking ''website'' and inserting ''Web site'';*

*(2) in paragraph (1), by striking ''accident and incidence reporting'' and inserting ''accident and incident reporting'';*

*(3) in paragraph (2)(G), by inserting ''and'' at the end; and*

*(4) in paragraph (5)(B), by striking ''Administrative Hearing Officer or Administrative Law Judge'' and inserting ''administrative hearing officer or administrative law judge''.*

*(e) RAILROAD SAFETY RISK REDUCTION PROGRAM.—Section 20156 of title 49, United States Code, is amended—*

*(1) in subsection (c), by inserting a comma after ''In developing its railroad safety risk reduction program''; and*

*(2) in subsection (g)(1)—*

*(A) by inserting a comma after ''good faith''; and*

*(B) by striking ''non-profit'' and inserting ''nonprofit''.*

*(f) ROADWAY USER SIGHT DISTANCE AT HIGHWAY-RAIL GRADE CROSSINGS.—Section 20159 of title 49, United States Code, is amended by striking ''the Secretary'' and inserting ''the Secretary of Transportation''.*

*(g) NATIONAL CROSSING INVENTORY.—Section 20160 of title 49, United States Code, is amended—*

*(1) in subsection (a)(1), by striking ''concerning each previously unreported crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each previously unreported crossing through which it operates with respect to the trackage over which it operates''; and*

*(2) in subsection (b)(1)(A), by striking ''concerning each crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each crossing through which it operates with respect to the trackage over which it operates''.*

*(h) MINIMUM TRAINING STANDARDS AND PLANS.—Section 20162(a)(3) of title 49, United States Code, is amended by striking ''railroad compliance with Federal standards'' and inserting ''railroad carrier compliance with Federal standards''.*

*(i) DEVELOPMENT AND USE OF RAIL SAFETY TECHNOLOGY.—Section 20164(a) of title 49, United States Code, is amended by striking ''after enactment of the Railroad Safety Enhancement Act of 2008'' and inserting ''after the date of enactment of the Rail Safety Improvement Act of 2008''.*

*(j) RAIL SAFETY IMPROVEMENT ACT OF 2008.—*

*(1) TABLE OF CONTENTS.—Section 1(b) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4848) is amended—*

*(A) in the item relating to section 307 by striking ''website'' and inserting ''Web site'';*

*(B) in the item relating to title VI by striking ''solid waste facilities'' and inserting ''solid waste rail transfer facilities''; and*

*(C) in the item relating to section 602 by striking ''solid waste transfer facilities'' and inserting ''solid waste rail transfer facilities''.*

*(2) DEFINITIONS.—Section 2(a)(1) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4849) is amended in the matter preceding subparagraph (A), by inserting a comma after ''at grade''.*

*(3) RAILROAD SAFETY STRATEGY.—Section 102(a)(6) of title I of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20101 note) is amended by striking ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic failures and other bridge and tunnel failures.'' and inserting ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic and other failures of such infrastructure.''.*

*(4) OPERATION LIFESAVER.—Section 206(a) of title II of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) is amended by striking ''Public Service Announcements'' and inserting ''public service announcements''.*

*(5) UPDATE OF FEDERAL RAILROAD ADMINISTRATION'S WEB SITE.—Section 307 of title III of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 103 note) is amended—*

*(A) in the heading by striking* ''**FEDERAL RAILROAD ADMINISTRATION'S WEBSITE**'' *and inserting* ''**FEDERAL RAILROAD ADMINISTRATION WEB SITE**''*;*

*(B) by striking ''website'' each place it appears and inserting ''Web site''; and*

*(C) by striking ''website's'' and inserting ''Web site's''.*

*(6) ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR MAINTENANCE-OF-WAY EMPLOYEES.—Section 412 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20140 note) is amended by striking ''Secretary of Transportation'' and inserting ''Secretary''.*

*(7) TUNNEL INFORMATION.—Section 414 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—*

*(A) by striking ''parts 171.8, 173.115'' and inserting ''sections 171.8, 173.115''; and*

*(B) by striking ''part 1520.5'' and inserting ''section 1520.5''.*

*(8) SAFETY INSPECTIONS IN MEXICO.—Section 416 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20107 note) is amended—*

*(A) in the matter preceding paragraph (1), by striking ''Secretary of Transportation'' and inserting ''Secretary''; and*

*(B) in paragraph (4), by striking ''subsection'' and inserting ''section''.*

*(9) HEADING OF TITLE VI.—The heading of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking* ''***SOLID WASTE FACILITIES***'' *and inserting* ''***SOLID WASTE RAIL TRANSFER FACILITIES***''.

*(10) HEADING OF SECTION 602.—The heading of section 602 of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking* ''**SOLID WASTE TRANSFER FACILITIES**'' *and inserting* ''**SOLID WASTE RAIL TRANSFER FACILITIES**''.

*(k) CONTINGENT INTEREST RECOVERIES.—Section 22106(b) of title 49, United States Code, is amended by striking ''interest thereof'' and inserting ''interest thereon''.*

*(l) MISSION.—Section 24101(b) of title 49, United States Code, is amended by striking ''of subsection (d)'' and inserting ''set forth in subsection (c)''.*

*(m) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 243 of title 49, United States Code, is amended by striking the item relating to section 24316 and inserting the following:*

*''24316. Plans to address the needs of families of passengers involved in rail passenger accidents.''.*

*(n) AMTRAK.—Chapter 247 of title 49, United States Code, is amended—*

*(1) in section 24706—*

*(A) in subsection (a)—*

*(i) in paragraph (1) by striking ''a discontinuance under section 24704 or or''; and*

*(ii) in paragraph (2) by striking ''section 24704 or''; and*

*(B) in subsection (b) by striking ''section 24704 or''; and*

*(2) in section 24709 by striking ''The Secretary of the Treasury and the Attorney General,'' and inserting ''The Secretary of Homeland Security,''.*

*(o) RAIL COOPERATIVE RESEARCH PROGRAM.—Section 24910(b) of title 49, United States Code, is amended—*

*(1) in paragraph (12) by striking ''and'' at the end;*

*(2) in paragraph (13) by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following:*

*''(14) to improve overall safety of intercity passenger and freight rail operations.''.*

*(p) SECRETARIAL OVERSIGHT.—Section 24403 of title 49, United States Code, is amended by striking subsection (b).*

***Subtitle D—Safety***

***SEC. 11401. HIGHWAY-RAIL GRADE CROSSING SAFETY.***

*(a) MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN.—*

*(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Railroad Administration shall develop a model of a State-specific highway-rail grade crossing action plan and distribute the plan to each State.*

*(2) CONTENTS.—The plan developed under paragraph (1) shall include—*

*(A) methodologies, tools, and data sources for identifying and evaluating highway-rail grade crossing safety risks, including the public safety risks posed by blocked highway-rail grade crossings due to idling trains;*

*(B) best practices to reduce the risk of highway-rail grade crossing accidents or incidents and to alleviate the blockage of highway-rail grade crossings due to idling trains, including strategies for—*

*(i) education, including model stakeholder engagement plans or tools;*

*(ii) engineering, including the benefits and costs of different designs and technologies used to mitigate highway-rail grade crossing safety risks; and*

*(iii) enforcement, including the strengths and weaknesses associated with different enforcement methods;*

*(C) for each State, a customized list and data set of the highway-rail grade crossing accidents or incidents in that State over the past 3 years, including the location, number of deaths, and number of injuries for each accident or incident, and a list of highway-rail grade crossings in that State that have experienced multiple accidents or incidents over the past 3 years; and*

*(D) contact information of a Department of Transportation safety official available to assist the State in adapting the model plan to satisfy the requirements under subsection (b).*

*(b) STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS.—*

*(1) REQUIREMENTS.—Not later than 18 months after the Administrator develops and distributes the model plan under subsection (a), the Administrator shall promulgate a rule that requires—*

*(A) each State, except the 10 States identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to develop and implement a State highway-rail grade crossing action plan; and*

*(B) each State identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) to—*

*(i) update the State action plan under such section; and*

*(ii) submit to the Administrator—*

*(I) the updated State action plan; and*

*(II) a report describing what the State did to implement its previous State action plan under such section and how the State will continue to reduce highway-rail grade crossing safety risks.*

*(2) CONTENTS.—Each State plan required under this subsection shall—*

*(A) identify highway-rail grade crossings that have experienced recent highway-rail grade crossing accidents or incidents or multiple highway-rail grade crossing accidents or incidents, or are at high-risk for accidents or incidents;*

*(B) identify specific strategies for improving safety at highway-rail grade crossings, including highway-rail grade crossing closures or grade separations; and*

*(C) designate a State official responsible for managing implementation of the State action plan under subparagraph (A) or (B) of paragraph (1), as applicable.*

*(3) ASSISTANCE.—The Administrator shall provide assistance to each State in developing and carrying out, as appropriate, the State action plan under this subsection.*

*(4) PUBLIC AVAILABILITY.—Each State shall submit a final State plan under this subsection to the Administrator for publication. The Administrator shall make each approved State plan publicly available on an official Internet Web site.*

*(5) CONDITIONS.—The Secretary may condition the awarding of a grant to a State under chapter 244 of title 49, United States Code, on that State submitting an acceptable State action plan under this subsection.*

*(6) REVIEW OF ACTION PLANS.—Not later than 60 days after the date of receipt of a State action plan under this subsection, the Administrator shall—*

*(A) if the State action plan is approved, notify the State and publish the State action plan under paragraph (4); and*

*(B) if the State action plan is incomplete or deficient, notify the State of the specific areas in which the plan is deficient and allow the State to complete the plan or correct the deficiencies and resubmit the plan under paragraph (1).*

*(7) DEADLINE.—Not later than 60 days after the date of a notice under paragraph (6)(B), a State shall complete the plan or correct the deficiencies and resubmit the plan.*

*(8) FAILURE TO COMPLETE OR CORRECT PLAN.—If a State fails to meet the deadline under paragraph (7), the Administrator shall post on the Web site under paragraph (4) a notice that the State has an incomplete or deficient highway-rail grade crossing action plan.*

*(c) REPORT.—Not later than the date that is 3 years after the Administrator publishes the final rule under subsection (b)(1), the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—*

*(1) the specific strategies identified by States to improve safety at highway-rail grade crossings, including crossings with multiple accidents or incidents; and*

*(2) the progress each State described under subsection (b)(1)(B) has made in implementing its action plan.*

*(d) RAILWAY-HIGHWAY CROSSINGS FUNDS.—The Secretary may use funds made available to carry out section 130 of title 23, United States Code, to provide States with funds to develop a State highway-rail grade crossing action plan under subsection (b)(1)(A) or to update a State action plan under subsection (b)(1)(B).*

*(e) DEFINITIONS.—In this section:*

*(1) HIGHWAY-RAIL GRADE CROSSING.—The term ''highway-rail grade crossing'' means a location within a State, other than a location where 1 or more railroad tracks cross 1 or more railroad tracks at grade, where—*

*(A) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, crosses 1 or more railroad tracks either at grade or grade-separated; or*

*(B) a pathway explicitly authorized by a public authority or a railroad carrier that is dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public highway, road, or street, or a private roadway, crosses 1 or more railroad tracks either at grade or grade-separated.*

*(2) STATE.—The term ''State'' means a State of the United States or the District of Columbia.*

***SEC. 11402. PRIVATE HIGHWAY-RAIL GRADE CROSSINGS.***

*(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study to—*

*(1) determine whether limitations or weaknesses exist regarding the availability and usefulness for safety purposes of data on private highway-rail grade crossings; and*

*(2) evaluate existing engineering practices on private highway-rail grade crossings.*

*(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall make recommendations as necessary to improve—*

*(1) the utility of the data on private highway-rail grade crossings; and*

*(2) the implementation of private highway-rail crossing safety measures, including signage and warning systems.*

*(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study and any recommendations for further action.*

***SEC. 11403. STUDY ON USE OF LOCOMOTIVE HORNS AT HIGHWAY-RAIL GRADE CROSSINGS.***

*(a) STUDY.—The Comptroller General of the United States shall submit a report to Congress containing the results of a study evaluating the final rule issued on August 17, 2006, entitled ''Use of Locomotive Horns at Highway-Rail Grade Crossings'' (71 Fed. Reg. 47614), including—*

*(1) the effectiveness of such final rule;*

*(2) the benefits and costs of establishing quiet zones; and*

*(3) any barriers to establishing quiet zones.*

*(b) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit or preclude any planned retrospective review by the Secretary of the final rule described in subsection (a).*

***SEC. 11404. POSITIVE TRAIN CONTROL AT GRADE CROSSINGS EFFECTIVENESS STUDY.***

*After the Secretary certifies that each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation is in compliance with the positive train control requirements under section 20157(a) of title 49, United States Code, the Secretary shall—*

*(1) conduct a study of the possible effectiveness of positive train control and related technologies on reducing collisions at highway-rail grade crossings; and*

*(2) submit a report containing the results of the study conducted under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.*

***SEC. 11405. BRIDGE INSPECTION REPORTS.***

*Section 417(d) of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—*

*(1) by striking ''The Secretary'' and inserting the following:*

*''(1) IN GENERAL.—The Secretary''; and*

*(2) by adding at the end the following:*

*''(2) AVAILABILITY OF BRIDGE CONDITION.—*

*''(A) IN GENERAL.—A State or political subdivision of a State may file a request with the Secretary for a public version of a bridge inspection report generated under subsection (b)(5) for a bridge located in such State or political subdivision's jurisdiction.*

*''(B) PUBLIC VERSION OF REPORT.—If the Secretary determines that the request is reasonable, the Secretary shall require a railroad to submit a public version of the most recent bridge inspection report, such as a summary form, for a bridge subject to a request under subparagraph (A). The public version of a bridge inspection report shall include the date of last inspection, length of bridge, location of bridge, type of bridge, type of structure, feature crossed by bridge, and railroad contact information, along with a general statement on the condition of the bridge.*

*''(C) PROVISION OF REPORT.—The Secretary shall provide to a State or political subdivision of a State a public version of a bridge inspection report submitted under subparagraph (B).*

*''(D) TECHNICAL ASSISTANCE.—The Secretary, upon the reasonable request of State or political subdivision of a State, shall provide technical assistance to such State or political subdivision of a State to facilitate the understanding of a bridge inspection report.''.*

***SEC. 11406. SPEED LIMIT ACTION PLANS.***

*(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, shall survey its entire system and identify each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve, bridge, or tunnel and the maximum authorized operating speed for passenger trains at that curve, bridge, or tunnel.*

*(b) ACTION PLANS.—Not later than 120 days after the date that the survey under subsection (a) is complete, a railroad carrier described in subsection (a) shall submit to the Secretary an action plan that—*

*(1) identifies each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve, bridge, or tunnel and the maximum authorized operating speed for passenger trains at that curve, bridge, or tunnel;*

*(2) describes appropriate actions to enable warning and enforcement of the maximum authorized speed for passenger trains at each location identified under paragraph (1), including—*

*(A) modification to automatic train control systems, if applicable, or other signal systems;*

*(B) increased crew size;*

*(C) installation of signage alerting train crews of the maximum authorized speed for passenger trains in each location identified under paragraph (1);*

*(D) installation of alerters;*

*(E) increased crew communication; and*

*(F) other practices;*

*(3) contains milestones and target dates for implementing each appropriate action described under paragraph (2); and*

*(4) ensures compliance with the maximum authorized speed at each location identified under paragraph (1).*

*(c) APPROVAL.—Not later than 90 days after the date on which an action plan is submitted under subsection (b), the Secretary shall approve, approve with conditions, or disapprove the action plan.*

*(d) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.*

*(e) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—*

*(1) the actions railroad carriers have taken in response to Safety Advisory 2013–08, entitled ''Operational Tests and Inspections for Compliance With Maximum Authorized Train Speeds and Other Speed Restrictions'';*

*(2) the actions railroad carriers have taken in response to Safety Advisory 2015–03, entitled ''Operational and Signal Modifications for Compliance with Maximum Authorized Passenger Train Speeds and Other Speed Restrictions''; and*

*(3) the actions the Federal Railroad Administration has taken to evaluate or incorporate the information and findings arising from the safety advisories referred to in paragraphs (1) and (2) into the development of regulatory action and oversight activities.*

*(f) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from applying the requirements of this section to other segments of track at high risk of overspeed derailment.*

***SEC. 11407. ALERTERS.***

*(a) IN GENERAL.—The Secretary shall promulgate a rule to require a working alerter in the controlling locomotive of each passenger train in intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code) or commuter rail passenger transportation (as defined in section 24102 of title 49, United States Code).*

*(b) RULEMAKING.—*

*(1) IN GENERAL.—The Secretary may promulgate a rule to specify the essential*

*functionalities of a working alerter, including the manner in which the alerter can be reset.*

*(2) ALTERNATE PRACTICE OR TECHNOLOGY.—The Secretary may require or allow a technology or practice in lieu of a working alerter if the Secretary determines that the technology or practice would achieve an equivalent or greater level of safety in enhancing or ensuring appropriate locomotive control.*

***SEC. 11408. SIGNAL PROTECTION.***

*(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall initiate a rulemaking to require that on-track safety regulations, whenever practicable and consistent with other safety requirements and operational considerations, include requiring implementation of redundant signal protection for maintenance-of-way work crews who depend on a train dispatcher to provide signal protection.*

*(b) ALTERNATIVE SAFETY MEASURES.—The Secretary shall consider exempting from any final requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in providing additional signal protection.*

***SEC. 11409. COMMUTER RAIL TRACK INSPECTIONS.***

*(a) IN GENERAL.—The Secretary shall evaluate track inspection regulations to determine if a railroad carrier providing commuter rail passenger transportation on high density commuter railroad lines should be required to inspect the lines in the same manner as is required for other commuter railroad lines.*

*(b) RULEMAKING.—Considering safety, including railroad carrier employee and contractor safety, system capacity, and other relevant factors, the Secretary may promulgate a rule for high density commuter railroad lines. If, after the evaluation under subsection (a), the Secretary determines that it is necessary to promulgate a rule, the Secretary shall specifically consider the following regulatory requirements for high density commuter railroad lines:*

*(1) At least once every 2 weeks—*

*(A) traverse each main line by vehicle; or*

*(B) inspect each main line on foot.*

*(2) At least once each month, traverse and inspect each siding by vehicle or by foot.*

*(c) REPORT.—If, after the evaluation under subsection (a), the Secretary determines it is not necessary to revise the regulations under this section, the Secretary, not later than 18 months after the date of enactment of this Act, shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for not revising the regulations.*

*(d) CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary to promulgate regulations or issue orders under any other law.*

***SEC. 11410. POST-ACCIDENT ASSESSMENT.***

*(a) IN GENERAL.—The Secretary, in cooperation with the National Transportation Safety Board and Amtrak, shall conduct a post-accident assessment of the Amtrak Northeast Regional Train #188 crash on May 12, 2015.*

*(b) ELEMENTS.—The assessment conducted pursuant to subsection (a) shall include—*

*(1) a review of Amtrak's compliance with the plan for addressing the needs of the families of passengers involved in any rail passenger accident, which was submitted pursuant to section 24316 of title 49, United States Code;*

*(2) a review of Amtrak's compliance with the emergency preparedness plan required under section 239.101(a) of title 49, Code of Federal Regulations;*

*(3) a determination of any additional action items that should be included in the plans referred to in paragraphs (1) and (2) to meet the needs of the passengers involved in the crash and their families, including—*

*(A) notification of emergency contacts;*

*(B) dedicated and trained staff to manage family assistance;*

*(C) the establishment of a family assistance center at the accident locale or other appropriate location;*

*(D) a system for identifying and recovering items belonging to passengers that were lost in the crash; and*

*(E) the establishment of a single customer service entity within Amtrak to coordinate the response to the needs of the passengers involved in the crash and their families; and*

*(4) recommendations for any additional training needed by Amtrak staff to better implement the plans referred to in paragraphs (1) and (2), including the establishment of a regular schedule for training drills and exercises.*

*(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, Amtrak shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—*

*(1) Amtrak's plan to achieve the recommendations referred to in subsection (b)(4); and*

*(2) any steps that have been taken to address any deficiencies identified through the assessment.*

***SEC. 11411. RECORDING DEVICES.***

*(a) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, is amended by adding at the end the following:*

***"§20168. Installation of audio and image recording devices***

*''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation shall promulgate regulations to require each railroad carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments in such passenger trains.*

*''(b) DEVICE STANDARDS.—Each inward- and outward-facing image recording device shall—*

*''(1) have a minimum 12-hour continuous recording capability;*

*''(2) have crash and fire protections for any in-cab image recordings that are stored only within a controlling locomotive cab or cab car operating compartment; and*

*''(3) have recordings accessible for review during an accident or incident investigation.*

*''(c) REVIEW.—The Secretary shall establish a process to review and approve or disapprove an inward- or outward-facing image recording device for compliance with the standards described in subsection (b).*

*''(d) USES.—A railroad carrier subject to the requirements of subsection (a) that has installed an inward- or outward-facing image recording device approved under subsection (c) may use recordings from that inward- or outward-facing image recording device for the following purposes:*

*''(1) Verifying that train crew actions are in accordance with applicable safety laws and the railroad carrier's operating rules and procedures, including a system-wide program for such verification.*

*''(2) Assisting in an investigation into the causation of a reportable accident or incident.*

*''(3) Documenting a criminal act or monitoring unauthorized occupancy of the controlling locomotive cab or car operating compartment.*

*''(4) Other purposes that the Secretary considers appropriate.*

*''(e) DISCRETION.—*

*''(1) IN GENERAL.—The Secretary may—*

*''(A) require in-cab audio recording devices for the purposes described in subsection (d); and*

*''(B) define in appropriate technical detail the essential features of the devices required under subparagraph (A).*

*''(2) EXEMPTIONS.—The Secretary may exempt any railroad carrier subject to the requirements of subsection (a) or any part of the carrier's operations from the requirements under subsection (a) if the Secretary determines that the carrier has implemented an alternative technology or practice that provides an equivalent or greater safety benefit or that is better suited to the risks of the operation.*

*''(f) TAMPERING.—A railroad carrier subject to the requirements of subsection (a) may take appropriate enforcement or administrative action against any employee that tampers with or disables an audio or inward- or outward-facing image recording device installed by the railroad carrier.*

*''(g) PRESERVATION OF DATA.—Each railroad carrier subject to the requirements of subsection (a) shall preserve recording device data for 1 year after the date of a reportable accident or incident.*

*''(h) INFORMATION PROTECTIONS.—The Secretary may not disclose publicly any part of an in-cab audio or image recording or transcript of oral communications by or among train employees or other operating employees responsible for the movement and direction of the train, or between such operating employees and company communication centers, related to an accident or incident investigated by the Secretary. The Secretary may make public any part of a transcript or any written depiction of visual information that the Secretary determines is relevant to the accident at the time a majority of the other factual reports on the accident or incident are released to the public.*

*''(i) PROHIBITED USE.—An in-cab audio or image recording obtained by a railroad carrier under this section may not be used to retaliate against an employee.*

*''(j) SAVINGS CLAUSE.—Nothing in this section may be construed as requiring a railroad carrier to cease or restrict operations upon a technical failure of an inward- or outward-facing image recording device or in-cab audio device. Such railroad carrier shall repair or replace the failed inward- or outward-facing image recording device as soon as practicable.''.*

*(b) CONFORMING AMENDMENT.—The table of contents for subchapter II of chapter 201 of title 49, United States Code, is amended by adding at the end the following:*

*''20168. Installation of audio and image recording devices.''.*

***SEC. 11412. RAILROAD POLICE OFFICERS.***

*(a) IN GENERAL.—Section 28101 of title 49, United States Code, is amended—*

*(1) by striking ''employed by'' each place it appears and inserting ''directly employed by or contracted by'';*

*(2) in subsection (b), by inserting ''or agent, as applicable,'' after ''an employee''; and*

*(3) by adding at the end the following:*

*''(c) TRANSFERS.—*

*''(1) IN GENERAL.—If a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State transfers primary employment or residence from the certifying or commissioning State to another State or jurisdiction, the railroad police officer, not later than 1 year after the date of transfer, shall apply to be certified or commissioned as a police office under the laws of the State of new primary employment or residence.*

*''(2) INTERIM PERIOD.—During the period beginning on the date of transfer and ending 1 year after the date of transfer, a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of the new jurisdiction in which the railroad police officer resides, to the same extent as provided in subsection (a).*

*''(d) TRAINING.—*

''(1) IN GENERAL.—A State may recognize as meeting that State's basic police officer certification or commissioning requirements for qualification as a rail police officer under this section any individual who successfully completes a program at a State-recognized police training academy in another State or at a Federal law enforcement training center and who is certified or commissioned as a police officer by that other State.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as superseding or affecting any State training requirements related to criminal law, criminal procedure, motor vehicle code, any other State law, or State-mandated comparative or annual in-service training academy or Federal law enforcement training center.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the regulations in part 207 of title 49, Code of Federal Regulations (relating to railroad police officers), to permit a railroad to designate an individual, who is commissioned in the individual's State of legal residence or State of primary employment and directly employed by or contracted by a railroad to enforce State laws for the protection of railroad property, personnel, passengers, and cargo, to serve in the States in which the railroad owns property.

(c) CONFORMING AMENDMENTS.—

(1) AMTRAK RAIL POLICE.—Section 24305(e) of title 49, United States Code, is amended—

(A) by striking ''may employ'' and inserting ''may directly employ or contract with'';

(B) by striking ''employed by'' and inserting ''directly employed by or contracted by''; and

(C) by striking ''employed without'' and inserting ''directly employed or contracted without''.

(2) EXCEPTIONS.—Section 922(z)(2)(B) of title 18, United States Code, is amended by striking ''employed by'' and inserting ''directly employed by or contracted by''.

**SEC. 11413. REPAIR AND REPLACEMENT OF DAMAGED TRACK INSPECTION EQUIPMENT.**

(a) IN GENERAL.—Subchapter I of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

***''§ 20121. Repair and replacement of damaged track inspection equipment***

''The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government-owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Railroad Safety and Operations account of the Federal Railroad Administration and shall remain available until expended for the repair, operation, and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter I of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

''20121. Repair and replacement of damaged track inspection equipment.''.

**SEC. 11414. REPORT ON VERTICAL TRACK DEFLECTION.**

(a) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing research conducted or procured by the Federal Railroad Administration on developing a system that measures vertical track deflection (in this section referred to as ''VTD'') from a moving rail car, including the ability of such system to identify poor track support from fouled ballast, deteriorated cross ties, or other conditions.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) the findings and results of testing of VTD instrumentation during field trials on revenue service track;

(2) the findings and results of subsequent testing of VTD instrumentation on a Federal Railroad Administration automated track inspection program geometry car;

(3) if considered appropriate by the Secretary based on the report and related research, a plan for developing quantitative inspection criteria for poor track support using existing VTD instrumentation on Federal Railroad Administration automated track inspection program geometry cars; and

(4) if considered appropriate by the Secretary based on the report and related research, a plan for installing VTD instrumentation on all remaining Federal Railroad Administration automated track inspection program geometry cars not later than 3 years after the date of enactment of this Act.

**SEC. 11415. RAIL PASSENGER LIABILITY.**

(a) AMTRAK INCIDENT.—Notwithstanding any other provision of law, the aggregate allowable awards to all rail passengers, against all defendants, for all claims, including claims for punitive damages, arising from a single accident or incident involving Amtrak occurring on May 12, 2015, shall not exceed $295,000,000.

(b) ADJUSTMENT BASED ON CONSUMER PRICE INDEX.—The liability cap under section 28103(a)(2) of title 49, United States Code, shall be adjusted on the date of enactment of this Act to reflect the change in the Consumer Price Index-All Urban Consumers between such date and December 2, 1997, and the Secretary shall provide appropriate public notice of such adjustment. The adjustment of the liability cap shall be effective 30 days after such notice. Every fifth year after the date of enactment of this Act, the Secretary shall adjust such liability cap to reflect the change in the Consumer Price Index-All Urban Consumers since the last adjustment. The Secretary shall provide appropriate public notice of each such adjustment, and the adjustment shall become effective 30 days after such notice.

***Subtitle E—Project Delivery***

**SEC. 11501. SHORT TITLE.**

This subtitle may be cited as the ''Track, Railroad, and Infrastructure Network Act'' or the ''TRAIN Act''.

**SEC. 11502. TREATMENT OF IMPROVEMENTS TO RAIL AND TRANSIT UNDER PRESERVATION REQUIREMENTS.**

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, is further amended by adding at the end the following:

''(f) RAIL AND TRANSIT.—

''(1) IN GENERAL.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements thereof that are in use or were historically used for the transportation of goods or passengers shall not be considered a use of a historic site under subsection (a), regardless of whether the railroad or rail transit line or element thereof is listed on, or eligible for listing on, the National Register of Historic Places.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to—

''(i) stations; or

''(ii) bridges or tunnels located on—

''(I) railroad lines that have been abandoned; or

''(II) transit lines that are not in use.

''(B) CLARIFICATION WITH RESPECT TO CERTAIN BRIDGES AND TUNNELS.—The bridges and tunnels referred to in subparagraph (A)(ii) do not include bridges or tunnels located on railroad or transit lines—

''(i) over which service has been discontinued; or

''(ii) that have been railbanked or otherwise reserved for the transportation of goods or passengers.''.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, is further amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d) and (h)''; and

(2) by adding at the end the following:

''(h) RAIL AND TRANSIT.—

''(1) IN GENERAL.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements thereof that are in use or were historically used for the transportation of goods or passengers shall not be considered a use of a historic site under subsection (c), regardless of whether the railroad or rail transit line or element thereof is listed on, or eligible for listing on, the National Register of Historic Places.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to—

''(i) stations; or

''(ii) bridges or tunnels located on—

''(I) railroad lines that have been abandoned; or

''(II) transit lines that are not in use.

''(B) CLARIFICATION WITH RESPECT TO CERTAIN BRIDGES AND TUNNELS.—The bridges and tunnels referred to in subparagraph (A)(ii) do not include bridges or tunnels located on railroad or transit lines—

''(i) over which service has been discontinued; or

''(ii) that have been railbanked or otherwise reserved for the transportation of goods or passengers.''.

**SEC. 11503. EFFICIENT ENVIRONMENTAL REVIEWS.**

(a) AMENDMENT.—Title 49, United States Code, is amended by inserting after chapter 241 the following new chapter:

***''CHAPTER 242—PROJECT DELIVERY***



***''§ 24201. Efficient environmental reviews***

''(a) EFFICIENT ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23 to any railroad project that requires the approval of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) REGULATIONS AND PROCEDURES.—In carrying out paragraph (1), the Secretary shall incorporate into agency regulations and procedures pertaining to railroad projects described in paragraph (1) aspects of such project development procedures, or portions thereof, determined appropriate by the Secretary in a manner consistent with this section, that increase the efficiency of the review of railroad projects.

''(3) DISCRETION.—The Secretary may choose not to incorporate into agency regulations and procedures pertaining to railroad projects described in paragraph (1) such project development procedures that could only feasibly apply to highway projects, public transportation capital projects, and multimodal projects.

''(4) APPLICABILITY.—Subsection (l) of section 139 of title 23 shall apply to railroad projects described in paragraph (1), except that the limitation on claims of 150 days shall be 2 years.

''(b) ADDITIONAL CATEGORICAL EXCLUSIONS.—Not later than 6 months after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall—

''(1) survey the use by the Federal Railroad Administration of categorical exclusions in transportation projects since 2005; and

''(2) publish in the Federal Register for notice and public comment a review of the survey that includes a description of—

''(A) the types of actions categorically excluded; and

''(B) any actions the Secretary is considering for new categorical exclusions, including those that would conform to those of other modal administrations.

''(c) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall publish a notice of proposed rulemaking to propose new and existing categorical exclusions for railroad projects that require the approval of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including those identified under subsection (b), and develop a process for considering new categorical exclusions to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations.

''(d) TRANSPARENCY.—The Secretary shall maintain and make publicly available, including on the Internet, a database that identifies project-specific information on the use of a categorical exclusion on any railroad project carried out under this title.

''(e) PROTECTIONS FOR EXISTING AGREEMENTS AND NEPA.—Nothing in subtitle E of the Passenger Rail Reform and Investment Act of 2015, or any amendment made by such subtitle, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, as that title was in effect on the day preceding the date of enactment of such subtitle.''.

(b) SAVINGS CLAUSE.—Except as expressly provided in section 41003(f) and subsection (o) of section 139 of title 23, United States Code, the requirements and other provisions of title 41 of this Act shall not apply to—

(1) programs administered now and in the future by the Department of Transportation or its operating administrations under title 23, 46, or 49, United States Code, including direct loan and loan guarantee programs, or other Federal statutes or programs or projects administered by an agency pursuant to their authority under title 49, United States Code; or

(2) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).

(c) TABLE OF CHAPTERS AMENDMENT.—The table of chapters of subtitle V of title 49, United States Code, is amended by inserting after the item relating to chapter 241 the following:

''242. Project delivery ..... 24201''.

**SEC. 11504. RAILROAD RIGHTS-OF-WAY.**

(a) AMENDMENT.—Chapter 242 of title 49, United States Code, (as added by this Act) is amended by adding at the end the following:

**''§ 24202. Railroad rights-of-way**

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall submit a proposed exemption of railroad rights-of-way from the review under section 306108 of title 54 to the Advisory Council on Historic Preservation for consideration, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

''(b) FINAL EXEMPTION.—Not later than 180 days after the date on which the Secretary submits the proposed exemption under subsection (a) to the Council, the Council shall issue a final exemption of railroad rights-of-way from review under chapter 3061 of title 54 consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 242 of title 49, United States Code, (as added by this Act) is amended by adding at the end the following:

''24202. Railroad rights-of-way.''.

**Subtitle F—Financing**

**SEC. 11601. SHORT TITLE; REFERENCES.**

(a) SHORT TITLE.—This subtitle may be cited as the ''Railroad Infrastructure Financing Improvement Act''.

(b) REFERENCES TO THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976.—Except as otherwise expressly provided, wherever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.).

**SEC. 11602. DEFINITIONS.**

Section 501 (45 U.S.C. 821) is amended—

(1) by redesignating paragraph (8) as paragraph (10);

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

(3) by inserting after paragraph (5) the following:

''(6) The term 'investment-grade rating' means a rating of BBB minus, Baa 3, bbb minus, BBB(low), or higher assigned by a rating agency.'';

(4) by inserting after paragraph (8), as redesignated, the following:

''(9) The term 'master credit agreement' means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.''; and

(5) by adding at the end the following:

''(11) The term 'project obligation' means a note, bond, debenture, or other debt obligation issued by a borrower in connection with the financing of a project, other than a direct loan or loan guarantee under this title.

''(12) The term 'railroad' has the meaning given the term 'railroad carrier' in section 20102 of title 49, United States Code.

''(13) The term 'rating agency' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

''(14) The term 'substantial completion' means—

''(A) the opening of a project to passenger or freight traffic; or

''(B) a comparable event, as determined by the Secretary and specified in the terms of the direct loan or loan guarantee provided by the Secretary.''.

**SEC. 11603. ELIGIBLE APPLICANTS.**

Section 502(a) (45 U.S.C. 822(a)) is amended—

(1) in paragraph (5), by striking ''one railroad'' and inserting ''1 of the entities described in paragraph (1), (2), (3), (4), or (6)''; and

(2) by amending paragraph (6) to read as follows:

''(6) solely for the purpose of constructing a rail connection between a plant or facility and a railroad, limited option freight shippers that own or operate a plant or other facility.''.

**SEC. 11604. ELIGIBLE PURPOSES.**

(a) IN GENERAL.—Section 502(b)(1) (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting '', and costs related to these activities, including preconstruction costs'' after ''shops'';

(2) in subparagraph (B), by striking ''subparagraph (A); or'' and inserting ''subparagraph (A) or (C);'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(D) reimburse planning and design expenses relating to activities described in subparagraph (A) or (C); or

''(E) finance economic development, including commercial and residential development, and related infrastructure and activities, that—

''(i) incorporates private investment;

''(ii) is physically or functionally related to a passenger rail station or multimodal station that includes rail service;

''(iii) has a high probability of the applicant commencing the contracting process for construction not later than 90 days after the date on which the direct loan or loan guarantee is obligated for the project under this title; and

''(iv) has a high probability of reducing the need for financial assistance under any other Federal program for the relevant passenger rail station or service by increasing ridership, tenant lease payments, or other activities that generate revenue exceeding costs.''.

(b) REQUIRED NON-FEDERAL MATCH FOR TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—Section 502(h) (45 U.S.C. 822(h)) is amended by adding at the end the following:

''(4) The Secretary shall require each recipient of a direct loan or loan guarantee under this section for a project described in subsection (b)(1)(E) to provide a non-Federal match of not less than 25 percent of the total amount expended by the recipient for such project.''.

(c) SUNSET.—Section 502(b) (45 U.S.C. 822(b)) is amended by adding at the end the following:

''(3) SUNSET.—The Secretary may provide a direct loan or loan guarantee under this section for a project described in paragraph (1)(E) only during the 4-year period beginning on the date of enactment of the Passenger Rail Reform and Investment Act of 2015.''.

**SEC. 11605. PROGRAM ADMINISTRATION.**

(a) APPLICATION PROCESSING PROCEDURES.—Section 502(i) (45 U.S.C. 822(i)) is amended to read as follows:

''(i) APPLICATION PROCESSING PROCEDURES.—

''(1) APPLICATION STATUS NOTICES.—Not later than 30 days after the date that the Secretary receives an application under this section, or additional information and material under paragraph (2)(B), the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

''(2) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

''(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application, including any information required by an independent financial analyst; and

''(B) allow the applicant to resubmit the application with the information and material described under subparagraph (A) to complete the application.

''(3) APPLICATION APPROVALS AND DISAPPROVALS.—

''(A) IN GENERAL.—Not later than 60 days after the date the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

''(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with respect to the application within that 60-day period.

''(4) EXPEDITED PROCESSING.—The Secretary shall implement procedures and measures to economize the time and cost involved in obtaining an approval or a disapproval of an application for a direct loan or loan guarantee under this title.

''(5) DASHBOARD.—The Secretary shall post on the Department of Transportation's Internet Web site a monthly report that includes, for each application—

''(A) the applicant type;

''(B) the location of the project;

''(C) a brief description of the project, including its purpose;

''(D) the requested direct loan or loan guarantee amount;

''(E) the date on which the Secretary provided application status notice under paragraph (1); and

''(F) the date that the Secretary provided notice of approval or disapproval under paragraph (3).''.

(b) ADMINISTRATION OF DIRECT LOANS AND LOAN GUARANTEES.—Section 503 (45 U.S.C. 823) is amended—

(1) in subsection (a) by striking the period at the end and inserting '', including a program

*guide, a standard term sheet, and specific timetables.'';*

*(2) by redesignating subsections (c) through (l) as subsections (d) through (m), respectively;*

*(3) by striking ''(b) ASSIGNMENT OF LOAN GUARANTEES.—'' and inserting ''(c) ASSIGNMENT OF LOAN GUARANTEES.—'';*

*(4) in subsection (d), as so redesignated—*

*(A) in paragraph (1) by striking ''; and'' and inserting a semicolon;*

*(B) in paragraph (2) by striking the period at the end and inserting ''; and''; and*

*(C) by adding at the end the following:*

*''(3) the modification cost has been covered under section 502(f).''; and*

*(5) by striking subsection (l), as so redesignated, and inserting the following:*

*''(l) CHARGES AND LOAN SERVICING.—*

*''(1) PURPOSES.—The Secretary may collect from each applicant, obligor, or loan party a reasonable charge for—*

*''(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings;*

*''(B) the cost of award management and project management oversight;*

*''(C) the cost of services from expert firms, including counsel, and independent financial advisors to assist in the underwriting, auditing, servicing, and exercise of rights with respect to direct loans and loan guarantees; and*

*''(D) the cost of all other expenses incurred as a result of a breach of any term or condition or any event of default on a direct loan or loan guarantee.*

*''(2) STANDARDS.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).*

*''(3) SERVICER.—*

*''(A) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this title.*

*''(B) DUTIES.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in serving a direct loan or loan guarantee under this title.*

*''(C) FEES.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.*

*''(4) SAFETY AND OPERATIONS ACCOUNT.—Amounts collected under this subsection shall—*

*''(A) be credited directly to the Safety and Operations account of the Federal Railroad Administration; and*

*''(B) remain available until expended to pay for the costs described in this subsection.''.*

***SEC. 11606. LOAN TERMS AND REPAYMENT.***

*(a) PREREQUISITES FOR ASSISTANCE.—Section 502(g)(1) (45 U.S.C. 822(g)(1)) is amended by striking ''35 years from the date of its execution'' and inserting the following: ''the lesser of—*

*''(A) 35 years after the date of substantial completion of the project; or*

*''(B) the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established''.*

*(b) REPAYMENT SCHEDULES.—Section 502(j) (45 U.S.C. 822(j)) is amended—*

*(1) in paragraph (1) by striking ''the sixth anniversary date of the original loan disbursement'' and inserting ''5 years after the date of substantial completion''; and*

*(2) by adding at the end the following:*

*''(3) DEFERRED PAYMENTS.—*

*''(A) IN GENERAL.—If at any time after the date of substantial completion the obligor is unable to pay the scheduled loan repayments of principal and interest on a direct loan provided under this section, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.*

*''(B) INTEREST.—A payment deferred under subparagraph (A) shall—*

*''(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and*

*''(ii) be scheduled to be amortized over the remaining term of the loan.*

*''(4) PREPAYMENTS.—*

*''(A) USE OF EXCESS REVENUES.—With respect to a direct loan provided by the Secretary under this section, any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.*

*''(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.''.*

*(c) SALE OF DIRECT LOANS.—Section 502 (45 U.S.C. 822) is amended by adding at the end the following:*

*''(k) SALE OF DIRECT LOANS.—*

*''(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.*

*''(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the prior written consent of the obligor.''.*

*(d) NONSUBORDINATION.—Section 502 (45 U.S.C. 822) is further amended by adding at the end the following:*

*''(l) NONSUBORDINATION.—*

*''(1) IN GENERAL.—Except as provided in paragraph (2), a direct loan provided by the Secretary under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.*

*''(2) PREEXISTING INDENTURES.—*

*''(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—*

*''(i) the direct loan is rated in the A category or higher;*

*''(ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a tax-based revenue pledge or a system-backed pledge of project revenues; and*

*''(iii) the program share, under this title, of eligible project costs is 50 percent or less.*

*''(B) LIMITATION.—The Secretary may impose limitations for the waiver of the nonsubordination requirement under this paragraph if the Secretary determines that such limitations would be in the financial interest of the Federal Government.''.*

***SEC. 11607. CREDIT RISK PREMIUMS.***

*(a) INFRASTRUCTURE PARTNERS.—Section 502(f) (45 U.S.C. 822(f)) is amended—*

*(1) in paragraph (1) by striking the first sentence and inserting the following: ''In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.'';*

*(2) in paragraph (2)—*

*(A) in subparagraph (D), by adding ''and'' after the semicolon;*

*(B) by striking subparagraph (E); and*

*(C) by redesignating subparagraph (F) as subparagraph (E);*

*(3) by striking paragraph (4);*

*(4) by redesignating paragraph (3) as paragraph (4);*

*(5) by inserting after paragraph (2) the following:*

*''(3) CREDITWORTHINESS.—An applicant may propose and the Secretary shall accept as a basis for determining the amount of the credit risk premium under paragraph (2) any of the following in addition to the value of any tangible asset:*

*''(A) The net present value of a future stream of State or local subsidy income or other dedicated revenues to secure the direct loan or loan guarantee.*

*''(B) Adequate coverage requirements to ensure repayment, on a non-recourse basis, from cash flows generated by the project or any other dedicated revenue source, including—*

*''(i) tolls;*

*''(ii) user fees; or*

*''(iii) payments owing to the obligor under a public-private partnership.*

*''(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, except that if the total amount of the direct loan or loan guarantee is greater than $75,000,000, the applicant shall have an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee.''; and*

*(6) in paragraph (4), as redesignated, by striking ''amounts'' and inserting ''amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications thereof''.*

*(b) SAVINGS CLAUSE.—All provisions under sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.) as they existed on the day before enactment of this Act shall apply to direct loans provided by the Secretary prior to the date of enactment of this Act, and nothing in this title may be construed to limit the payback of a credit risk premium, with interest accrued thereon, if a direct loan provided by the Secretary under such sections has been paid back in full, prior to the date of enactment of this Act.*

***SEC. 11608. MASTER CREDIT AGREEMENTS.***

*Section 502 (45 U.S.C. 822) is further amended by adding at the end the following:*

*''(m) MASTER CREDIT AGREEMENTS.—*

*''(1) IN GENERAL.—Subject to subsection (d) and paragraph (2) of this subsection, the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, as applicable, under this title and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.*

*''(2) CONDITIONS.—Each master credit agreement shall—*

*''(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;*

*''(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;*

*''(C) provide for the obligation of funds for the direct loans or loan guarantees contingent on and after all requirements have been met for the projects subject to the master credit agreement; and*

*''(D) provide 1 or more dates, as determined by the Secretary, before which the master credit*

*agreement results in each of the direct loans or loan guarantees or in the release of the master credit agreement.''.*

***SEC. 11609. PRIORITIES AND CONDITIONS.***

*(a) PRIORITY PROJECTS.—Section 502(c) (45 U.S.C. 822(c)) is amended—*

*(1) in paragraph (1), by inserting '', including projects for the installation of a positive train control system (as defined in section 20157(i) of title 49, United States Code)'' after ''public safety'';*

*(2) by moving paragraph (3) to appear before paragraph (2), and redesignating those paragraphs accordingly;*

*(3) in paragraph (5), by inserting ''or chapter 227 of title 49'' after ''section 135 of title 23'';*

*(4) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and*

*(5) by inserting after paragraph (5) the following:*

*''(6) improve railroad stations and passenger facilities and increase transit-oriented development;''.*

*(b) CONDITIONS OF ASSISTANCE.—Section 502(h)(2) (45 U.S.C. 822(h)(2)) is amended by inserting '', if applicable'' after ''project''.*

***SEC. 11610. SAVINGS PROVISIONS.***

*(a) IN GENERAL.—Except as provided in subsection (b) and section 11607(b), this subtitle, and the amendments made by this subtitle, shall not affect any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act. Any such transaction entered into before the date of enactment of this Act shall be administered until completion under its terms as if this Act were not enacted.*

*(b) MODIFICATION COSTS.—At the discretion of the Secretary, the authority to accept modification costs on behalf of an applicant under section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)), as amended by section 11607 of this Act, may apply with respect to any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act.*

***SEC. 11611. REPORT ON LEVERAGING RRIF.***

*(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that analyzes how the Railroad Rehabilitation and Improvement Financing Program can be used to improve passenger rail infrastructure.*

*(b) REPORT CONTENTS.—The report required under subsection (a) shall include—*

*(1) illustrative examples of projects that could be financed under such Program;*

*(2) potential repayment sources for such projects, including tax-increment financing, user fees, tolls, and other dedicated revenue sources; and*

*(3) estimated costs and benefits of using the Program relative to other options, including a comparison of the length of time such projects would likely be completed without Federal credit assistance.*

***DIVISION B—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015***

***TITLE XXIV—MOTOR VEHICLE SAFETY***

***Subtitle A—Vehicle Safety***

***SEC. 24101. AUTHORIZATION OF APPROPRIATIONS.***

*(a) IN GENERAL.—Subject to subsection (b), there is authorized to be appropriated to the Secretary to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, amounts as follows:*

*(1) $132,730,000 for fiscal year 2016.*

*(2) $135,517,330 for fiscal year 2017.*

*(3) $138,363,194 for fiscal year 2018.*

*(4) $141,268,821 for fiscal year 2019.*

*(5) $144,235,466 for fiscal year 2020.*

*(b) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS IF A CERTIFICATION IS MADE.—*

*(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a) to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, if the certification described in paragraph (2) is made during a fiscal year there is authorized to be appropriated to the Secretary for that purpose for that fiscal year and subsequent fiscal years an additional amount as follows:*

*(A) $46,270,000 for fiscal year 2016.*

*(B) $51,537,670 for fiscal year 2017.*

*(C) $57,296,336 for fiscal year 2018.*

*(D) $62,999,728 for fiscal year 2019.*

*(E) $69,837,974 for fiscal year 2020.*

*(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification made by the Secretary and submitted to Congress that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063). As part of the certification, the Secretary shall review the actions the National Highway Traffic Safety Administration has taken to implement the recommendations and issue a report to Congress detailing how the recommendations were implemented. The Secretary shall not delegate or assign the responsibility under this paragraph.*

***SEC. 24102. INSPECTOR GENERAL RECOMMENDATIONS.***

*(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, the Department of Transportation Inspector General shall report to the appropriate committees of Congress on whether and what progress has been made to implement the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063).*

*(b) IMPLEMENTATION PROGRESS.—The Administrator of the National Highway Traffic Safety Administration shall—*

*(1) not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, provide a briefing to the appropriate committees of Congress on the actions the Administrator has taken to implement the recommendations in the audit report described in subsection (a), including a plan for implementing any remaining recommendations; and*

*(2) not later than 1 year after the date of enactment of this Act, issue a final report to the appropriate committees of Congress on the implementation of all of the recommendations in the audit report described in subsection (a).*

*(c) DEFINITIONS.—In this section:*

*(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.*

*(2) COMPLETION DATE.—The term ''completion date'' means the date that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063).*

***SEC. 24103. IMPROVEMENTS IN AVAILABILITY OF RECALL INFORMATION.***

*(a) VEHICLE RECALL INFORMATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement current information technology, web design trends, and best practices that will help ensure that motor vehicle safety recall information available to the public on the Federal website is readily accessible and easy to use, including—*

*(1) by improving the organization, availability, readability, and functionality of the website;*

*(2) by accommodating high-traffic volume; and*

*(3) by establishing best practices for scheduling routine website maintenance.*

*(b) GOVERNMENT ACCOUNTABILITY OFFICE PUBLIC AWARENESS REPORT.—*

*(1) IN GENERAL.—The Comptroller General shall study the current use by consumers, dealers, and manufacturers of the safety recall information made available to the public, including the usability and content of the Federal and manufacturers' websites and the National Highway Traffic Safety Administration's efforts to publicize and educate consumers about safety recall information.*

*(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall issue a report with the findings of the study under paragraph (1), including recommending any actions the Secretary can take to improve public awareness and use of the websites for safety recall information.*

*(c) PROMOTION OF PUBLIC AWARENESS.—Section 31301(c) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note) is amended to read as follows:*

*''(c) PROMOTION OF PUBLIC AWARENESS.—The Secretary shall improve public awareness of safety recall information made publicly available by periodically updating the method of conveying that information to consumers, dealers, and manufacturers, such as through public service announcements.''.*

*(d) CONSUMER GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—*

*(1) a detailed explanation of what information a consumer should include in a complaint; and*

*(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—*

*(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and*

*(B) the length of time a consumer should retain the records described in subparagraph (A).*

*(e) VIN SEARCH.—*

*(1) IN GENERAL.—The Secretary, in coordination with industry, including manufacturers and dealers, shall study—*

*(A) the feasibility of searching multiple vehicle identification numbers at a time to retrieve motor vehicle safety recall information; and*

*(B) the feasibility of making the search mechanism described under subparagraph (A) publicly available.*

*(2) CONSIDERATIONS.—In conducting the study under paragraph (1), the Secretary shall consider the potential costs, and potential risks to privacy and security in implementing such a search mechanism.*

***SEC. 24104. RECALL PROCESS.***

*(a) NOTIFICATION IMPROVEMENT.—*

*(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.*

*(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term ''electronic means'' includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.*

*(b) NOTIFICATION BY MANUFACTURER.—Section 30118(c) of title 49, United States Code, is amended by inserting ''or electronic mail'' after ''certified mail''.*

*(c) RECALL COMPLETION RATES REPORT.—*

*(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter for 4 years, the Secretary shall—*

*(A) conduct an analysis of vehicle safety recall completion rates to assess potential actions by the National Highway Traffic Safety Administration to improve vehicle safety recall completion rates; and*

*(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the analysis.*

*(2) CONTENTS.—Each report shall include—*

*(A) the annual recall completion rate by manufacturer, model year, component (such as brakes, fuel systems, and air bags), and vehicle type (passenger car, sport utility vehicle, passenger van, and pick-up truck) for each of the 5 years before the year the report is submitted;*

*(B) the methods by which the Secretary has conducted analyses of these recall completion rates to determine trends and identify risk factors associated with lower recall rates; and*

*(C) the actions the Secretary has planned to improve recall completion rates based on the results of this data analysis.*

*(d) INSPECTOR GENERAL AUDIT OF VEHICLE RECALLS.—*

*(1) IN GENERAL.—The Department of Transportation Inspector General shall conduct an audit of the National Highway Traffic Safety Administration's management of vehicle safety recalls.*

*(2) CONTENTS.—The audit shall include a determination of whether the National Highway Traffic Safety Administration—*

*(A) appropriately monitors recalls to ensure the appropriateness of scope and adequacy of recall completion rates and remedies;*

*(B) ensures manufacturers provide safe remedies, at no cost to consumers;*

*(C) is capable of coordinating recall remedies and processes; and*

*(D) can improve its policy on consumer notice to combat effects of recall fatigue.*

***SEC. 24105. PILOT GRANT PROGRAM FOR STATE NOTIFICATION TO CONSUMERS OF MOTOR VEHICLE RECALL STATUS.***

*(a) IN GENERAL.—Not later than October 1, 2016, the Secretary shall implement a 2-year pilot program to evaluate the feasibility and effectiveness of a State process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration in the State.*

*(b) GRANTS.—To carry out this program, the Secretary may make a grant to each eligible State, but not more than 6 eligible States in total, that agrees to comply with the requirements under subsection (c). Funds made available to a State under this section shall be used by the State for the pilot program described in subsection (a).*

*(c) ELIGIBILITY.—To be eligible for a grant, a State shall—*

*(1) submit an application in such form and manner as the Secretary prescribes;*

*(2) agree to notify, at the time of registration, each owner or lessee of a motor vehicle presented for registration in the State of any open recall on that vehicle;*

*(3) provide the open motor vehicle recall information at no cost to each owner or lessee of a motor vehicle presented for registration in the State; and*

*(4) provide such other information as the Secretary may require.*

*(d) AWARDS.—In selecting an applicant for an award under this section, the Secretary shall consider the State's methodology for determining open recalls on a motor vehicle, for informing consumers of the open recalls, and for determining performance.*

*(e) PERFORMANCE PERIOD.—Each grant awarded under this section shall require a 2-year performance period.*

*(f) REPORT.—Not later than 90 days after the completion of the performance period under subsection (e), a grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which open recalls have been remedied.*

*(g) EVALUATION.—Not later than 180 days after the completion of the pilot program, the Secretary shall evaluate the extent to which open recalls identified have been remedied.*

*(h) DEFINITIONS.—In this section:*

*(1) CONSUMER.—The term ''consumer'' includes owner and lessee.*

*(2) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning given the term under section 30102(a) of title 49, United States Code.*

*(3) OPEN RECALL.—The term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.*

*(4) REGISTRATION.—The term ''registration'' means the process for registering motor vehicles in the State.*

*(5) STATE.—The term ''State'' has the meaning given the term under section 101(a) of title 23, United States Code.*

***SEC. 24106. RECALL OBLIGATIONS UNDER BANKRUPTCY.***

*Section 30120A of title 49, United States Code, is amended by striking ''chapter 11 of title 11,'' and inserting ''chapter 7 or chapter 11 of title 11''.*

***SEC. 24107. DEALER REQUIREMENT TO CHECK FOR OPEN RECALL.***

*Section 30120(f) of title 49, United States Code, is amended—*

*(1) by inserting ''(1) IN GENERAL. A manufacturer'' and indenting appropriately;*

*(2) in paragraph (1), as redesignated, by striking the period at the end and inserting the following: ''if—*

*''(A) at the time of providing service for each of the manufacturer's motor vehicles it services, the dealer notifies the owner or the individual requesting the service of any open recall; and*

*''(B) the notification requirement under subparagraph (A) is specified in a franchise, operating, or other agreement between the dealer and the manufacturer.''; and*

*(3) by adding at the end the following:*

*''(2) DEFINITION OF OPEN RECALL.—In this subsection, the term 'open recall' means a recall for which a notification by a manufacturer has been provided under section 30119 and that has not been remedied under this section.''.*

***SEC. 24108. EXTENSION OF TIME PERIOD FOR REMEDY OF TIRE DEFECTS.***

*Section 30120(b) of title 49, United States Code, is amended—*

*(1) in paragraph (1), by striking ''60 days'' and inserting ''180 days''; and*

*(2) in paragraph (2), by striking ''60-day'' each place it appears and inserting ''180-day''.*

***SEC. 24109. RENTAL CAR SAFETY.***

*(a) SHORT TITLE.—This section may be cited as the ''Raechel and Jacqueline Houck Safe Rental Car Act of 2015''.*

*(b) DEFINITIONS.—Section 30102(a) of title 49, United States Code, is amended—*

*(1) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively;*

*(2) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;*

*(3) by inserting before paragraph (2), as redesignated, the following:*

*''(1) 'covered rental vehicle' means a motor vehicle that—*

*''(A) has a gross vehicle weight rating of 10,000 pounds or less;*

*''(B) is rented without a driver for an initial term of less than 4 months; and*

*''(C) is part of a motor vehicle fleet of 35 or more motor vehicles that are used for rental purposes by a rental company.''; and*

*(4) by inserting after paragraph (10), as redesignated, the following:*

*''(11) 'rental company' means a person who—*

*''(A) is engaged in the business of renting covered rental vehicles; and*

*''(B) uses for rental purposes a motor vehicle fleet of 35 or more covered rental vehicles, on average, during the calendar year.''.*

*(c) REMEDIES FOR DEFECTS AND NONCOMPLIANCE.—Section 30120(i) of title 49, United States Code, is amended—*

*(1) in the subsection heading, by adding '', OR RENTAL'' at the end;*

*(2) in paragraph (1)—*

*(A) by striking ''(1) If notification'' and inserting the following:*

*''(1) IN GENERAL.—If notification'';*

*(B) by indenting subparagraphs (A) and (B) four ems from the left margin;*

*(C) by inserting ''or the manufacturer has provided to a rental company notification about a covered rental vehicle in the company's possession at the time of notification'' after ''time of notification'';*

*(D) by striking ''the dealer may sell or lease,'' and inserting ''the dealer or rental company may sell, lease, or rent''; and*

*(E) in subparagraph (A), by striking ''sale or lease'' and inserting ''sale, lease, or rental agreement'';*

*(3) by amending paragraph (2) to read as follows:*

*''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit a dealer or rental company from offering the vehicle or equipment for sale, lease, or rent.''; and*

*(4) by adding at the end the following:*

*''(3) SPECIFIC RULES FOR RENTAL COMPANIES.—*

*''(A) IN GENERAL.—Except as otherwise provided under this paragraph, a rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 24 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.*

*''(B) SPECIAL RULE FOR LARGE VEHICLE FLEETS.—Notwithstanding subparagraph (A), if a rental company receives a notice to owner covering more than 5,000 motor vehicles in its fleet, the rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 48 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.*

*''(C) SPECIAL RULE FOR WHEN REMEDIES NOT IMMEDIATELY AVAILABLE.—If a notification required under subsection (b) or (c) of section 30118 indicates that the remedy for the defect or noncompliance is not immediately available and specifies actions to temporarily alter the vehicle that eliminate the safety risk posed by the defect or noncompliance, the rental company, after causing the specified actions to be performed, may rent (but may not sell or lease) the motor vehicle. Once the remedy for the rental vehicle becomes available to the rental company, the rental company may not rent the vehicle until the vehicle has been remedied, as provided in subsection (a).*

*''(D) INAPPLICABILITY TO JUNK AUTOMOBILES.—Notwithstanding paragraph (1), this subsection does not prohibit a rental company from selling a covered rental vehicle if such vehicle—*

*''(i) meets the definition of a junk automobile under section 201 of the Anti-Car Theft Act of 1992 (49 U.S.C. 30501);*

*''(ii) is retitled as a junk automobile pursuant to applicable State law; and*

*''(iii) is reported to the National Motor Vehicle Information System, if required under section 204 of such Act (49 U.S.C. 30504).''.*

*(d) MAKING SAFETY DEVICES AND ELEMENTS INOPERATIVE.—Section 30122(b) of title 49, United States Code, is amended by inserting ''rental company,'' after ''dealer,'' each place such term appears.*

*(e) INSPECTIONS, INVESTIGATIONS, AND RECORDS.—Section 30166 of title 49, United States Code, is amended—*

*(1) in subsection (c)(2), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company'';*

*(2) in subsection (e), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company''; and*

*(3) in subsection (f), by striking ''or to owners'' and inserting '', rental companies, or other owners''.*

*(f) RESEARCH AUTHORITY.—The Secretary of Transportation may conduct a study of—*

*(1) the effectiveness of the amendments made by this section; and*

*(2) other activities of rental companies (as defined in section 30102(a)(11) of title 49, United States Code) related to their use and disposition of motor vehicles that are the subject of a notification required under section 30118 of title 49, United States Code.*

*(g) STUDY.—*

*(1) ADDITIONAL REQUIREMENT.—Section 32206(b)(2) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 785) is amended—*

*(A) in subparagraph (E), by striking ''and'' at the end;*

*(B) by redesignating subparagraph (F) as subparagraph (G); and*

*(C) by inserting after subparagraph (E) the following:*

*''(F) evaluate the completion of safety recall remedies on rental trucks; and''.*

*(2) REPORT.—Section 32206(c) of such Act is amended—*

*(A) in paragraph (1), by striking ''subsection (b)'' and inserting ''subparagraphs (A) through (E) and (G) of subsection (b)(2)'';*

*(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;*

*(C) by striking ''REPORT. Not later'' and inserting the following:*

*''(c) REPORTS.—*

*''(1) INITIAL REPORT.—Not later''; and*

*(D) by adding at the end the following:*

*''(2) SAFETY RECALL REMEDY REPORT.—Not later than 1 year after the date of the enactment of the 'Raechel and Jacqueline Houck Safe Rental Car Act of 2015', the Secretary shall submit a report to the congressional committees set forth in paragraph (1) that contains—*

*''(A) the findings of the study conducted pursuant to subsection (b)(2)(F); and*

*''(B) any recommendations for legislation that the Secretary determines to be appropriate.''.*

*(h) PUBLIC COMMENTS.—The Secretary shall solicit comments regarding the implementation of this section from members of the public, including rental companies, consumer organizations, automobile manufacturers, and automobile dealers.*

*(i) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section—*

*(1) may be construed to create or increase any liability, including for loss of use, for a manufacturer as a result of having manufactured or imported a motor vehicle subject to a notification of defect or noncompliance under subsection (b) or (c) of section 30118 of title 49, United States Code; or*

*(2) shall supersede or otherwise affect the contractual obligations, if any, between such a manufacturer and a rental company (as defined in section 30102(a) of title 49, United States Code).*

*(j) RULEMAKING.—The Secretary may promulgate rules, as appropriate, to implement this section and the amendments made by this section.*

*(k) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.*

***SEC. 24110. INCREASE IN CIVIL PENALTIES FOR VIOLATIONS OF MOTOR VEHICLE SAFETY.***

*(a) INCREASE IN CIVIL PENALTIES.—Section 30165(a) of title 49, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) by striking ''$5,000'' and inserting ''$21,000''; and*

*(B) by striking ''$35,000,000'' and inserting ''$105,000,000''; and*

*(2) in paragraph (3)—*

*(A) by striking ''$5,000'' and inserting ''$21,000''; and*

*(B) by striking ''$35,000,000'' and inserting ''$105,000,000''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) of this section take effect on the date that the Secretary certifies to Congress that the National Highway Traffic Safety Administration has issued the final rule required by section 31203(b) of the Moving Ahead for Progress In the 21st Century Act (Public Law 112–141; 126 Stat. 758; 49 U.S.C. 30165 note).*

*(c) PUBLICATION OF EFFECTIVE DATE.—The Secretary shall publish notice of the effective date under subsection (b) of this section in the Federal Register.*

***SEC. 24111. ELECTRONIC ODOMETER DISCLOSURES.***

*Section 32705(g) of title 49, United States Code, is amended—*

*(1) by inserting ''(1)'' before ''Not later than'' and indenting appropriately; and*

*(2) by adding at the end the following:*

*''(2) Notwithstanding paragraph (1) and subject to paragraph (3), a State, without approval from the Secretary under subsection (d), may allow for written disclosures or notices and related matters to be provided electronically if—*

*''(A) in compliance with—*

*''(i) the requirements of subchapter 1 of chapter 96 of title 15; or*

*''(ii) the requirements of a State law under section 7002(a) of title 15; and*

*''(B) the disclosures or notices otherwise meet the requirements under this section, including appropriate authentication and security measures.*

*''(3) Paragraph (2) ceases to be effective on the date the regulations under paragraph (1) become effective.''.*

***SEC. 24112. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.***

*Section 30166(o) of title 49, United States Code, is amended—*

*(1) in paragraph (1), by striking ''may'' and inserting ''shall''; and*

*(2) by adding at the end the following:*

*''(3) DEADLINE.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary shall issue a final rule under paragraph (1).''.*

***SEC. 24113. DIRECT VEHICLE NOTIFICATION OF RECALLS.***

*(a) RECALL NOTIFICATION REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a report on the feasibility of a technical system that would operate in each new motor vehicle to indicate when the vehicle is subject to an open recall.*

*(b) DEFINITION OF OPEN RECALL.—In this section the term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.*

***SEC. 24114. UNATTENDED CHILDREN WARNING.***

*Section 31504(a) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note) is amended by striking ''may'' and inserting ''shall''.*

***SEC. 24115. TIRE PRESSURE MONITORING SYSTEM.***

*(a) PROPOSED RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a proposed rule that—*

*(1) updates the standards pertaining to tire pressure monitoring systems to ensure that a tire pressure monitoring system that is installed in a new motor vehicle after the effective date of such updated standards cannot be overridden, reset, or recalibrated in such a way that the system will no longer detect when the inflation pressure in one or more of the vehicle's tires has fallen to or below a significantly underinflated pressure level; and*

*(2) does not contain any provision that has the effect of prohibiting the availability of direct or indirect tire pressure monitoring systems that meet the requirements of the standards updated pursuant to paragraph (1).*

*(b) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, after providing the public with sufficient opportunity for notice and comment on the proposed rule published pursuant to subsection (a), the Secretary shall issue a final rule based on the proposed rule described in subsection (a) that—*

*(1) allows a manufacturer to install a tire pressure monitoring system that can be reset or recalibrated to accommodate—*

*(A) the repositioning of tire sensor locations on vehicles with split inflation pressure recommendations;*

*(B) tire rotation; or*

*(C) replacement tires or wheels of a different size than the original equipment tires or wheels; and*

*(2) to address the accommodations described in subparagraphs (A), (B), and (C) of paragraph (1), ensures that a tire pressure monitoring system that is reset or recalibrated according to the manufacturer's instructions would illuminate the low tire pressure warning telltale when a tire is significantly underinflated until the tire is no longer significantly underinflated.*

*(c) SIGNIFICANTLY UNDERINFLATED PRESSURE LEVEL DEFINED.—In this section, the term ''significantly underinflated pressure level'' means a pressure level that is—*

*(1) below the level at which the low tire pressure warning telltale must illuminate, consistent with the TPMS detection requirements contained in S4.2(a) of section 571.138 of title 49, Code of Federal Regulations, or any corresponding similar or successor regulation or ruling (as determined by the Secretary); and*

*(2) in the case of a replacement wheel or tire, below the recommended cold inflation pressure of the wheel or tire manufacturer.*

***SEC. 24116. INFORMATION REGARDING COMPONENTS INVOLVED IN RECALL.***

*Section 30119 of title 49, United States Code, is amended by adding at the end the following:*

*''(g) INFORMATION REGARDING COMPONENTS INVOLVED IN RECALL.—A manufacturer that is required to furnish a report under section 573.6 of title 49, Code of Federal Regulations (or any successor regulation) for a defect or noncompliance in a motor vehicle or in an item of original or replacement equipment shall, if such defect or noncompliance involves a specific component or components, include in such report, with respect to such component or components, the following information:*

*''(1) The name of the component or components.*

*''(2) A description of the component or components.*

*''(3) The part number of the component or components, if any.''.*

***Subtitle B—Research And Development And Vehicle Electronics***

***SEC. 24201. REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.***

*Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggre-*

gating electronic and emerging technologies expertise across the National Highway Traffic Safety Administration, the role of the Council in coordinating with other Federal agencies, and the priorities of the Council over the next 5 years.

**SEC. 24202. COOPERATION WITH FOREIGN GOVERNMENTS.**

(a) TITLE 49 AMENDMENT.—Section 30182(b) of title 49, United States Code, is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) in coordination with Department of State, enter into cooperative agreements and collaborative research and development agreements with foreign governments.''.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting ''foreign government (in coordination with the Department of State)'' after ''institution,''; and

(2) in subsection (c)(1)(A), by inserting ''foreign governments,'' after ''local governments,''.

(c) AUDIT.—The Department of Transportation Inspector General shall conduct an audit of the Secretary of Transportation's management and oversight of cooperative agreements and collaborative research and development agreements, including any cooperative agreements between the Secretary of Transportation and foreign governments under section 30182(b)(6) of title 49, United States Code, and subsections (b)(2)(C) and (c)(1)(A) of title 23, United States Code.

## Subtitle C—Miscellaneous Provisions

## PART I—DRIVER PRIVACY ACT OF 2015

**SEC. 24301. SHORT TITLE.**

This part may be cited as the ''Driver Privacy Act of 2015''.

**SEC. 24302. LIMITATIONS ON DATA RETRIEVAL FROM VEHICLE EVENT DATA RECORDERS.**

(a) OWNERSHIP OF DATA.—Any data retained by an event data recorder (as defined in section 563.5 of title 49, Code of Federal Regulations), regardless of when the motor vehicle in which it is installed was manufactured, is the property of the owner, or, in the case of a leased vehicle, the lessee of the motor vehicle in which the event data recorder is installed.

(b) PRIVACY.—Data recorded or transmitted by an event data recorder described in subsection (a) may not be accessed by a person other than an owner or a lessee of the motor vehicle in which the event data recorder is installed unless—

(1) a court or other judicial or administrative authority having jurisdiction—

(A) authorizes the retrieval of the data; and

(B) to the extent that there is retrieved data, the data is subject to the standards for admission into evidence required by that court or other administrative authority;

(2) an owner or a lessee of the motor vehicle provides written, electronic, or recorded audio consent to the retrieval of the data for any purpose, including the purpose of diagnosing, servicing, or repairing the motor vehicle, or by agreeing to a subscription that describes how data will be retrieved and used;

(3) the data is retrieved pursuant to an investigation or inspection authorized under section 1131(a) or 30166 of title 49, United States Code, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data, except that the vehicle identification number may be disclosed to the certifying manufacturer;

(4) the data is retrieved for the purpose of determining the need for, or facilitating, emergency medical response in response to a motor vehicle crash; or

(5) the data is retrieved for traffic safety research, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data.

**SEC. 24303. VEHICLE EVENT DATA RECORDER STUDY.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit to Congress a report that contains the results of a study conducted by the Administrator to determine the amount of time event data recorders installed in passenger motor vehicles should capture and record for retrieval vehicle-related data in conjunction with an event in order to provide sufficient information to investigate the cause of motor vehicle crashes.

(b) RULEMAKING.—Not later than 2 years after submitting the report required under subsection (a), the Administrator of the National Highway Traffic Safety Administration shall promulgate regulations to establish the appropriate period during which event data recorders installed in passenger motor vehicles may capture and record for retrieval vehicle-related data to the time necessary to provide accident investigators with vehicle-related information pertinent to crashes involving such motor vehicles.

## PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

**SEC. 24321. SHORT TITLE.**

This part may be cited as the ''Safety Through Informed Consumers Act of 2015''.

**SEC. 24322. PASSENGER MOTOR VEHICLE INFORMATION.**

Section 32302 of title 49, United States Code, is amended by inserting after subsection (b) the following:

''(c) CRASH AVOIDANCE.—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.''.

## PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

**SEC. 24331. SHORT TITLE.**

This part may be cited as the ''Tire Efficiency, Safety, and Registration Act of 2015'' or the ''TESR Act''.

**SEC. 24332. TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.**

Section 32304A of title 49, United States Code, is amended—

(1) in the section heading, by inserting ''AND STANDARDS'' after ''CONSUMER TIRE INFORMATION'';

(2) in subsection (a)—

(A) in the heading, by striking ''Rulemaking'' and inserting ''Consumer Tire Information''; and

(B) in paragraph (1), by inserting ''(referred to in this section as the 'Secretary')'' after ''Secretary of Transportation'';

(3) by redesignating subsections (b) through (e) as subsections (e) though (h), respectively; and

(4) by inserting after subsection (a) the following:

''(b) PROMULGATION OF REGULATIONS FOR TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary, after consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall promulgate regulations for tire fuel efficiency minimum performance standards for—

''(A) passenger car tires with a maximum speed capability equal to or less than 149 miles per hour or 240 kilometers per hour; and

''(B) passenger car tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(2) TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(A) STANDARD BASIS AND TEST PROCEDURES.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of the rolling resistance coefficient measured using the test procedure specified in section 575.106 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

''(B) NO DISPARATE EFFECT ON HIGH PERFORMANCE TIRES.—The Secretary shall ensure that the minimum performance standards promulgated under paragraph (1) will not have a disproportionate effect on passenger car high performance tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(C) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(c) PROMULGATION OF REGULATIONS FOR TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary shall promulgate regulations for tire wet traction minimum performance standards to ensure that passenger tire wet traction capability is not reduced to achieve improved tire fuel efficiency.

''(2) TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(A) BASIS OF STANDARD.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of peak coefficient of friction.

''(B) TEST PROCEDURES.—Any test procedure promulgated under this subsection shall be consistent with any test procedure promulgated under subsection (a).

''(C) BENCHMARKING.—The Secretary shall conduct testing to benchmark the wet traction performance of tire models available for sale in the United States as of the date of enactment of this Act to ensure that the minimum performance standards promulgated under paragraph (1) are tailored to—

''(i) tires sold in the United States; and

''(ii) the needs of consumers in the United States.

''(D) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(d) COORDINATION AMONG REGULATIONS.—

''(1) COMPATIBILITY.—The Secretary shall ensure that the test procedures and requirements promulgated under subsections (a), (b), and (c) are compatible and consistent.

''(2) COMBINED EFFECT OF RULES.—The Secretary shall evaluate the regulations promulgated under subsections (b) and (c) to ensure that compliance with the minimum performance standards promulgated under subsection (b) will not diminish wet traction performance of affected tires.

''(3) RULEMAKING DEADLINES.—The Secretary shall promulgate—

''(A) the regulations under subsections (b) and (c) not later than 24 months after the date of enactment of this Act; and

''(B) the regulations under subsection (c) not later than the date of promulgation of the regulations under subsection (b).''.

**SEC. 24333. TIRE REGISTRATION BY INDEPENDENT SELLERS.**

Paragraph (3) of section 30117(b) of title 49, United States Code, is amended to read as follows:

''(3) RULEMAKING.—

''(A) IN GENERAL.—The Secretary shall initiate a rulemaking to require a distributor or

*dealer of tires that is not owned or controlled by a manufacturer of tires to maintain records of—*

*''(i) the name and address of tire purchasers and lessors;*

*''(ii) information identifying the tire that was purchased or leased; and*

*''(iii) any additional records the Secretary considers appropriate.*

*''(B) ELECTRONIC TRANSMISSION.—The rulemaking carried out under subparagraph (A) shall require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to electronically transmit the records described in clauses (i), (ii), and (iii) of subparagraph (A) to the manufacturer of the tires or the designee of the manufacturer by secure means at no cost to tire purchasers or lessors.*

*''(C) SATISFACTION OF REQUIREMENTS.—A regulation promulgated under subparagraph (A) may be considered to satisfy the requirements of paragraph (2)(B).''.*

***SEC. 24334. TIRE IDENTIFICATION STUDY AND REPORT.***

*(a) STUDY.—The Secretary shall conduct a study to examine the feasibility of requiring all manufacturers of tires subject to section 30117(b) of title 49, United States Code, to—*

*(1) include electronic identification on every tire that reflects all of the information currently required in the tire identification number; and*

*(2) ensure that the same type and format of electronic information technology is used on all tires.*

*(b) REPORT.—The Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study required by paragraph (1).*

***SEC. 24335. TIRE RECALL DATABASE.***

*(a) IN GENERAL.—The Secretary shall establish a publicly available and searchable electronic database of tire recall information that is reported to the Administrator of the National Highway Traffic Safety Administration.*

*(b) TIRE IDENTIFICATION NUMBER.—The database established under subsection (a) shall be searchable by Tire Identification Number (TIN) and any other criteria that assists consumers in determining whether a tire is subject to a recall.*

***PART IV—ALTERNATIVE FUEL VEHICLES***

***SEC. 24341. REGULATORY PARITY FOR NATURAL GAS VEHICLES.***

*The Administrator of the Environmental Protection Agency shall revise the regulations issued in sections 600.510-12(c)(2)(vi) and 600.510-12(c)(2) (vii)(A) of title 40, Code of Federal Regulations, to replace references to the year ''2019'' with the year ''2016''.*

***PART V—MOTOR VEHICLE SAFETY WHISTLEBLOWER ACT***

***SEC. 24351. SHORT TITLE.***

*This part may be cited as the ''Motor Vehicle Safety Whistleblower Act''.*

***SEC. 24352. MOTOR VEHICLE SAFETY WHISTLEBLOWER INCENTIVES AND PROTECTIONS.***

*(a) IN GENERAL.—Subchapter IV of chapter 301 of title 49, United States Code, is amended by adding at the end the following:*

***''§ 30172. Whistleblower incentives and protections***

*''(a) DEFINITIONS.—In this section:*

*''(1) COVERED ACTION.—The term 'covered action' means any administrative or judicial action, including any related administrative or judicial action, brought by the Secretary or the Attorney General under this chapter that in the aggregate results in monetary sanctions exceeding $1,000,000.*

*''(2) MONETARY SANCTIONS.—The term 'monetary sanctions' means monies, including penalties and interest, ordered or agreed to be paid.*

*''(3) ORIGINAL INFORMATION.—The term 'original information' means information that—*

*''(A) is derived from the independent knowledge or analysis of an individual;*

*''(B) is not known to the Secretary from any other source, unless the individual is the original source of the information; and*

*''(C) is not exclusively derived from an allegation made in a judicial or an administrative action, in a governmental report, a hearing, an audit, or an investigation, or from the news media, unless the individual is a source of the information.*

*''(4) PART SUPPLIER.—The term 'part supplier' means a manufacturer of motor vehicle equipment.*

*''(5) SUCCESSFUL RESOLUTION.—The term 'successful resolution', with respect to a covered action, includes any settlement or adjudication of the covered action.*

*''(6) WHISTLEBLOWER.—The term 'whistleblower' means any employee or contractor of a motor vehicle manufacturer, part supplier, or dealership who voluntarily provides to the Secretary original information relating to any motor vehicle defect, noncompliance, or any violation or alleged violation of any notification or reporting requirement of this chapter, which is likely to cause unreasonable risk of death or serious physical injury.*

*''(b) AWARDS.—*

*''(1) IN GENERAL.—If the original information that a whistleblower provided to the Secretary leads to the successful resolution of a covered action, the Secretary, subject to subsection (c), may pay an award or awards to one or more whistleblowers in an aggregate amount of—*

*''(A) not less than 10 percent, in total, of collected monetary sanctions; and*

*''(B) not more than 30 percent, in total, of collected monetary sanctions.*

*''(2) PAYMENT OF AWARDS.—Any amount payable under paragraph (1) shall be paid from the monetary sanctions collected, and any monetary sanctions so collected shall be available for such payment.*

*''(c) DETERMINATION OF AWARDS; DENIAL OF AWARDS.—*

*''(1) DETERMINATION OF AWARDS.—*

*''(A) DISCRETION.—The determination of whether, to whom, or in what amount to make an award shall be in the discretion of the Secretary subject to the provisions in subsection (b)(1).*

*''(B) CRITERIA.—In determining an award made under subsection (b), the Secretary shall take into consideration—*

*''(i) if appropriate, whether a whistleblower reported or attempted to report the information internally to an applicable motor vehicle manufacturer, part supplier, or dealership;*

*''(ii) the significance of the original information provided by the whistleblower to the successful resolution of the covered action;*

*''(iii) the degree of assistance provided by the whistleblower and any legal representative of the whistleblower in the covered action; and*

*''(iv) such additional factors as the Secretary considers relevant.*

*''(2) DENIAL OF AWARDS.—No award under subsection (b) shall be made—*

*''(A) to any whistleblower who is convicted of a criminal violation related to the covered action for which the whistleblower otherwise could receive an award under this section;*

*''(B) to any whistleblower who, acting without direction from an applicable motor vehicle manufacturer, part supplier, or dealership, or agent thereof, deliberately causes or substantially contributes to the alleged violation of a requirement of this chapter;*

*''(C) to any whistleblower who submits information to the Secretary that is based on the facts underlying the covered action submitted previously by another whistleblower;*

*''(D) to any whistleblower who fails to provide the original information to the Secretary in such form as the Secretary may require by regulation; or*

*''(E) if the applicable motor vehicle manufacturer, parts supplier, or dealership has an internal reporting mechanism in place to protect employees from retaliation, to any whistleblower who fails to report or attempt to report the information internally through such mechanism, unless—*

*''(i) the whistleblower reasonably believed that such an internal report would have resulted in retaliation, notwithstanding section 30171(a);*

*''(ii) the whistleblower reasonably believed that the information—*

*''(I) was already internally reported;*

*''(II) was already subject to or part of an internal inquiry or investigation; or*

*''(III) was otherwise already known to the motor vehicle manufacturer, part supplier, or dealership; or*

*''(iii) the Secretary has good cause to waive this requirement.*

*''(d) REPRESENTATION.—A whistleblower may be represented by counsel.*

*''(e) NO CONTRACT NECESSARY.—No contract with the Secretary is necessary for any whistleblower to receive an award under subsection (b).*

*''(f) PROTECTION OF WHISTLEBLOWERS; CONFIDENTIALITY.—*

*''(1) IN GENERAL.—Notwithstanding section 30167, and except as provided in paragraphs (4) and (5) of this subsection, the Secretary, and any officer or employee of the Department of Transportation, shall not disclose any information, including information provided by a whistleblower to the Secretary, which could reasonably be expected to reveal the identity of a whistleblower, except in accordance with the provisions of section 552a of title 5, unless—*

*''(A) required to be disclosed to a defendant or respondent in connection with a public proceeding instituted by the Secretary or any entity described in paragraph (5);*

*''(B) the whistleblower provides prior written consent for the information to be disclosed; or*

*''(C) the Secretary, or other officer or employee of the Department of Transportation, receives the information through another source, such as during an inspection or investigation under section 30166, and has authority under other law to release the information.*

*''(2) REDACTION.—The Secretary, and any officer or employee of the Department of Transportation, shall take reasonable measures to not reveal the identity of the whistleblower when disclosing any information under paragraph (1).*

*''(3) SECTION 552(B)(3)(B).—For purposes of section 552 of title 5, paragraph (1) of this subsection shall be considered a statute described in subsection (b)(3)(B) of that section.*

*''(4) EFFECT.—Nothing in this subsection is intended to limit the ability of the Attorney General to present such evidence to a grand jury or to share such evidence with potential witnesses or defendants in the course of an ongoing criminal investigation.*

*''(5) AVAILABILITY TO GOVERNMENT AGENCIES.—*

*''(A) IN GENERAL.—Without the loss of its status as confidential in the hands of the Secretary, all information referred to in paragraph (1) may, in the discretion of the Secretary, when determined by the Secretary to be necessary or appropriate to accomplish the purposes of this chapter and in accordance with subparagraph (B), be made available to the following:*

*''(i) The Department of Justice.*

*''(ii) An appropriate department or agency of the Federal Government, acting within the scope of its jurisdiction.*

*''(B) MAINTENANCE OF INFORMATION.—Each entity described in subparagraph (A) shall maintain information described in that subparagraph as confidential, in accordance with the requirements in paragraph (1).*

*''(g) PROVISION OF FALSE INFORMATION.—A whistleblower who knowingly and intentionally makes any false, fictitious, or fraudulent statement or representation, or who makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall not be entitled to an award under this section and shall be subject to prosecution under section 1001 of title 18.*

''(h) APPEALS.—

''(1) IN GENERAL.—Any determination made under this section, including whether, to whom, or in what amount to make an award, shall be in the discretion of the Secretary.

''(2) APPEALS.—Any determination made by the Secretary under this section may be appealed by a whistleblower to the appropriate court of appeals of the United States not later than 30 days after the determination is issued by the Secretary.

''(3) REVIEW.—The court shall review the determination made by the Secretary in accordance with section 706 of title 5.

''(i) REGULATION.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate regulations on the requirements of this section, consistent with this section.''.

(b) RULE OF CONSTRUCTION.—

(1) ORIGINAL INFORMATION.—Information submitted to the Secretary of Transportation by a whistleblower in accordance with the requirements of section 30172 of title 49, United States Code, shall not lose its status as original information solely because the whistleblower submitted the information prior to the effective date of the regulations issued under subsection (i) of that section if that information was submitted after the date of enactment of this Act.

(2) AWARDS.—A whistleblower may receive an award under section 30172 of title 49, United States Code, regardless of whether the violation underlying the covered action occurred prior to the date of enactment of this Act, and may receive an award prior to the Secretary of Transportation promulgating the regulations under subsection (i) of that section.

(c) CONFORMING AMENDMENTS.—The table of contents of subchapter IV of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

''30172. Whistleblower incentives and protections.''.

### Subtitle D—Additional Motor Vehicle Provisions

**SEC. 24401. REQUIRED REPORTING OF NHTSA AGENDA.**

Not later than December 1 of the year beginning after the date of enactment of this Act, and each year thereafter, the Administrator of the National Highway Traffic Safety Administration shall publish on the public website of the Administration, and file with the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual plan for the following calendar year detailing the Administration's projected activities, including—

(1) the Administrator's policy priorities;

(2) any rulemakings projected to be commenced;

(3) any plans to develop guidelines;

(4) any plans to restructure the Administration or to establish or alter working groups;

(5) any planned projects or initiatives of the Administration, including the working groups and advisory committees of the Administration; and

(6) any projected dates or timetables associated with any of the items described in paragraphs (1) through (5).

**SEC. 24402. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.**

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''10 calendar years'' and inserting ''15 calendar years''.

**SEC. 24403. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.**

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records required to be maintained by manufacturers under section 576.6 of title 49, Code of Federal Regulations, for a period of not less than 10 calendar years from the date on which they were generated or acquired by the manufacturer.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

**SEC. 24404. NONAPPLICATION OF PROHIBITIONS RELATING TO NONCOMPLYING MOTOR VEHICLES TO VEHICLES USED FOR TESTING OR EVALUATION.**

Section 30112(b) of title 49, United States Code, is amended—

(1) in paragraph (8), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

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

''(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing or evaluation by a manufacturer that agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation and that prior to the date of enactment of this paragraph—

''(A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

''(B) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations; and

''(C) if applicable, has identified an agent for service of process in accordance with part 551 of such title.''.

**SEC. 24405. TREATMENT OF LOW-VOLUME MANUFACTURERS.**

(a) EXEMPTION FROM VEHICLE SAFETY STANDARDS FOR LOW-VOLUME MANUFACTURERS.—Section 30114 of title 49, United States Code, is amended—

(1) by striking ''The'' and inserting ''(a) VEHICLES USED FOR PARTICULAR PURPOSES. The''; and

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

''(b) EXEMPTION FOR LOW-VOLUME MANUFACTURERS.—

''(1) IN GENERAL.—The Secretary shall—

''(A) exempt from section 30112(a) of this title not more than 325 replica motor vehicles per year that are manufactured or imported by a low-volume manufacturer; and

''(B) except as provided in paragraph (4) of this subsection, limit any such exemption to the Federal Motor Vehicle Safety Standards applicable to motor vehicles and not motor vehicle equipment.

''(2) REGISTRATION REQUIREMENT.—To qualify for an exemption under paragraph (1), a low-volume manufacturer shall register with the Secretary at such time, in such manner, and under such terms that the Secretary determines appropriate. The Secretary shall establish terms that ensure that no person may register as a low-volume manufacturer if the person is registered as an importer under section 30141 of this title.

''(3) PERMANENT LABEL REQUIREMENT.—

''(A) IN GENERAL.—The Secretary shall require a low-volume manufacturer to affix a permanent label to a motor vehicle exempted under paragraph (1) that identifies the specified standards and regulations for which such vehicle is exempt from section 30112(a), states that the vehicle is a replica, and designates the model year such vehicle replicates.

''(B) WRITTEN NOTICE.—The Secretary may require a low-volume manufacturer of a motor vehicle exempted under paragraph (1) to deliver written notice of the exemption to—

''(i) the dealer; and

''(ii) the first purchaser of the motor vehicle, if the first purchaser is not an individual that purchases the motor vehicle for resale.

''(C) REPORTING REQUIREMENT.—A low-volume manufacturer shall annually submit a report to the Secretary including the number and description of the motor vehicles exempted under paragraph (1) and a list of the exemptions described on the label affixed under subparagraph (A).

''(4) EFFECT ON OTHER PROVISIONS.—Any motor vehicle exempted under this subsection shall also be exempted from sections 32304, 32502, and 32902 of this title and from section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

''(5) LIMITATION AND PUBLIC NOTICE.—The Secretary shall have 90 days to review and approve or deny a registration submitted under paragraph (2). If the Secretary determines that any such registration submitted is incomplete, the Secretary shall have an additional 30 days for review. Any registration not approved or denied within 90 days after initial submission, or 120 days if the registration submitted is incomplete, shall be deemed approved. The Secretary shall have the authority to revoke an existing registration based on a failure to comply with requirements set forth in this subsection or a finding by the Secretary of a safety-related defect or unlawful conduct under this chapter that poses a significant safety risk. The registrant shall be provided a reasonable opportunity to correct all deficiencies, if such are correctable based on the sole discretion of the Secretary. An exemption granted by the Secretary to a low-volume manufacturer under this subsection may not be transferred to any other person, and shall expire at the end of the calendar year for which it was granted with respect to any volume authorized by the exemption that was not applied by the low-volume manufacturer to vehicles built during that calendar year. The Secretary shall maintain an up-to-date list of registrants and a list of the make and model of motor vehicles exempted under paragraph (1) on at least an annual basis and publish such list in the Federal Register or on a website operated by the Secretary.

''(6) LIMITATION OF LIABILITY FOR ORIGINAL MANUFACTURERS, LICENSORS OR OWNERS OF PRODUCT CONFIGURATION, TRADE DRESS, OR DESIGN PATENTS.—The original manufacturer, its successor or assignee, or current owner, who grants a license or otherwise transfers rights to a low-volume manufacturer shall incur no liability to any person or entity under Federal or State statute, regulation, local ordinance, or under any Federal or State common law for such license or assignment to a low-volume manufacturer.

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

''(A) LOW-VOLUME MANUFACTURER.—The term 'low-volume manufacturer' means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production, including by a parent or subsidiary of the manufacturer, if applicable, is not more than 5,000 motor vehicles.

''(B) REPLICA MOTOR VEHICLE.—The term 'replica motor vehicle' means a motor vehicle produced by a low-volume manufacturer and that—

''(i) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the replica motor vehicle; and

''(ii) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.

''(8) CONSTRUCTION.—Except as provided in paragraphs (1) and (4), a registrant shall be considered a motor vehicle manufacturer for purposes of parts A and C of subtitle VI of this title. Nothing shall be construed to exempt a registrant from complying with the requirements under sections 30116 through 30120A of this title if the motor vehicle excepted under paragraph (1) contains a defect related to motor vehicle safety.

''(9) STATE REGISTRATION.—Nothing in this subsection shall be construed to preempt, affect, or supersede any State titling or registration law or regulation for a replica motor vehicle, or exempt a person from complying with such law or regulation.''.

(b) VEHICLE EMISSION COMPLIANCE STANDARDS FOR LOW-VOLUME MOTOR VEHICLE MANUFACTURERS.—Section 206(a) of the Clean Air Act (42 U.S.C. 7525(a)) is amended by adding at the end the following new paragraph:

''(5)(A) A motor vehicle engine (including all engine emission controls) may be installed in an exempted specially produced motor vehicle if the motor vehicle engine is from a motor vehicle that is covered by a certificate of conformity issued by the Administrator for the model year in which the exempted specially produced motor vehicle is produced, or the motor vehicle engine is covered by an Executive order subject to regulations promulgated by the California Air Resources Board for the model year in which the exempted specially produced motor vehicle is produced, and—

''(i) the manufacturer of the engine supplies written instructions to the Administrator and the manufacturer of the exempted specially produced motor vehicle explaining how to install the engine and maintain functionality of the engine's emission control system and the onboard diagnostic system (commonly known as 'OBD'), except with respect to evaporative emissions;

''(ii) the manufacturer of the exempted specially produced motor vehicle installs the engine in accordance with such instructions and certifies such installation in accordance with subparagraph (E);

''(iii) the installation instructions include emission control warranty information from the engine manufacturer in compliance with section 207, including where warranty repairs can be made, emission control labels to be affixed to the vehicle, and the certificate of conformity number for the applicable vehicle in which the engine was originally intended or the applicable Executive order number for the engine; and

''(iv) the manufacturer of the exempted specially produced motor vehicle does not produce more than 325 such vehicles in the calendar year in which the vehicle is produced.

''(B) A motor vehicle containing an engine compliant with the requirements of subparagraph (A) shall be treated as meeting the requirements of section 202 applicable to new vehicles produced or imported in the model year in which the exempted specially produced motor vehicle is produced or imported.

''(C) Engine installations that are not performed in accordance with installation instructions provided by the manufacturer and alterations to the engine not in accordance with the installation instructions shall—

''(i) be treated as prohibited acts by the installer under section 203 and any applicable regulations; and

''(ii) subject to civil penalties under section 205(a), civil actions under section 205(b), and administrative assessment of penalties under section 205(c).

''(D) The manufacturer of an exempted specially produced motor vehicle that has an engine compliant with the requirements of subparagraph (A) shall provide to the purchaser of such vehicle all information received by the manufacturer from the engine manufacturer, including information regarding emissions warranties from the engine manufacturer and all emissions-related recalls by the engine manufacturer.

''(E) To qualify to install an engine under this paragraph, and sell, offer for sale, introduce into commerce, deliver for introduction into commerce or import an exempted specially produced motor vehicle, a manufacturer of exempted specially produced motor vehicles shall register with the Administrator at such time and in such manner as the Administrator determines appropriate. The manufacturer shall submit an annual report to the Administrator that includes—

''(i) a description of the exempted specially produced motor vehicles and engines installed in such vehicles;

''(ii) the certificate of conformity number issued to the motor vehicle in which the engine was originally intended or the applicable Executive order number for the engine; and

''(iii) a certification that it produced all exempted specially produced motor vehicles according to the written instructions from the engine manufacturer, and otherwise that the engine conforms in all material respects to the description in the application for the applicable certificate of conformity or Executive order.

''(F) Exempted specially produced motor vehicles compliant with this paragraph shall be exempted from—

''(i) motor vehicle certification testing under this section; and

''(ii) vehicle emission control inspection and maintenance programs required under section 110.

''(G)(i) Except as provided in subparagraphs (A) through (F), a person engaged in the manufacturing or assembling of exempted specially produced motor vehicles shall be considered a manufacturer for purposes of this Act.

''(ii) Nothing in this paragraph shall be construed to exempt any person from the prohibitions in section 203(a)(3) or the requirements in sections 208, 206(c), or 202(m)(5).

''(H) In this paragraph:

''(i) The term 'exempted specially produced motor vehicle' means a light-duty vehicle or light-duty truck produced by a low-volume manufacturer and that—

''(I) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the exempted specially produced motor vehicle; and

''(II) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.

''(ii) The term 'low-volume manufacturer' means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of title 49, United States Code, whose annual worldwide production, including by a parent or subsidiary of the manufacturer, if applicable, is not more than 5,000 motor vehicles.''.

(c) IMPLEMENTATION.—Not later than 12 months after the date of enactment of this Act, the Secretary of Transportation and the Administrator of the Environmental Protection Agency shall issue such regulations as may be necessary to implement the amendments made by subsections (a) and (b), respectively.

**SEC. 24406. MOTOR VEHICLE SAFETY GUIDELINES.**

Section 30111 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(f) MOTOR VEHICLE SAFETY GUIDELINES.—

''(1) IN GENERAL.—No guidelines issued by the Secretary with respect to motor vehicle safety shall confer any rights on any person, State, or locality, nor shall operate to bind the Secretary or any person to the approach recommended in such guidelines. In any enforcement action with respect to motor vehicle safety, the Secretary shall allege a violation of a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation. The Secretary may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidelines, unless the practices allegedly violate a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to confer any authority upon or negate any authority of the Secretary to issue guidelines under this chapter.''.

**SEC. 24407. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

## DIVISION C—FINANCE

## TITLE XXXI—HIGHWAY TRUST FUND AND RELATED TAXES

### Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

**SEC. 31101. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.**

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''December 5, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2020'', and

(2) by striking ''Surface Transportation Extension Act of 2015, Part II'' in subsections (c)(1) and (e)(3) and inserting ''FAST Act''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking ''Surface Transportation Extension Act of 2015, Part II'' each place it appears in subsection (b)(2) and inserting ''FAST Act'', and

(2) by striking ''December 5, 2015'' in subsection (d)(2) and inserting ''October 1, 2020''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Section 9508(e)(2) of such Code is amended by striking ''December 5, 2015'' and inserting ''October 1, 2020''.

**SEC. 31102. EXTENSION OF HIGHWAY-RELATED TAXES.**

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2016'' and inserting ''September 30, 2022'':

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking ''October 1, 2016'' and inserting ''October 1, 2022'':

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following

*provisions of the Internal Revenue Code of 1986 is amended by striking ''2017'' each place it appears and inserting ''2023'':*

*(1) Section 4481(f).*

*(2) Subsections (c)(4) and (d) of section 4482.*

*(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—*

*(1) by striking ''October 1, 2016'' each place it appears and inserting ''October 1, 2022'';*

*(2) by striking ''March 31, 2017'' each place it appears and inserting ''March 31, 2023''; and*

*(3) by striking ''January 1, 2017'' and inserting ''January 1, 2023''.*

*(d) EXTENSION OF CERTAIN EXEMPTIONS.—*

*(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking ''October 1, 2016'' and inserting ''October 1, 2022''.*

*(2) Section 4483(i) of such Code is amended by striking ''October 1, 2017'' and inserting ''October 1, 2023''.*

*(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—*

*(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—*

*(A) in subsection (b)—*

*(i) by striking ''October 1, 2016'' each place it appears in paragraphs (1) and (2) and inserting ''October 1, 2022'';*

*(ii) by striking ''OCTOBER 1, 2016'' in the heading of paragraph (2) and inserting ''OCTOBER 1, 2022'';*

*(iii) by striking ''September 30, 2016'' in paragraph (2) and inserting ''September 30, 2022''; and*

*(iv) by striking ''July 1, 2017'' in paragraph (2) and inserting ''July 1, 2023''; and*

*(B) in subsection (c)(2), by striking ''July 1, 2017'' and inserting ''July 1, 2023''.*

*(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—*

*(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''October 1, 2016'' and inserting ''October 1, 2022''.*

*(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 200310 of title 54, United States Code, is amended—*

*(i) by striking ''October 1, 2017'' each place it appears and inserting ''October 1, 2023''; and*

*(ii) by striking ''October 1, 2016'' and inserting ''October 1, 2022''.*

*(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.*

### *Subtitle B—Additional Transfers to Highway Trust Fund*

#### *SEC. 31201. FURTHER ADDITIONAL TRANSFERS TO TRUST FUND.*

*Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (8) as paragraph (10) and inserting after paragraph (7) the following new paragraphs:*

*''(8) FURTHER TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—*

*''(A) $51,900,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and*

*''(B) $18,100,000,000 to the Mass Transit Account in the Highway Trust Fund.*

*''(9) ADDITIONAL INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(4).''.*

#### *SEC. 31202. TRANSFER TO HIGHWAY TRUST FUND OF CERTAIN MOTOR VEHICLE SAFETY PENALTIES.*

*(a) IN GENERAL.—Paragraph (5) of section 9503(b) of the Internal Revenue Code of 1986 is amended—*

*(1) by striking ''There are hereby'' and inserting the following:*

*''(A) IN GENERAL.—There are hereby'', and*

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

*''(B) PENALTIES RELATED TO MOTOR VEHICLE SAFETY.—*

*''(i) IN GENERAL.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to covered motor vehicle safety penalty collections.*

*''(ii) COVERED MOTOR VEHICLE SAFETY PENALTY COLLECTIONS.—For purposes of this subparagraph, the term 'covered motor vehicle safety penalty collections' means any amount collected in connection with a civil penalty under section 30165 of title 49, United States Code, reduced by any award authorized by the Secretary of Transportation to be paid to any person in connection with information provided by such person related to a violation of chapter 301 of such title which is a predicate to such civil penalty.''.*

*(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts collected after the date of the enactment of this Act.*

#### *SEC. 31203. APPROPRIATION FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND.*

*(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:*

*''(4) ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated—*

*''(A) on the date of the enactment of the FAST Act, $100,000,000,*

*''(B) on October 1, 2016, $100,000,000, and*

*''(C) on October 1, 2017, $100,000,000,*

*to be transferred under section 9503(f)(9) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.''.*

*(b) CONFORMING AMENDMENT.—Section 9508(c)(1) of the Internal Revenue Code of 1986 is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)''.*

## *TITLE XXXII—OFFSETS*

### *Subtitle A—Tax Provisions*

#### *SEC. 32101. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.*

*(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:*

#### *''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.*

*''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that an individual has a seriously delinquent tax debt, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 32101 of the FAST Act.*

*''(b) SERIOUSLY DELINQUENT TAX DEBT.—*

*''(1) IN GENERAL.—For purposes of this section, the term 'seriously delinquent tax debt' means an unpaid, legally enforceable Federal tax liability of an individual—*

*''(A) which has been assessed,*

*''(B) which is greater than $50,000, and*

*''(C) with respect to which—*

*''(i) a notice of lien has been filed pursuant to section 6323 and the administrative rights under section 6320 with respect to such filing have been exhausted or have lapsed, or*

*''(ii) a levy is made pursuant to section 6331.*

*''(2) EXCEPTIONS.—Such term shall not include—*

*''(A) a debt that is being paid in a timely manner pursuant to an agreement to which the individual is party under section 6159 or 7122, and*

*''(B) a debt with respect to which collection is suspended with respect to the individual—*

*''(i) because a due process hearing under section 6330 is requested or pending, or*

*''(ii) because an election under subsection (b) or (c) of section 6015 is made or relief under subsection (f) of such section is requested.*

*''(c) REVERSAL OF CERTIFICATION.—*

*''(1) IN GENERAL.—In the case of an individual with respect to whom the Commissioner makes a certification under subsection (a), the Commissioner shall notify the Secretary (and the Secretary shall subsequently notify the Secretary of State) if such certification is found to be erroneous or if the debt with respect to such certification is fully satisfied or ceases to be a seriously delinquent tax debt by reason of subsection (b)(2).*

*''(2) TIMING OF NOTICE.—*

*''(A) FULL SATISFACTION OF DEBT.—In the case of a debt that has been fully satisfied or has become legally unenforceable, such notification shall be made not later than the date required for issuing the certificate of release of lien with respect to such debt under section 6325(a).*

*''(B) INNOCENT SPOUSE RELIEF.—In the case of an individual who makes an election under subsection (b) or (c) of section 6015, or requests relief under subsection (f) of such section, such notification shall be made not later than 30 days after any such election or request.*

*''(C) INSTALLMENT AGREEMENT OR OFFER-IN-COMPROMISE.—In the case of an installment agreement under section 6159 or an offer-in-compromise under section 7122, such notification shall be made not later than 30 days after such agreement is entered into or such offer is accepted by the Secretary.*

*''(D) ERRONEOUS CERTIFICATION.—In the case of a certification found to be erroneous, such notification shall be made as soon as practicable after such finding.*

*''(d) CONTEMPORANEOUS NOTICE TO INDIVIDUAL.—The Commissioner shall contemporaneously notify an individual of any certification under subsection (a), or any reversal of certification under subsection (c), with respect to such individual. Such notice shall include a description in simple and nontechnical terms of the right to bring a civil action under subsection (e).*

*''(e) JUDICIAL REVIEW OF CERTIFICATION.—*

*''(1) IN GENERAL.—After the Commissioner notifies an individual under subsection (d), the taxpayer may bring a civil action against the United States in a district court of the United States or the Tax Court to determine whether the certification was erroneous or whether the Commissioner has failed to reverse the certification.*

*''(2) DETERMINATION.—If the court determines that such certification was erroneous, then the court may order the Secretary to notify the Secretary of State that such certification was erroneous.*

*''(f) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—*

*''(1) such dollar amount, multiplied by*

*''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.*

*If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the nearest multiple of $1,000.*

*''(g) DELEGATION OF CERTIFICATION.—A certification under subsection (a) or reversal of certification under subsection (c) may only be delegated by the Commissioner of Internal Revenue to the Deputy Commissioner for Services and Enforcement, or the Commissioner of an operating division, of the Internal Revenue Service.''.*

*(b) INFORMATION INCLUDED IN NOTICE OF LIEN AND LEVY.—*

*(1) NOTICE OF LIEN.—Section 6320(a)(3) of such Code is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting ''; and'', and by adding at the end the following new subparagraph:*

*''(E) the provisions of section 7345 relating to the certification of seriously delinquent tax*

*debts and the denial, revocation, or limitation of passports of individuals with such debts pursuant to section 32101 of the FAST Act.''.*

*(2) NOTICE OF LEVY.—Section 6331(d)(4) of such Code is amended by striking ''and'' at the end of subparagraph (E), by striking the period at the end of subparagraph (F) and inserting '', and'', and by adding at the end the following new subparagraph:*

*''(G) the provisions of section 7345 relating to the certification of seriously delinquent tax debts and the denial, revocation, or limitation of passports of individuals with such debts pursuant to section 32101 of the FAST Act.''.*

*(c) AUTHORITY FOR INFORMATION SHARING.—*

*(1) IN GENERAL.—Section 6103(k) of such Code is amended by adding at the end the following new paragraph:*

*''(11) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—*

*''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—*

*''(i) the taxpayer identity information with respect to such taxpayer, and*

*''(ii) the amount of such seriously delinquent tax debt.*

*''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 32101 of the FAST Act.''.*

*(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (10)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting '', (10), or (11)''.*

*(d) TIME FOR CERTIFICATION OF SERIOUSLY DELINQUENT TAX DEBT POSTPONED BY REASON OF SERVICE IN COMBAT ZONE.—Section 7508(a) of such Code is amended by striking the period at the end of paragraph (2) and inserting ''; and'' and by adding at the end the following new paragraph:*

*''(3) Any certification of a seriously delinquent tax debt under section 7345.''.*

*(e) AUTHORITY TO DENY OR REVOKE PASSPORT.—*

*(1) DENIAL.—*

*(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.*

*(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.*

*(2) REVOCATION.—*

*(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).*

*(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—*

*(i) limit a previously issued passport only for return travel to the United States; or*

*(ii) issue a limited passport that only permits return travel to the United States.*

*(3) HOLD HARMLESS.—The Secretary of the Treasury, the Secretary of State, and any of their designees shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.*

*(f) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—*

*(1) DENIAL.—*

*(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—*

*(i) does not include the social security account number issued to that individual, or*

*(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,*

*the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.*

*(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).*

*(2) REVOCATION.—*

*(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).*

*(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—*

*(i) limit a previously issued passport only for return travel to the United States; or*

*(ii) issue a limited passport that only permits return travel to the United States.*

*(g) REMOVAL OF CERTIFICATION FROM RECORD WHEN DEBT CEASES TO BE SERIOUSLY DELINQUENT.—If pursuant to subsection (c) or (e) of section 7345 of the Internal Revenue Code of 1986 the Secretary of State receives from the Secretary of the Treasury a notice that an individual ceases to have a seriously delinquent tax debt, the Secretary of State shall remove from the individual's record the certification with respect to such debt.*

*(h) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:*

*''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.*

*(i) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on the date of the enactment of this Act.*

***SEC. 32102. REFORM OF RULES RELATING TO QUALIFIED TAX COLLECTION CONTRACTS.***

*(a) REQUIREMENT TO COLLECT CERTAIN INACTIVE TAX RECEIVABLES UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) through (f) as subsections (d) through (g), respectively, and by inserting after subsection (b) the following new subsection:*

*''(c) COLLECTION OF INACTIVE TAX RECEIVABLES.—*

*''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into one or more qualified tax collection contracts for the collection of all outstanding inactive tax receivables.*

*''(2) INACTIVE TAX RECEIVABLES.—For purposes of this section—*

*''(A) IN GENERAL.—The term 'inactive tax receivable' means any tax receivable if—*

*''(i) at any time after assessment, the Internal Revenue Service removes such receivable from the active inventory for lack of resources or inability to locate the taxpayer,*

*''(ii) more than ⅓ of the period of the applicable statute of limitation has lapsed and such receivable has not been assigned for collection to any employee of the Internal Revenue Service, or*

*''(iii) in the case of a receivable which has been assigned for collection, more than 365 days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection of such receivable.*

*''(B) TAX RECEIVABLE.—The term 'tax receivable' means any outstanding assessment which the Internal Revenue Service includes in potentially collectible inventory.''.*

*(b) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by redesignating subsections (d) through (g) as subsections (e) through (h), respectively, and by inserting after subsection (c) the following new subsection:*

*''(d) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTIONS CONTRACTS.—A tax receivable shall not be eligible for collection pursuant to a qualified tax collection contract if such receivable—*

*''(1) is subject to a pending or active offer-in-compromise or installment agreement,*

*''(2) is classified as an innocent spouse case,*

*''(3) involves a taxpayer identified by the Secretary as being—*

*''(A) deceased,*

*''(B) under the age of 18,*

*''(C) in a designated combat zone, or*

*''(D) a victim of tax-related identity theft,*

*''(4) is currently under examination, litigation, criminal investigation, or levy, or*

*''(5) is currently subject to a proper exercise of a right of appeal under this title.''.*

*(c) CONTRACTING PRIORITY.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:*

*''(h) CONTRACTING PRIORITY.—In contracting for the services of any person under this section, the Secretary shall utilize private collection contractors and debt collection centers on the schedule required under section 3711(g) of title 31, United States Code, including the technology and communications infrastructure established therein, to the extent such private collection contractors and debt collection centers are appropriate to carry out the purposes of this section.''.*

*(d) DISCLOSURE OF RETURN INFORMATION.—Section 6103(k) of the Internal Revenue Code of 1986, as amended by section 32101, is amended by adding at the end the following new paragraph:*

*''(12) QUALIFIED TAX COLLECTION CONTRACTORS.—Persons providing services pursuant to a qualified tax collection contract under section 6306 may, if speaking to a person who has identified himself or herself as having the name of the taxpayer to which a tax receivable (within the meaning of such section) relates, identify themselves as contractors of the Internal Revenue Service and disclose the business name of the contractor, and the nature, subject, and reason for the contact. Disclosures under this paragraph shall be made only in such situations and under such conditions as have been approved by the Secretary.''.*

*(e) TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:*

*''(i) TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—The Secretary may prescribe procedures under which a taxpayer determined to be affected by a Federally declared disaster (as defined by section 165(i)(5)) may request—*

*''(1) relief from immediate collection measures by contractors under this section, and*

*''(2) a return of the inactive tax receivable to the inventory of the Internal Revenue Service to be collected by an employee thereof.''.*

*(f) REPORT TO CONGRESS.—*

*(1) IN GENERAL.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:*

''(j) REPORT TO CONGRESS.—Not later than 90 days after the last day of each fiscal year (beginning with the first such fiscal year ending after the date of the enactment of this subsection), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to qualified tax collection contracts under this section which shall include—

''(1) annually, with respect to such fiscal year—

''(A) the total number and amount of tax receivables provided to each contractor for collection under this section,

''(B) the total amounts collected (and amounts of installment agreements entered into under subsection (b)(1)(B)) with respect to each contractor and the collection costs incurred (directly and indirectly) by the Internal Revenue Service with respect to such amounts,

''(C) the impact of such contracts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by Internal Revenue Service personnel after initial contact by a contractor,

''(D) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds, and

''(E) a disclosure safeguard report in a form similar to that required under section 6103(p)(5), and

''(2) biannually (beginning with the second report submitted under this subsection)—

''(A) an independent evaluation of contractor performance, and

''(B) a measurement plan that includes a comparison of the best practices used by the private collectors to the collection techniques used by the Internal Revenue Service and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the Internal Revenue Service.''.

(2) REPEAL OF EXISTING REPORTING REQUIREMENTS WITH RESPECT TO QUALIFIED TAX COLLECTION CONTRACTS.—Section 881 of the American Jobs Creation Act of 2004 is amended by striking subsection (e).

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to tax receivables identified by the Secretary after the date of the enactment of this Act.

(2) CONTRACTING PRIORITY.—The Secretary shall begin entering into contracts and agreements as described in the amendment made by subsection (c) within 3 months after the date of the enactment of this Act.

(3) DISCLOSURES.—The amendment made by subsection (d) shall apply to disclosures made after the date of the enactment of this Act.

(4) PROCEDURES; REPORT TO CONGRESS.—The amendments made by subsections (e) and (f) shall take effect on the date of the enactment of this Act.

**SEC. 32103. SPECIAL COMPLIANCE PERSONNEL PROGRAM.**

(a) IN GENERAL.—Subsection (e) of section 6306 of the Internal Revenue Code of 1986, as redesignated by section 52106, is amended by striking ''for collection enforcement activities of the Internal Revenue Service'' in paragraph (2) and inserting ''to fund the special compliance personnel program account under section 6307''.

(b) SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**''SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.**

''(a) ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The Secretary shall establish an account within the Department for carrying out a program consisting of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(e)(2).

''(b) RESTRICTIONS.—The program described in subsection (a) shall be subject to the following restrictions:

''(1) No funds shall be transferred to such account except as described in subsection (a).

''(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

''(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current noncollections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

''(c) REPORTING.—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

''(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

''(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

''(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

''(d) DEFINITIONS.—For purposes of this section—

''(1) SPECIAL COMPLIANCE PERSONNEL.—The term 'special compliance personnel' means individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

''(2) PROGRAM COSTS.—The term 'program costs' means—

''(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

''(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

''Sec. 6307. Special compliance personnel program account.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

**SEC. 32104. REPEAL OF MODIFICATION OF AUTOMATIC EXTENSION OF RETURN DUE DATE FOR CERTAIN EMPLOYEE BENEFIT PLANS.**

(a) IN GENERAL.—Section 2006(b) of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 is amended by striking paragraph (3).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns for taxable years beginning after December 31, 2015.

***Subtitle B—Fees and Receipts***

**SEC. 32201. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.**

(a) IN GENERAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(l) ADJUSTMENT OF FEES FOR INFLATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on April 1, 2016, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

''(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) USE OF FEES.—The fees collected as a result of the amendments made by this section shall be deposited in the Customs User Fee Account, shall be available for reimbursement of customs services and inspections costs, and shall be available only to the extent provided in appropriations Acts.

(c) CONFORMING AMENDMENTS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''(subject to adjustment under subsection (l))'' after ''following fees''; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(B) in paragraph (3), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(C) in paragraph (5)(A), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(D) in paragraph (6), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting ''or (l)'' after ''subsection (a)(9)(B)''; and

(ii) in clause (ii), by inserting ''(subject to adjustment under subsection (l))'' after ''$3''; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

*(I) in the matter preceding clause (i), by inserting ''and subject to adjustment under subsection (l)'' after ''Tariff Act of 1930''; and*

*(II) in clause (ii)(I), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''; and*

*(ii) in subparagraph (B)(i), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''.*

***SEC. 32202. LIMITATION ON SURPLUS FUNDS OF FEDERAL RESERVE BANKS.***

*Section 7(a) of the Federal Reserve Act (12 U.S.C. 289(a)) is amended by adding at the end the following:*

*''(3) LIMITATION ON SURPLUS FUNDS.—*

*''(A) IN GENERAL.—The aggregate amount of the surplus funds of the Federal reserve banks may not exceed $10,000,000,000.*

*''(B) TRANSFER TO THE GENERAL FUND.—Any amounts of the surplus funds of the Federal reserve banks that exceed, or would exceed, the limitation under subparagraph (A) shall be transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.''.*

***SEC. 32203. DIVIDENDS OF FEDERAL RESERVE BANKS.***

*(a) IN GENERAL.—Section 7(a)(1) of the Federal Reserve Act (12 15 U.S.C. 289(a)(1)) is amended—*

*(1) by amending subparagraph (A) to read as follows:*

*''(A) DIVIDEND AMOUNT.—After all necessary expenses of a Federal reserve bank have been paid or provided for, the stockholders of the bank shall be entitled to receive an annual dividend on paid-in capital stock of—*

*''(i) in the case of a stockholder with total consolidated assets of more than $10,000,000,000, the smaller of—*

*''(I) the rate equal to the high yield of the 10-year Treasury note auctioned at the last auction held prior to the payment of such dividend; and*

*''(II) 6 percent; and*

*''(ii) in the case of a stockholder with total consolidated assets of $10,000,000,000 or less, 6 percent.''; and*

*(2) by adding at the end the following:*

*''(C) INFLATION ADJUSTMENT.—The Board of Governors of the Federal Reserve System shall annually adjust the dollar amounts of total consolidated assets specified under subparagraph (A) to reflect the change in the Gross Domestic Product Price Index, published by the Bureau of Economic Analysis.''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2016.*

***SEC. 32204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.***

*(a) DRAWDOWN AND SALE.—*

*(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsections (b) and (c), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—*

*(A) the quantity of barrels of crude oil that the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers for each of fiscal years 2016 and 2017;*

*(B) 16,000,000 barrels of crude oil during fiscal year 2023;*

*(C) 25,000,000 barrels of crude oil during fiscal year 2024; and*

*(D) 25,000,000 barrels of crude oil during fiscal year 2025.*

*(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.*

*(b) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this section in quantities that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full quantity authorized by that subsection.*

*(c) INCREASE; LIMITATION.—*

*(1) INCREASE.—The Secretary of Energy may increase the drawdown and sales under subparagraphs (A) through (I) of subsection (a)(1) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.*

*(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of $6,200,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.*

***SEC. 32205. REPEAL.***

*Effective as of November 2, 2015, the date of the enactment of the Bipartisan Budget Act of 2015 (Public Law 114–74), section 201 of such Act and the amendments made by such section are repealed, and the provisions of law amended by such section are hereby restored to appear as if such section had not been enacted into law.*

***Subtitle C—Outlays***

***SEC. 32301. INTEREST ON OVERPAYMENT.***

*Section 111 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721) is amended—*

*(1) by striking subsections (h) and (i);*

*(2) by redesignating subsections (j) through (l) as subsections (h) through (j), respectively; and*

*(3) in subsection (h) (as so redesignated), by striking the fourth sentence.*

***Subtitle D—Budgetary Effects***

***SEC. 32401. BUDGETARY EFFECTS.***

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

***DIVISION D—MISCELLANEOUS***

***TITLE XLI—FEDERAL PERMITTING IMPROVEMENT***

***SEC. 41001. DEFINITIONS.***

*In this title:*

*(1) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.*

*(2) AGENCY CERPO.—The term ''agency CERPO'' means the chief environmental review and permitting officer of an agency, as designated by the head of the agency under section 41002(b)(2)(A)(iii)(I).*

*(3) AUTHORIZATION.—The term ''authorization'' means any license, permit, approval, finding, determination, or other administrative decision issued by an agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of a covered project administered by a Federal agency or, in the case of a State that chooses to participate in the environmental review and authorization process in accordance with section 41003(c)(3)(A), a State agency.*

*(4) COOPERATING AGENCY.—The term ''cooperating agency'' means any agency with—*

*(A) jurisdiction under Federal law; or*

*(B) special expertise as described in section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).*

*(5) COUNCIL.—The term ''Council'' means the Federal Infrastructure Permitting Improvement Steering Council established under section 41002(a).*

*(6) COVERED PROJECT.—*

*(A) IN GENERAL.—The term ''covered project'' means any activity in the United States that requires authorization or environmental review by a Federal agency involving construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, or any other sector as determined by a majority vote of the Council that—*

*(i)(I) is subject to NEPA;*

*(II) is likely to require a total investment of more than $200,000,000; and*

*(III) does not qualify for abbreviated authorization or environmental review processes under any applicable law; or*

*(ii) is subject to NEPA and the size and complexity of which, in the opinion of the Council, make the project likely to benefit from enhanced oversight and coordination, including a project likely to require—*

*(I) authorization from or environmental review involving more than 2 Federal agencies; or*

*(II) the preparation of an environmental impact statement under NEPA.*

*(B) EXCLUSION.—The term ''covered project'' does not include—*

*(i) any project subject to section 139 of title 23, United States Code; or*

*(ii) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).*

*(7) DASHBOARD.—The term ''Dashboard'' means the Permitting Dashboard required under section 41003(b).*

*(8) ENVIRONMENTAL ASSESSMENT.—The term ''environmental assessment'' means a concise public document for which a Federal agency is responsible under section 1508.9 of title 40, Code of Federal Regulations (or successor regulations).*

*(9) ENVIRONMENTAL DOCUMENT.—*

*(A) IN GENERAL.—The term ''environmental document'' means an environmental assessment, finding of no significant impact, notice of intent, environmental impact statement, or record of decision.*

*(B) INCLUSIONS.—The term ''environmental document'' includes—*

*(i) any document that is a supplement to a document described in subparagraph (A); and*

*(ii) a document prepared pursuant to a court order.*

*(10) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed written statement required under section 102(2)(C) of NEPA.*

*(11) ENVIRONMENTAL REVIEW.—The term ''environmental review'' means the agency procedures and processes for applying a categorical exclusion or for preparing an environmental assessment, an environmental impact statement, or other document required under NEPA.*

*(12) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director appointed by the President under section 41002(b)(1)(A).*

*(13) FACILITATING AGENCY.—The term ''facilitating agency'' means the agency that receives the initial notification from the project sponsor required under section 41003(a).*

*(14) INVENTORY.—The term ''inventory'' means the inventory of covered projects established by the Executive Director under section 41002(c)(1)(A).*

*(15) LEAD AGENCY.—The term ''lead agency'' means the agency with principal responsibility for an environmental review of a covered project under NEPA and parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).*

*(16) NEPA.—The term ''NEPA'' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

*(17) PARTICIPATING AGENCY.—The term ''participating agency'' means an agency participating in an environmental review or authorization for a covered project in accordance with section 41003.*

*(18) PROJECT SPONSOR.—The term ''project sponsor'' means an entity, including any private, public, or public-private entity, seeking an authorization for a covered project.*

***SEC. 41002. FEDERAL PERMITTING IMPROVEMENT COUNCIL.***

*(a) ESTABLISHMENT.—There is established the Federal Permitting Improvement Steering Council.*

*(b) COMPOSITION.—*
*(1) CHAIR.—The Executive Director shall—*
*(A) be appointed by the President; and*
*(B) serve as Chair of the Council.*
*(2) COUNCIL MEMBERS.—*
*(A) IN GENERAL.—*
*(i) DESIGNATION BY HEAD OF AGENCY.—Each individual listed in subparagraph (B) shall designate a member of the agency in which the individual serves to serve on the Council.*
*(ii) QUALIFICATIONS.—A councilmem-ber described in clause (i) shall hold a position in the agency of deputy secretary (or the equivalent) or higher.*
*(iii) SUPPORT.—*
*(I) IN GENERAL.—Consistent with guidance provided by the Director of the Office of Management and Budget, each individual listed in subparagraph (B) shall designate 1 or more appropriate members of the agency in which the individual serves to serve as an agency CERPO.*
*(II) REPORTING.—In carrying out the duties of the agency CERPO under this title, an agency CERPO shall report directly to a deputy secretary (or the equivalent) or higher.*
*(B) HEADS OF AGENCIES.—The individuals that shall each designate a councilmember under this subparagraph are as follows:*
*(i) The Secretary of Agriculture.*
*(ii) The Secretary of the Army.*
*(iii) The Secretary of Commerce.*
*(iv) The Secretary of the Interior.*
*(v) The Secretary of Energy.*
*(vi) The Secretary of Transportation.*
*(vii) The Secretary of Defense.*
*(viii) The Administrator of the Environmental Protection Agency.*
*(ix) The Chairman of the Federal Energy Regulatory Commission.*
*(x) The Chairman of the Nuclear Regulatory Commission.*
*(xi) The Secretary of Homeland Security.*
*(xii) The Secretary of Housing and Urban Development.*
*(xiii) The Chairman of the Advisory Council on Historic Preservation.*
*(xiv) Any other head of a Federal agency that the Executive Director may invite to participate as a member of the Council.*
*(3) ADDITIONAL MEMBERS.—In addition to the members listed in paragraphs (1) and (2), the Chairman of the Council on Environmental Quality and the Director of the Office of Management and Budget shall also be members of the Council.*
*(c) DUTIES.—*
*(1) EXECUTIVE DIRECTOR.—*
*(A) INVENTORY DEVELOPMENT.—The Executive Director, in consultation with the Council, shall—*
*(i) not later than 180 days after the date of enactment of this Act, establish an inventory of covered projects that are pending the environmental review or authorization of the head of any Federal agency;*
*(ii)(I) categorize the projects in the inventory as appropriate, based on sector and project type; and*
*(II) for each category, identify the types of environmental reviews and authorizations most commonly involved; and*
*(iii) add a covered project to the inventory after receiving a notice described in section 41003(a)(1).*
*(B) FACILITATING AGENCY DESIGNATION.—The Executive Director, in consultation with the Council, shall—*
*(i) designate a facilitating agency for each category of covered projects described in subparagraph (A)(ii); and*
*(ii) publish the list of designated facilitating agencies for each category of projects in the inventory on the Dashboard in an easily accessible format.*
*(C) PERFORMANCE SCHEDULES.—*
*(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Executive Director, in consultation with the Council, shall develop recommended performance schedules, including intermediate and final completion dates, for environmental reviews and authorizations most commonly required for each category of covered projects described in subparagraph (A)(ii).*
*(ii) REQUIREMENTS.—*
*(I) IN GENERAL.—The performance schedules shall reflect employment of the use of the most efficient applicable processes, including the alignment of Federal reviews of projects and reduction of permitting and project delivery time.*
*(II) LIMIT.—*
*(aa) IN GENERAL.—The final completion dates in any performance schedule for the completion of an environmental review or authorization under clause (i) shall not exceed the average time to complete an environmental review or authorization for a project within that category.*
*(bb) CALCULATION OF AVERAGE TIME.—The average time referred to in item (aa) shall be calculated on the basis of data from the preceding 2 calendar years and shall run from the period beginning on the date on which the Executive Director must make a specific entry for the project on the Dashboard under section 41003(b)(2) (except that, for projects initiated before that duty takes effect, the period beginning on the date of filing of a completed application), and ending on the date of the issuance of a record of decision or other final agency action on the review or authorization.*
*(cc) COMPLETION DATE.—Each performance schedule shall specify that any decision by an agency on an environmental review or authorization must be issued not later than 180 days after the date on which all information needed to complete the review or authorization (including any hearing that an agency holds on the matter) is in the possession of the agency.*
*(iii) REVIEW AND REVISION.—Not later than 2 years after the date on which the performance schedules are established under this subparagraph, and not less frequently than once every 2 years thereafter, the Executive Director, in consultation with the Council, shall review and revise the performance schedules.*
*(D) GUIDANCE.—The Executive Director, in consultation with the Council, may recommend to the Director of the Office of Management and Budget or to the Council on Environmental Quality, as appropriate, that guidance be issued as necessary for agencies—*
*(i) to carry out responsibilities under this title; and*
*(ii) to effectuate the adoption by agencies of the best practices and recommendations of the Council described in paragraph (2).*
*(2) COUNCIL.—*
*(A) RECOMMENDATIONS.—*
*(i) IN GENERAL.—The Council shall make recommendations to the Executive Director with respect to the designations under paragraph (1)(B) and the performance schedules under paragraph (1)(C).*
*(ii) UPDATE.—The Council may update the recommendations described in clause (i).*
*(B) BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, the Council shall issue recommendations on the best practices for—*
*(i) enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project;*
*(ii) ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics;*
*(iii) improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies;*
*(iv) increasing transparency;*
*(v) reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties;*
*(vi) developing and making available to applicants appropriate geographic information systems and other tools;*
*(vii) creating and distributing training materials useful to Federal, State, tribal, and local permitting officials; and*
*(viii) addressing other aspects of infrastructure permitting, as determined by the Council.*
*(C) MEETINGS.—The Council shall meet not less frequently than annually with groups or individuals representing State, tribal, and local governments that are engaged in the infrastructure permitting process.*
*(3) AGENCY CERPOS.—An agency CERPO shall—*
*(A) advise the respective agency councilmember on matters related to environmental reviews and authorizations;*
*(B) provide technical support, when requested to facilitate efficient and timely processes for environmental reviews and authorizations for covered projects under the jurisdictional responsibility of the agency, including supporting timely identification and resolution of potential disputes within the agency or between the agency and other Federal agencies;*
*(C) analyze agency environmental review and authorization processes, policies, and authorities and make recommendations to the respective agency councilmember for ways to standardize, simplify, and improve the efficiency of the processes, policies, and authorities, including by implementing guidance issued under paragraph (1)(D) and other best practices, including the use of information technology and geographic information system tools within the agency and across agencies, to the extent consistent with existing law; and*
*(D) review and develop training programs for agency staff that support and conduct environmental reviews or authorizations.*
*(d) ADMINISTRATIVE SUPPORT.—The Director of the Office of Management and Budget shall designate a Federal agency, other than an agency that carries out or provides support only for projects that are not covered projects, to provide administrative support for the Executive Director, and the designated agency shall, as reasonably necessary, provide support and staff to enable the Executive Director to fulfill the duties of the Executive Director under this title.*

***SEC. 41003. PERMITTING PROCESS IMPROVEMENT.***

*(a) PROJECT INITIATION AND DESIGNATION OF PARTICIPATING AGENCIES.—*
*(1) NOTICE.—*
*(A) IN GENERAL.—A project sponsor of a covered project shall submit to the Executive Director and the facilitating agency notice of the initiation of a proposed covered project.*
*(B) DEFAULT DESIGNATION.—If, at the time of submission of the notice under subparagraph (A), the Executive Director has not designated a facilitating agency under section 41002(c)(1)(B) for the categories of projects noticed, the agency that receives the notice under subparagraph (A) shall be designated as the facilitating agency.*
*(C) CONTENTS.—Each notice described in subparagraph (A) shall include—*
*(i) a statement of the purposes and objectives of the proposed project;*
*(ii) a concise description, including the general location of the proposed project and a summary of geospatial information, if available, illustrating the project area and the locations, if any, of environmental, cultural, and historic resources;*
*(iii) a statement regarding the technical and financial ability of the project sponsor to construct the proposed project;*
*(iv) a statement of any Federal financing, environmental reviews, and authorizations anticipated to be required to complete the proposed project; and*
*(v) an assessment that the proposed project meets the definition of a covered project under section 41001 and a statement of reasons supporting the assessment.*
*(2) INVITATION.—*
*(A) IN GENERAL.—Not later than 45 days after the date on which the Executive Director must*

*make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating agency or lead agency, as applicable, shall—*

*(i) identify all Federal and non-Federal agencies and governmental entities likely to have financing, environmental review, authorization, or other responsibilities with respect to the proposed project; and*

*(ii) invite all Federal agencies identified under clause (i) to become a participating agency or a cooperating agency, as appropriate, in the environmental review and authorization management process described in section 41005.*

*(B) DEADLINES.—Each invitation made under subparagraph (A) shall include a deadline for a response to be submitted to the facilitating or lead agency, as applicable.*

*(3) PARTICIPATING AND COOPERATING AGENCIES.—*

*(A) IN GENERAL.—An agency invited under paragraph (2) shall be designated as a participating or cooperating agency for a covered project, unless the agency informs the facilitating or lead agency, as applicable, in writing before the deadline under paragraph (2)(B) that the agency—*

*(i) has no jurisdiction or authority with respect to the proposed project; or*

*(ii) does not intend to exercise authority related to, or submit comments on, the proposed project.*

*(B) CHANGED CIRCUMSTANCES.—On request and a showing of changed circumstances, the Executive Director may designate an agency that has opted out under subparagraph (A)(ii) to be a participating or cooperating agency, as appropriate.*

*(4) EFFECT OF DESIGNATION.—The designation described in paragraph (3) shall not—*

*(A) give the participating agency authority or jurisdiction over the covered project; or*

*(B) expand any jurisdiction or authority a cooperating agency may have over the proposed project.*

*(5) LEAD AGENCY DESIGNATION.—*

*(A) IN GENERAL.—On establishment of the lead agency, the lead agency shall assume the responsibilities of the facilitating agency under this title.*

*(B) REDESIGNATION OF FACILITATING AGENCY.—If the lead agency assumes the responsibilities of the facilitating agency under subparagraph (A), the facilitating agency may be designated as a cooperative or participating agency.*

*(6) CHANGE OF FACILITATING OR LEAD AGENCY.—*

*(A) IN GENERAL.—On the request of a participating agency or project sponsor, the Executive Director may designate a different agency as the facilitating or lead agency, as applicable, for a covered project, if the facilitating or lead agency or the Executive Director receives new information regarding the scope or nature of a covered project that indicates that the project should be placed in a different category under section 41002(c)(1)(B).*

*(B) RESOLUTION OF DISPUTE.—The Chairman of the Council on Environmental Quality shall resolve any dispute over designation of a facilitating or lead agency for a particular covered project.*

*(b) PERMITTING DASHBOARD.—*

*(1) REQUIREMENT TO MAINTAIN.—*

*(A) IN GENERAL.—The Executive Director, in coordination with the Administrator of General Services, shall maintain an online database to be known as the ''Permitting Dashboard'' to track the status of Federal environmental reviews and authorizations for any covered project in the inventory described in section 41002(c)(1)(A).*

*(B) SPECIFIC AND SEARCHABLE ENTRY.—The Dashboard shall include a specific and searchable entry for each covered project.*

*(2) ADDITIONS.—*

*(A) IN GENERAL.—*

*(i) EXISTING PROJECTS.—Not later than 14 days after the date on which the Executive Director adds a project to the inventory under section 41002(c)(1)(A), the Executive Director shall create a specific entry on the Dashboard for the covered project.*

*(ii) NEW PROJECTS.—Not later than 14 days after the date on which the Executive Director receives a notice under subsection (a)(1), the Executive Director shall create a specific entry on the Dashboard for the covered project, unless the Executive Director, facilitating agency, or lead agency, as applicable, determines that the project is not a covered project.*

*(B) EXPLANATION.—If the facilitating agency or lead agency, as applicable, determines that the project is not a covered project, the project sponsor may submit a further explanation as to why the project is a covered project not later than 14 days after the date of the determination under subparagraph (A).*

*(C) FINAL DETERMINATION.—Not later than 14 days after receiving an explanation described in subparagraph (B), the Executive Director shall—*

*(i) make a final and conclusive determination as to whether the project is a covered project; and*

*(ii) if the Executive Director determines that the project is a covered project, create a specific entry on the Dashboard for the covered project.*

*(3) POSTINGS BY AGENCIES.—*

*(A) IN GENERAL.—For each covered project added to the Dashboard under paragraph (2), the facilitating or lead agency, as applicable, and each cooperating and participating agency shall post to the Dashboard—*

*(i) a hyperlink that directs to a website that contains, to the extent consistent with applicable law—*

*(I) the notification submitted under subsection (a)(1);*

*(II)(aa) where practicable, the application and supporting documents, if applicable, that have been submitted by a project sponsor for any required environmental review or authorization; or*

*(bb) a notice explaining how the public may obtain access to such documents;*

*(III) a description of any Federal agency action taken or decision made that materially affects the status of a covered project;*

*(IV) any significant document that supports the action or decision described in subclause (III); and*

*(V) a description of the status of any litigation to which the agency is a party that is directly related to the project, including, if practicable, any judicial document made available on an electronic docket maintained by a Federal, State, or local court; and*

*(ii) any document described in clause (i) that is not available by hyperlink on another website.*

*(B) DEADLINE.—The information described in subparagraph (A) shall be posted to the website made available by hyperlink on the Dashboard not later than 5 business days after the date on which the Federal agency receives the information.*

*(4) POSTINGS BY THE EXECUTIVE DIRECTOR.—The Executive Director shall publish to the Dashboard—*

*(A) the permitting timetable established under subparagraph (A) or (C) of subsection (c)(2);*

*(B) the status of the compliance of each agency with the permitting timetable;*

*(C) any modifications of the permitting timetable;*

*(D) an explanation of each modification described in subparagraph (C); and*

*(E) any memorandum of understanding established under subsection (c)(3)(B).*

*(c) COORDINATION AND TIMETABLES.—*

*(1) COORDINATED PROJECT PLAN.—*

*(A) IN GENERAL.—Not later than 60 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating or lead agency, as applicable, in consultation with each coordinating and participating agency, shall establish a concise plan for coordinating public and agency participation in, and completion of, any required Federal environmental review and authorization for the project.*

*(B) REQUIRED INFORMATION.—The Coordinated Project Plan shall include the following information and be updated by the facilitating or lead agency, as applicable, at least once per quarter:*

*(i) A list of, and roles and responsibilities for, all entities with environmental review or authorization responsibility for the project.*

*(ii) A permitting timetable, as described in paragraph (2), setting forth a comprehensive schedule of dates by which all environmental reviews and authorizations, and to the maximum extent practicable, State permits, reviews and approvals must be made.*

*(iii) A discussion of potential avoidance, minimization, and mitigation strategies, if required by applicable law and known.*

*(iv) Plans and a schedule for public and tribal outreach and coordination, to the extent required by applicable law.*

*(C) MEMORANDUM OF UNDERSTANDING.—The coordinated project plan described in subparagraph (A) may be incorporated into a memorandum of understanding.*

*(2) PERMITTING TIMETABLE.—*

*(A) ESTABLISHMENT.—As part of the coordination project plan under paragraph (1), the facilitating or lead agency, as applicable, in consultation with each cooperating and participating agency, the project sponsor, and any State in which the project is located, and, subject to subparagraph (C), with the concurrence of each cooperating agency, shall establish a permitting timetable that includes intermediate and final completion dates for action by each participating agency on any Federal environmental review or authorization required for the project.*

*(B) FACTORS FOR CONSIDERATION.—In establishing the permitting timetable under subparagraph (A), the facilitating or lead agency shall follow the performance schedules established under section 41002(c)(1)(C), but may vary the timetable based on relevant factors, including—*

*(i) the size and complexity of the covered project;*

*(ii) the resources available to each participating agency;*

*(iii) the regional or national economic significance of the project;*

*(iv) the sensitivity of the natural or historic resources that may be affected by the project;*

*(v) the financing plan for the project; and*

*(vi) the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.*

*(C) DISPUTE RESOLUTION.—*

*(i) IN GENERAL.—The Executive Director, in consultation with appropriate agency CERPOs and the project sponsor, shall, as necessary, mediate any disputes regarding the permitting timetable referred to under subparagraph (A).*

*(ii) DISPUTES.—If a dispute remains unresolved 30 days after the date on which the dispute was submitted to the Executive Director, the Director of the Office of Management and Budget, in consultation with the Chairman of the Council on Environmental Quality, shall facilitate a resolution of the dispute and direct the agencies party to the dispute to resolve the dispute by the end of the 60-day period beginning on the date of submission of the dispute to the Executive Director.*

*(iii) FINAL RESOLUTION.—Any action taken by the Director of the Office of Management and Budget in the resolution of a dispute under clause (ii) shall—*

*(I) be final and conclusive; and*

*(II) not be subject to judicial review.*

*(D) MODIFICATION AFTER APPROVAL.—*

*(i) IN GENERAL.—The facilitating or lead agency, as applicable, may modify a permitting timetable established under subparagraph (A) only if—*

*(I) the facilitating or lead agency, as applicable, and the affected cooperating agencies, after consultation with the participating agencies and the project sponsor, agree to a different completion date;*

*(II) the facilitating agency or lead agency, as applicable, or the affected cooperating agency provides a written justification for the modification; and*

*(III) in the case of a modification that would necessitate an extension of a final completion date under a permitting timetable established under subparagraph (A) to a date more than 30 days after the final completion date originally established under subparagraph (A), the facilitating or lead agency submits a request to modify the permitting timetable to the Executive Director, who shall consult with the project sponsor and make a determination on the record, based on consideration of the relevant factors described under subparagraph (B), whether to grant the facilitating or lead agency, as applicable, authority to make such modification.*

*(ii) COMPLETION DATE.—A completion date in the permitting timetable may not be modified within 30 days of the completion date.*

*(iii) LIMITATION ON LENGTH OF MODIFICATIONS.—*

*(I) IN GENERAL.—Except as provided in subclause (II), the total length of all modifications to a permitting timetable authorized or made under this subparagraph, other than for reasons outside the control of Federal, State, local, or tribal governments, may not extend the permitting timetable for a period of time greater than half of the amount of time from the establishment of the permitting timetable under subparagraph (A) to the last final completion date originally established under subparagraph (A).*

*(II) ADDITIONAL EXTENSIONS.—The Director of the Office of Management and Budget, after consultation with the project sponsor, may permit the Executive Director to authorize additional extensions of a permitting timetable beyond the limit prescribed by subclause (I). In such a case, the Director of the Office of Management and Budget shall transmit, not later than 5 days after making a determination to permit an authorization of extension under this subclause, a report to Congress explaining why such modification is required. Such report shall explain to Congress with specificity why the original permitting timetable and the modifications authorized by the Executive Director failed to be adequate. The lead or facilitating agency, as applicable, shall transmit to Congress, the Director of the Office of Management and Budget, and the Executive Director a supplemental report on progress toward the final completion date each year thereafter, until the permit review is completed or the project sponsor withdraws its notice or application or other request to which this title applies under section 41010.*

*(iv) LIMITATION ON JUDICIAL REVIEW.—The following shall not be subject to judicial review:*

*(I) A determination by the Executive Director under clause (i)(III).*

*(II) A determination under clause (iii)(II) by the Director of the Office of Management and Budget to permit the Executive Director to authorize extensions of a permitting timetable.*

*(E) CONSISTENCY WITH OTHER TIME PERIODS.—A permitting timetable established under subparagraph (A) shall be consistent with any other relevant time periods established under Federal law and shall not prevent any cooperating or participating agency from discharging any obligation under Federal law in connection with the project.*

*(F) CONFORMING TO PERMITTING TIMETABLES.—*

*(i) IN GENERAL.—Each Federal agency shall conform to the completion dates set forth in the permitting timetable established under subparagraph (A), or with any completion date modified under subparagraph (D).*

*(ii) FAILURE TO CONFORM.—If a Federal agency fails to conform with a completion date for agency action on a covered project or is at significant risk of failing to conform with such a completion date, the agency shall—*

*(I) promptly submit to the Executive Director for publication on the Dashboard an explanation of the specific reasons for failing or significantly risking failing to conform to the completion date and a proposal for an alternative completion date;*

*(II) in consultation with the facilitating or lead agency, as applicable, establish an alternative completion date; and*

*(III) each month thereafter until the agency has taken final action on the delayed authorization or review, submit to the Executive Director for posting on the Dashboard a status report describing any agency activity related to the project.*

*(G) ABANDONMENT OF COVERED PROJECT.—*

*(i) IN GENERAL.—If the facilitating or lead agency, as applicable, has a reasonable basis to doubt the continuing technical or financial ability of the project sponsor to construct the covered project, the facilitating or lead agency may request the project sponsor provide an updated statement regarding the ability of the project sponsor to complete the project.*

*(ii) FAILURE TO RESPOND.—If the project sponsor fails to respond to a request described in clause (i) by the date that is 30 days after receiving the request, the lead or facilitating agency, as applicable, shall notify the Executive Director, who shall publish an appropriate notice on the Dashboard.*

*(iii) PUBLICATION TO DASHBOARD.—On publication of a notice under clause (ii), the completion dates in the permitting timetable shall be tolled and agencies shall be relieved of the obligation to comply with subparagraph (F) until such time as the project sponsor submits to the facilitating or lead agency, as applicable, an updated statement regarding the technical and financial ability of the project sponsor to construct the project.*

*(3) COOPERATING STATE, LOCAL, OR TRIBAL GOVERNMENTS.—*

*(A) STATE AUTHORITY.—If the Federal environmental review is being implemented within the boundaries of a State, the State, consistent with State law, may choose to participate in the environmental review and authorization process under this subsection and to make subject to the process all State agencies that—*

*(i) have jurisdiction over the covered project;*

*(ii) are required to conduct or issue a review, analysis, opinion, or statement for the covered project; or*

*(iii) are required to make a determination on issuing a permit, license, or other approval or decision for the covered project.*

*(B) COORDINATION.—To the maximum extent practicable under applicable law, the facilitating or lead agency, as applicable, shall coordinate the Federal environmental review and authorization processes under this subsection with any State, local, or tribal agency responsible for conducting any separate review or authorization of the covered project to ensure timely and efficient completion of environmental reviews and authorizations.*

*(C) MEMORANDUM OF UNDERSTANDING.—*

*(i) IN GENERAL.—Any coordination plan between the facilitating or lead agency, as applicable, and any State, local, or tribal agency shall, to the maximum extent practicable, be included in a memorandum of understanding.*

*(ii) SUBMISSION TO EXECUTIVE DIRECTOR.—The facilitating or lead agency, as applicable, shall submit to the Executive Director each memorandum of understanding described in clause (i).*

*(D) APPLICABILITY.—The requirements under this title shall only apply to a State or an authorization issued by a State if the State has chosen to participate in the environmental review and authorization process pursuant to this paragraph.*

*(d) EARLY CONSULTATION.—The facilitating or lead agency, as applicable, shall provide an expeditious process for project sponsors to confer with each cooperating and participating agency involved and, not later than 60 days after the date on which the project sponsor submits a request under this subsection, to have each such agency provide to the project sponsor information concerning—*

*(1) the availability of information and tools, including pre-application toolkits, to facilitate early planning efforts;*

*(2) key issues of concern to each agency and to the public; and*

*(3) issues that must be addressed before an environmental review or authorization can be completed.*

*(e) COOPERATING AGENCY.—*

*(1) IN GENERAL.—A lead agency may designate a participating agency as a cooperating agency in accordance with part 1501 of title 40, Code of Federal Regulations (or successor regulations).*

*(2) EFFECT ON OTHER DESIGNATION.—The designation described in paragraph (1) shall not affect any designation under subsection (a)(3).*

*(3) LIMITATION ON DESIGNATION.—Any agency not designated as a participating agency under subsection (a)(3) shall not be designated as a cooperating agency under paragraph (1).*

*(f) REPORTING STATUS OF OTHER PROJECTS ON DASHBOARD.—*

*(1) IN GENERAL.—On request of the Executive Director, the Secretary and the Secretary of the Army shall use best efforts to provide information for inclusion on the Dashboard on projects subject to section 139 of title 23, United States Code, and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) likely to require—*

*(A) a total investment of more than $200,000,000; and*

*(B) an environmental impact statement under NEPA.*

*(2) EFFECT OF INCLUSION ON DASHBOARD.—Inclusion on the Dashboard of information regarding projects subject to section 139 of title 23, United States Code, or section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) shall not subject those projects to any requirements of this title.*

***SEC. 41004. INTERSTATE COMPACTS.***

*(a) IN GENERAL.—The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under section 41006, that will advance infrastructure development, production, and generation within the States that are parties to the compact.*

*(b) REGIONAL INFRASTRUCTURE.—For the purpose of this title, a regional infrastructure development agency referred to in subsection (a) shall have the same authorities and responsibilities of a State agency.*

***SEC. 41005. COORDINATION OF REQUIRED REVIEWS.***

*(a) CONCURRENT REVIEWS.—To integrate environmental reviews and authorizations, each agency shall, to the maximum extent practicable—*

*(1) carry out the obligations of the agency with respect to a covered project under any other applicable law concurrently, and in conjunction with, other environmental reviews and authorizations being conducted by other cooperating or participating agencies, including environmental reviews and authorizations required under NEPA, unless the agency determines that doing so would impair the ability of the agency to carry out the statutory obligations of the agency; and*

*(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.*

*(b) ADOPTION, INCORPORATION BY REFERENCE, AND USE OF DOCUMENTS.—*

*(1) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—*

*(A) USE OF EXISTING DOCUMENTS.—*

*(i) IN GENERAL.—On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate by reference, the analysis and documentation that has been prepared for a covered project under State laws and procedures as the documentation, or part of the documentation, required to complete an environmental review for the covered project, if the analysis and documentation were, as determined by the lead agency in consultation with the Council on Environmental Quality, prepared under circumstances that allowed for opportunities for public participation and consideration of alternatives, environmental consequences, and other required analyses that are substantially equivalent to what would have been available had the documents and analysis been prepared by a Federal agency pursuant to NEPA.*

*(ii) GUIDANCE BY CEQ.—The Council on Environmental Quality may issue guidance to carry out this subsection.*

*(B) NEPA OBLIGATIONS.—An environmental document adopted under subparagraph (A) or a document that includes documentation incorporated under subparagraph (A) may serve as the documentation required for an environmental review or a supplemental environmental review required to be prepared by a lead agency under NEPA.*

*(C) SUPPLEMENTATION OF STATE DOCUMENTS.—If the lead agency adopts or incorporates analysis and documentation described in subparagraph (A), the lead agency shall prepare and publish a supplemental document if the lead agency determines that during the period after preparation of the analysis and documentation and before the adoption or incorporation—*

*(i) a significant change has been made to the covered project that is relevant for purposes of environmental review of the project; or*

*(ii) there has been a significant circumstance or new information has emerged that is relevant to the environmental review for the covered project.*

*(D) COMMENTS.—If a lead agency prepares and publishes a supplemental document under subparagraph (C), the lead agency shall solicit comments from other agencies and the public on the supplemental document for a period of not more than 45 days, beginning on the date on which the supplemental document is published, unless—*

*(i) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or*

*(ii) the lead agency extends the deadline for good cause.*

*(E) NOTICE OF OUTCOME OF ENVIRONMENTAL REVIEW.—A lead agency shall issue a record of decision or finding of no significant impact, as appropriate, based on the document adopted under subparagraph (A) and any supplemental document prepared under subparagraph (C).*

*(c) ALTERNATIVES ANALYSIS.—*

*(1) PARTICIPATION.—*

*(A) IN GENERAL.—As early as practicable during the environmental review, but not later than the commencement of scoping for a project requiring the preparation of an environmental impact statement, the lead agency shall engage the cooperating agencies and the public to determine the range of reasonable alternatives to be considered for a covered project.*

*(B) DETERMINATION.—The determination under subparagraph (A) shall be completed not later than the completion of scoping.*

*(2) RANGE OF ALTERNATIVES.—*

*(A) IN GENERAL.—Following participation under paragraph (1) and subject to subparagraph (B), the lead agency shall determine the range of reasonable alternatives for consideration in any document that the lead agency is responsible for preparing for the covered project.*

*(B) ALTERNATIVES REQUIRED BY LAW.—In determining the range of alternatives under subparagraph (A), the lead agency shall include all alternatives required to be considered by law.*

*(3) METHODOLOGIES.—*

*(A) IN GENERAL.—The lead agency shall determine, in collaboration with each cooperating agency at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a covered project.*

*(B) ENVIRONMENTAL REVIEW.—A cooperating agency shall use the methodologies referred to in subparagraph (A) when conducting any required environmental review, to the extent consistent with existing law.*

*(4) PREFERRED ALTERNATIVE.—With the concurrence of the cooperating agencies with jurisdiction under Federal law and at the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of the higher level of detail will not prevent—*

*(A) the lead agency from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review; and*

*(B) the public from commenting on the preferred and other alternatives.*

*(d) ENVIRONMENTAL REVIEW COMMENTS.—*

*(1) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by an agency or the public on a draft environmental impact statement, the lead agency shall establish a comment period of not less than 45 days and not more than 60 days after the date on which a notice announcing availability of the environmental impact statement is published in the Federal Register, unless—*

*(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or*

*(B) the lead agency, in consultation with each cooperating agency, extends the deadline for good cause.*

*(2) OTHER REVIEW AND COMMENT PERIODS.—For all other review or comment periods in the environmental review process described in parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations), the lead agency shall establish a comment period of not more than 45 days after the date on which the materials on which comment is requested are made available, unless—*

*(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or*

*(B) the lead agency extends the deadline for good cause.*

*(e) ISSUE IDENTIFICATION AND RESOLUTION.—*

*(1) COOPERATION.—The lead agency and each cooperating and participating agency shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of an environmental review or an authorization required for the project under applicable law or result in the denial of any approval under applicable law.*

*(2) LEAD AGENCY RESPONSIBILITIES.—*

*(A) IN GENERAL.—The lead agency shall make information available to each cooperating and participating agency and project sponsor as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.*

*(B) SOURCES OF INFORMATION.—The information described in subparagraph (A) may be based on existing data sources, including geographic information systems mapping.*

*(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Each cooperating and participating agency shall—*

*(A) identify, as early as practicable, any issues of concern regarding any potential environmental impacts of the covered project, including any issues that could substantially delay or prevent an agency from completing any environmental review or authorization required for the project; and*

*(B) communicate any issues described in subparagraph (A) to the project sponsor.*

*(f) CATEGORIES OF PROJECTS.—The authorities granted under this section may be exercised for an individual covered project or a category of covered projects.*

***SEC. 41006. DELEGATED STATE PERMITTING PROGRAMS.***

*(a) IN GENERAL.—If a Federal statute permits a Federal agency to delegate to or otherwise authorize a State to issue or otherwise administer a permit program in lieu of the Federal agency, the Federal agency with authority to carry out the statute shall—*

*(1) on publication by the Council of best practices under section 41002(c)(2)(B), initiate a national process, with public participation, to determine whether and the extent to which any of the best practices are generally applicable on a delegation- or authorization-wide basis to permitting under the statute; and*

*(2) not later than 2 years after the date of enactment of this Act, make model recommendations for State modifications of the applicable permit program to reflect the best practices described in section 41002(c)(2)(B), as appropriate.*

*(b) BEST PRACTICES.—Lead and cooperating agencies may share with State, tribal, and local authorities best practices involved in review of covered projects and invite input from State, tribal, and local authorities regarding best practices.*

***SEC. 41007. LITIGATION, JUDICIAL REVIEW, AND SAVINGS PROVISION.***

*(a) LIMITATIONS ON CLAIMS.—*

*(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of any authorization issued by a Federal agency for a covered project shall be barred unless—*

*(A) the action is filed not later than 2 years after the date of publication in the Federal Register of the final record of decision or approval or denial of a permit, unless a shorter time is specified in the Federal law under which judicial review is allowed; and*

*(B) in the case of an action pertaining to an environmental review conducted under NEPA—*

*(i) the action is filed by a party that submitted a comment during the environmental review; and*

*(ii) any commenter filed a sufficiently detailed comment so as to put the lead agency on notice of the issue on which the party seeks judicial review, or the lead agency did not provide a reasonable opportunity for such a comment on that issue.*

*(2) NEW INFORMATION.—*

*(A) IN GENERAL.—The head of a lead agency or participating agency shall consider new information received after the close of a comment period if the information satisfies the requirements under regulations implementing NEPA.*

*(B) SEPARATE ACTION.—If Federal law requires the preparation of a supplemental environmental impact statement or other supplemental environmental document, the preparation of such document shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the agency action shall be 2 years after the date on which a notice announcing the final agency action is published in the Federal Register, unless a shorter time is specified in the Federal law under which judicial review is allowed.*

*(3) RULE OF CONSTRUCTION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of an authorization.*

*(b) PRELIMINARY INJUNCTIVE RELIEF.—In addition to considering any other applicable equitable factors, in any action seeking a temporary restraining order or preliminary injunction against an agency or a project sponsor in con-*

*nection with review or authorization of a covered project, the court shall—*

*(1) consider the potential effects on public health, safety, and the environment, and the potential for significant negative effects on jobs resulting from an order or injunction; and*

*(2) not presume that the harms described in paragraph (1) are reparable.*

*(c) JUDICIAL REVIEW.—Except as provided in subsection (a), nothing in this title affects the reviewability of any final Federal agency action in a court of competent jurisdiction.*

*(d) SAVINGS CLAUSE.—Nothing in this title—*

*(1) supersedes, amends, or modifies any Federal statute or affects the responsibility of any Federal officer to comply with or enforce any statute; or*

*(2) creates a presumption that a covered project will be approved or favorably reviewed by any agency.*

*(e) LIMITATIONS.—Nothing in this section preempts, limits, or interferes with—*

*(1) any practice of seeking, considering, or responding to public comment; or*

*(2) any power, jurisdiction, responsibility, or authority that a Federal, State, or local governmental agency, metropolitan planning organization, Indian tribe, or project sponsor has with respect to carrying out a project or any other provisions of law applicable to any project, plan, or program.*

***SEC. 41008. REPORTS.***

*(a) REPORT TO CONGRESS.—*

*(1) IN GENERAL.—Not later than April 15 of each year for 10 years beginning on the date of enactment of this Act, the Executive Director shall submit to Congress a report detailing the progress accomplished under this title during the previous fiscal year.*

*(2) CONTENTS.—The report described in paragraph (1) shall assess the performance of each participating agency and lead agency based on the best practices described in section 41002(c)(2)(B), including—*

*(A) agency progress in making improvements consistent with those best practices; and*

*(B) agency compliance with the performance schedules established under section 41002(c)(1)(C).*

*(3) OPPORTUNITY TO INCLUDE COMMENTS.—Each councilmember, with input from the respective agency CERPO, shall have the opportunity to include comments concerning the performance of the agency in the report described in paragraph (1).*

*(b) COMPTROLLER GENERAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that describes—*

*(1) agency progress in making improvements consistent with the best practices issued under section 41002(c)(2)(B); and*

*(2) agency compliance with the performance schedules established under section 41002(c)(1)(C).*

***SEC. 41009. FUNDING FOR GOVERNANCE, OVERSIGHT, AND PROCESSING OF ENVIRONMENTAL REVIEWS AND PERMITS.***

*(a) IN GENERAL.—The heads of agencies listed in section 41002(b)(2)(B), with the guidance of the Director of the Office of Management and Budget and in consultation with the Executive Director, may, after public notice and opportunity for comment, issue regulations establishing a fee structure for project proponents to reimburse the United States for reasonable costs incurred in conducting environmental reviews and authorizations for covered projects.*

*(b) REASONABLE COSTS.—As used in this section, the term ''reasonable costs'' shall include costs to implement the requirements and authorities required under sections 41002 and 41003, including the costs to agencies and the costs of operating the Council.*

*(c) FEE STRUCTURE.—The fee structure established under subsection (a) shall—*

*(1) be developed in consultation with affected project proponents, industries, and other stakeholders;*

*(2) exclude parties for which the fee would impose an undue financial burden or is otherwise determined to be inappropriate; and*

*(3) be established in a manner that ensures that the aggregate amount of fees collected for a fiscal year is estimated not to exceed 20 percent of the total estimated costs for the fiscal year for the resources allocated for the conduct of the environmental reviews and authorizations covered by this title, as determined by the Director of the Office of Management and Budget.*

*(d) ENVIRONMENTAL REVIEW AND PERMITTING IMPROVEMENT FUND.—*

*(1) IN GENERAL.—All amounts collected pursuant to this section shall be deposited into a separate fund in the Treasury of the United States to be known as the ''Environmental Review Improvement Fund'' (referred to in this section as the ''Fund'').*

*(2) AVAILABILITY.—Amounts in the Fund shall be available to the Executive Director, without appropriation or fiscal year limitation, solely for the purposes of administering, implementing, and enforcing this title, including the expenses of the Council.*

*(3) TRANSFER.—The Executive Director, with the approval of the Director of the Office of Management and Budget, may transfer amounts in the Fund to other agencies to facilitate timely and efficient environmental reviews and authorizations for proposed covered projects.*

*(e) EFFECT ON PERMITTING.—The regulations adopted pursuant to subsection (a) shall ensure that the use of funds accepted under subsection (d) will not impact impartial decision-making with respect to environmental reviews or authorizations, either substantively or procedurally.*

*(f) TRANSFER OF APPROPRIATED FUNDS.—*

*(1) IN GENERAL.—The heads of agencies listed in section 41002(b)(2)(B) shall have the authority to transfer, in accordance with section 1535 of title 31, United States Code, funds appropriated to those agencies and not otherwise obligated to other affected Federal agencies for the purpose of implementing the provisions of this title.*

*(2) LIMITATION.—Appropriations under title 23, United States Code and appropriations for the civil works program of the Army Corps of Engineers shall not be available for transfer under paragraph (1).*

***SEC. 41010. APPLICATION.***

*This title applies to any covered project for which—*

*(1) a notice is filed under section 41003(a)(1); or*

*(2) an application or other request for a Federal authorization is pending before a Federal agency 90 days after the date of enactment of this Act.*

***SEC. 41011. GAO REPORT.***

*Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes an analysis of whether the provisions of this title could be adapted to streamline the Federal permitting process for smaller projects that are not covered projects.*

***SEC. 41012. SAVINGS PROVISION.***

*Nothing in this title amends the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

***SEC. 41013. SUNSET.***

*This title shall terminate 7 years after the date of enactment of this Act.*

***SEC. 41014. PLACEMENT.***

*The Office of the Law Revision Counsel is directed to place sections 41001 through 41013 of this title in chapter 55 of title 42, United States Code, as subchapter IV.*

***TITLE XLII—ADDITIONAL PROVISIONS***

***SEC. 42001. GAO REPORT ON REFUNDS TO REGISTERED VENDORS OF KEROSENE USED IN NONCOMMERCIAL AVIATION.***

*Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—*

*(1) conduct a study regarding payments made to vendors of kerosene used in noncommercial aviation under section 6427(l)(4)(C)(ii) of the Internal Revenue Code of 1986; and*

*(2) submit to the appropriate committees of Congress a report describing the results of such study, which shall include estimates of—*

*(A) the number of vendors of kerosene used in noncommercial aviation who are registered under section 4101 of such Code;*

*(B) the number of vendors of kerosene used in noncommercial aviation who are not so registered;*

*(C) the number of vendors described in subparagraph (A) who receive payments under section 6427(l)(4)(C)(ii) of such Code;*

*(D) the excess of—*

*(i) the amount of payments which would be made under section 6427(l)(4)(C)(ii) of such Code if all vendors of kerosene used in noncommercial aviation were registered and filed claims for such payments, over*

*(ii) the amount of payments actually made under such section; and*

*(E) the number of cases of diesel truck operators fraudulently using kerosene taxed for use in aviation.*

***TITLE XLIII—PAYMENTS TO CERTIFIED STATES AND INDIAN TRIBES***

***SEC. 43001. PAYMENTS FROM ABANDONED MINE RECLAMATION FUND.***

*Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended—*

*(1) in paragraph (1)(C)—*

*(A) by striking ''Payments'' and inserting the following:*

*''(i) IN GENERAL.—Payments''; and*

*(B) by adding at the end the following:*

*''(ii) CERTAIN PAYMENTS REQUIRED.—Notwithstanding any other provision of this Act, as soon as practicable, but not later than December 10, 2015, of the 7 equal installments referred to in clause (i), the Secretary shall pay to any certified State or Indian tribe to which the total annual payment under this subsection was limited to $15,000,000 in 2013 and $28,000,000 in fiscal year 2014—*

*''(I) the final 2 installments in 2 separate payments of $82,700,000 each; and*

*''(II) 2 separate payments of $38,250,000 each.''; and*

*(2) by striking paragraphs (5) and (6).*

***DIVISION E—EXPORT-IMPORT BANK OF THE UNITED STATES***

***SEC. 50001. SHORT TITLE.***

*This division may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.*

***TITLE LI—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY***

***SEC. 51001. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.***

*Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—*

*(1) by redesignating paragraph (3) as paragraph (4); and*

*(2) by striking paragraph (2) and inserting the following:*

*''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.*

*''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the*

*amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.*

***SEC. 51002. INCREASE IN LOSS RESERVES.***

*(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—*

*(1) by redesignating subsection (b) as subsection (c); and*

*(2) by inserting after subsection (a) the following:*

*''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.*

*(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.*

***SEC. 51003. REVIEW OF FRAUD CONTROLS.***

*Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:*

*''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—*

*''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and*

*''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—*

*''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and*

*''(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.''.*

***SEC. 51004. OFFICE OF ETHICS.***

*Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:*

*''(k) OFFICE OF ETHICS.—*

*''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.*

*''(2) HEAD OF OFFICE.—*

*''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.*

*''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—*

*''(i) appointed by the President of the Bank from among persons—*

*''(I) with a background in law who have experience in the fields of law and ethics; and*

*''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and*

*''(ii) approved by the Board.*

*''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).*

*''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—*

*''(A) recommend administrative actions to establish or enforce standards of official conduct;*

*''(B) refer to the Office of the Inspector General of the Bank alleged violations of—*

*''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;*

*''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and*

*''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;*

*''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and*

*''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.*

***SEC. 51005. CHIEF RISK OFFICER.***

*Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 91004, is further amended by adding at the end the following:*

*''(l) CHIEF RISK OFFICER.—*

*''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—*

*''(A) oversee all issues relating to risk within the Bank; and*

*''(B) report to the President of the Bank.*

*''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—*

*''(A) appointed by the President of the Bank from among persons—*

*''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and*

*''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and*

*''(B) approved by the Board.*

*''(3) DUTIES.—The duties of the Chief Risk Officer are—*

*''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;*

*''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;*

*''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;*

*''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;*

*''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and*

*''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.*

***SEC. 51006. RISK MANAGEMENT COMMITTEE.***

*(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections 91004 and 91005, is further amended by adding at the end the following:*

*''(m) RISK MANAGEMENT COMMITTEE.—*

*''(1) ESTABLISHMENT.—There is established a management committee to be known as the 'Risk Management Committee'.*

*''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.*

*''(3) DUTIES.—The duties of the Risk Management Committee shall be—*

*''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—*

*''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and*

*''(ii) the monitoring of industry, geographic, and obligor exposure levels; and*

*''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.*

*(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.*

***SEC. 51007. INDEPENDENT AUDIT OF BANK PORTFOLIO.***

*(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section 51005.*

*(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).*

***SEC. 51008. PILOT PROGRAM FOR REINSURANCE.***

*(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.*

*(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—*

*(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.*

*(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.*

*(c) ANNUAL REPORTS.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.*

*(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.*

*(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.*

***TITLE LII—PROMOTION OF SMALL BUSINESS EXPORTS***

***SEC. 52001. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.***

*(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.*

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

**SEC. 52002. REPORT ON PROGRAMS FOR SMALL- AND MEDIUM-SIZED BUSINESSES.**

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL- AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

## TITLE LIII—MODERNIZATION OF OPERATIONS

**SEC. 53001. ELECTRONIC PAYMENTS AND DOCUMENTS.**

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

**SEC. 53002. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.**

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and

(3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

## TITLE LIV—GENERAL PROVISIONS

**SEC. 54001. EXTENSION OF AUTHORITY.**

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

**SEC. 54002. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.**

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

## TITLE LV—OTHER MATTERS

**SEC. 55001. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.**

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

**SEC. 55002. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.**

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

**SEC. 55003. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.**

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank

*shall submit to Congress a report that contains the results of the study required by subsection (a).*

***DIVISION F—ENERGY SECURITY***

***SEC. 61001. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.***

*(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and effective ways for industry and government to communicate to address energy supply disruptions.*

*(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—*

*(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;*

*(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;*

*(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;*

*(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;*

*(5) facilitate and increase engagement among States, the oil and natural gas industry, and the Department in developing State and local energy assurance plans;*

*(6) establish routine education and training programs for key government emergency response positions with the Department and States; and*

*(7) involve States and the oil and natural gas industry in comprehensive drill and exercise programs.*

*(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.*

*(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.*

***SEC. 61002. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.***

*(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—*

*(1) by inserting ''(1)'' after ''(c)''; and*

*(2) by adding at the end the following:*

*''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.*

*''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.*

*''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.*

*''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.*

*''(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).''.*

*(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.*

***SEC. 61003. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.***

*(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:*

***''SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.***

*''(a) DEFINITIONS.—For purposes of this section:*

*''(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms 'bulk-power system', 'Electric Reliability Organization', and 'regional entity' have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.*

*''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.*

*''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission or the Secretary pursuant to subsection (d). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.*

*''(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'defense critical electric infrastructure' means any electric infrastructure located in any of the 48 contiguous States or the District of Columbia that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.*

*''(5) ELECTROMAGNETIC PULSE.—The term 'electromagnetic pulse' means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.*

*''(6) GEOMAGNETIC STORM.—The term 'geomagnetic storm' means a temporary disturbance of the Earth's magnetic field resulting from solar activity.*

*''(7) GRID SECURITY EMERGENCY.—The term 'grid security emergency' means the occurrence or imminent danger of—*

*''(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and*

*''(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or*

*''(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and*

*''(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.*

*''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.*

*''(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—*

*''(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.*

*''(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.*

*''(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.*

*''(4) APPLICATION.—An order for emergency measures under this subsection may apply to—*

*''(A) the Electric Reliability Organization;*

*''(B) a regional entity; or*

*''(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.*

*''(5) EXPIRATION AND REISSUANCE.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.*

*''(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.*

''(6) COST RECOVERY.—

''(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

''(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

''(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

''(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the 48 contiguous States and the District of Columbia that are—

''(1) critical to the defense of the United States; and

''(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, after consultation with the Secretary, shall promulgate such regulations as necessary to—

''(A) establish criteria and procedures to designate information as critical electric infrastructure information;

''(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

''(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission or the Department of Energy who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

''(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

''(i) Federal, State, political subdivision, and tribal authorities;

''(ii) the Electric Reliability Organization;

''(iii) regional entities;

''(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

''(v) owners, operators, and users of critical electric infrastructure in the United States; and

''(vi) other entities determined appropriate by the Commission.

''(3) AUTHORITY TO DESIGNATE.—Information may be designated by the Commission or the Secretary as critical electric infrastructure information pursuant to the criteria and procedures established by the Commission under paragraph (2)(A).

''(4) CONSIDERATIONS.—In exercising their respective authorities under this subsection, the Commission and the Secretary shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

''(5) PROTOCOLS.—The Commission and the Secretary shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

''(6) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(7) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

''(8) DISCLOSURE OF NONPROTECTED INFORMATION.—In implementing this section, the Commission and the Secretary shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

''(9) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission or the Secretary, as appropriate.

''(10) REMOVAL OF DESIGNATION.—The Commission or the Secretary, as appropriate, shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission or the Secretary, as appropriate, determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

''(11) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), with respect to a petition filed by a person to which an order under this section applies, any determination by the Commission or the Secretary concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part thereof were improperly designated or not designated as critical electric infrastructure information.

''(e) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

''(f) CLARIFICATIONS OF LIABILITY.—

''(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

''(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

''(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2 ), takes such action or omission in a grossly negligent manner.''.

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting ''215A,'' after ''215,'' each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting ''215A,'' after ''215,''.

(c) ENHANCED GRID SECURITY.—

(1) DEFINITIONS.—In this subsection:

(A) CRITICAL ELECTRIC INFRASTRUCTURE; CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The terms ''critical electric infrastructure'' and ''critical electric infrastructure information'' have the meanings given those terms in section 215A of the Federal Power Act.

(B) SECTOR-SPECIFIC AGENCY.—The term ''Sector-Specific Agency'' has the meaning given that term in the Presidential Policy Directive entitled ''Critical Infrastructure Security and Resilience'', numbered 21, and dated February 12, 2013.

(2) SECTOR-SPECIFIC AGENCY FOR CYBERSECURITY FOR THE ENERGY SECTOR.—

(A) IN GENERAL.—The Department of Energy shall be the lead Sector-Specific Agency for cybersecurity for the energy sector.

*(B) DUTIES.—As head of the designated Sector-Specific Agency for cybersecurity, the duties of the Secretary of Energy shall include—*

*(i) coordinating with the Department of Homeland Security and other relevant Federal departments and agencies;*

*(ii) collaborating with—*

*(I) critical electric infrastructure owners and operators; and*

*(II) as appropriate—*

*(aa) independent regulatory agencies; and*

*(bb) State, local, tribal, and territorial entities;*

*(cc) serving as a day-to-day Federal interface for the dynamic prioritization and coordination of sector-specific activities;*

*(dd) carrying out incident management responsibilities consistent with applicable law (including regulations) and other appropriate policies or directives;*

*(ee) providing, supporting, or facilitating technical assistance and consultations for the energy sector to identify vulnerabilities and help mitigate incidents, as appropriate; and*

*(ff) supporting the reporting requirements of the Department of Homeland Security under applicable law by providing, on an annual basis, sector-specific critical electric infrastructure information.*

***SEC. 61004. STRATEGIC TRANSFORMER RESERVE.***

*(a) FINDING.—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.*

*(b) DEFINITIONS.—In this section:*

*(1) BULK-POWER SYSTEM.—The term ''bulk-power system'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).*

*(2) CRITICALLY DAMAGED LARGE POWER TRANSFORMER.—The term ''critically damaged large power transformer'' means a large power transformer that—*

*(A) has sustained extensive damage such that—*

*(i) repair or refurbishment is not economically viable; or*

*(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and*

*(B) prior to sustaining such damage, was part of the bulk-power system.*

*(3) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act.*

*(4) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).*

*(5) EMERGENCY MOBILE SUBSTATION.—The term ''emergency mobile substation'' means a mobile substation or mobile transformer that is—*

*(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and*

*(B) intended for express deployment and capable of being rapidly placed into service.*

*(6) LARGE POWER TRANSFORMER.—The term ''large power transformer'' means a power transformer with a maximum nameplate rating of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.*

*(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.*

*(8) SPARE LARGE POWER TRANSFORMER.—The term ''spare large power transformer'' means a large power transformer that is stored within the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.*

*(c) STRATEGIC TRANSFORMER RESERVE PLAN.—*

*(1) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations.*

*(2) INCLUSIONS.—The Strategic Transformer Reserve plan shall include a description of—*

*(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—*

*(i) physical attack;*

*(ii) cyber attack;*

*(iii) electromagnetic pulse attack;*

*(iv) geomagnetic disturbances;*

*(v) severe weather; or*

*(vi) seismic events;*

*(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;*

*(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);*

*(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—*

*(i) the physical security of such locations;*

*(ii) the protection of the confidentiality of such locations; and*

*(iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;*

*(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—*

*(i) power and voltage rating for each winding;*

*(ii) overload requirements;*

*(iii) impedance between windings;*

*(iv) configuration of windings; and*

*(v) tap requirements;*

*(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—*

*(i) the cost of storage facilities;*

*(ii) the cost of the equipment; and*

*(iii) management, maintenance, and operation costs;*

*(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;*

*(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—*

*(i) transformer transportation weight;*

*(ii) transformer size;*

*(iii) topology of critical substations;*

*(iv) availability of appropriate transformer mounting pads;*

*(v) flexibility of the spare large power transformers as described in subparagraph (E); and*

*(vi) ability to rapidly transition a spare large power transformer from storage to energization;*

*(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;*

*(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;*

*(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;*

*(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;*

*(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;*

*(N) the domestic and international large power transformer supply chain;*

*(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and*

*(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.*

*(d) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which could cause harm to critical electric infrastructure, shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records.*

***SEC. 61005. ENERGY SECURITY VALUATION.***

*(a) ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate a report that includes recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—*

*(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;*

*(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on—*

*(A) consumers and the economy;*

*(B) energy supply diversity and resiliency;*

*(C) well-functioning and competitive energy markets;*

*(D) United States trade balance; and*

*(E) national security objectives; and*

*(3) include a recommended implementation strategy that identifies and aims to ensure that the procedures and criteria referred to in paragraph (2) are—*

*(A) evaluated consistently across the Federal Government; and*

*(B) weighed appropriately and balanced with environmental considerations required by Federal law.*

*(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.*

## DIVISION G—FINANCIAL SERVICES

## TITLE LXXI—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES

**SEC. 71001. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.**

*Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking ''21 days'' and inserting ''15 days''.*

**SEC. 71002. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.**

*Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: ''An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.''.*

**SEC. 71003. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.**

*Section 102 of the Jumpstart Our Business Startups Act (Public Law 112–106) is amended by adding at the end the following:*

*''(d) SIMPLIFIED DISCLOSURE REQUIREMENTS.—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):*

*''(1) REQUIREMENT TO INCLUDE NOTICE ON FORMS S–1 AND F–1.—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Forms S–1 and F–1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S–X (17 CFR 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—*

*''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or F–1 at the time of the contemplated offering; and*

*''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.*

*''(2) RELIANCE BY ISSUERS.—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S–1 or Form F–1 may omit financial information for historical periods otherwise required by regulation S–X (17 CFR 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—*

*''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or Form F–1 at the time of the contemplated offering; and*

*''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.''.*

## TITLE LXXII—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

**SEC. 72001. SUMMARY PAGE FOR FORM 10–K.**

*Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10–K (17 CFR 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10–K to which such item relates.*

**SEC. 72002. IMPROVEMENT OF REGULATION S–K.**

*Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S–K (17 CFR 229.10 et seq.)—*

*(1) to further scale or eliminate requirements of regulation S–K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;*

*(2) to eliminate provisions of regulation S–K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and*

*(3) for which the Commission determines that no further study under section 72203 is necessary to determine the efficacy of such revisions to regulation S–K.*

**SEC. 72003. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S–K.**

*(a) STUDY.—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S–K (17 CFR 229.10 et seq.). Such study shall—*

*(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;*

*(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and*

*(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.*

*(b) CONSULTATION.—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.*

*(c) REPORT.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—*

*(1) all findings and determinations made in carrying out the study required under subsection (a);*

*(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S–K in a manner that reduces the costs and burdens on companies while still providing all material information; and*

*(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.*

*(d) RULEMAKING.—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).*

*(e) RULE OF CONSTRUCTION.—Revisions made to regulation S–K by the Commission under section 202 shall not be construed as satisfying the rulemaking requirements under this section.*

## TITLE LXXIII—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

**SEC. 73001. TECHNICAL CORRECTIONS.**

*Title 31, United States Code, is amended—*

*(1) in section 5112—*

*(A) in subsection (q)—*

*(i) by striking paragraphs (3) and (8); and*

*(ii) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (3), (4), (5), and (6), respectively;*

*(B) in subsection (t)(6)(B), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''; and*

*(C) in subsection (v)—*

*(i) in paragraph (1), by striking ''Subject to'' and all that follows through ''the Secretary shall'' and inserting ''The Secretary shall'';*

*(ii) in paragraph (2)(A), by striking ''The Secretary'' and inserting ''To the greatest extent possible, the Secretary'';*

*(iii) in paragraph (5), by inserting after ''may issue'' the following: ''collectible versions of''; and*

*(iv) by striking paragraph (8); and*

*(2) in section 5132(a)(2)(B)(i), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''.*

**SEC. 73002. AMERICAN EAGLE SILVER BULLION 30TH ANNIVERSARY.**

*Proof and uncirculated versions of coins issued by the Secretary of the Treasury pursuant to subsection (e) of section 5112 of title 31, United States Code, during calendar year 2016 shall have a smooth edge incused with a designation that notes the 30th anniversary of the first issue of coins under such subsection.*

## TITLE LXXIV—SBIC ADVISERS RELIEF

**SEC. 74001. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.**

*Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)) is amended—*

*(1) by striking ''No investment adviser'' and inserting the following:*

*''(1) IN GENERAL.—No investment adviser''; and*

*(2) by adding at the end the following:*

*''(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940).''.*

**SEC. 74002. ADVISERS OF SBICS AND PRIVATE FUNDS.**

*Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(m)) is amended by adding at the end the following:*

*''(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1).''.*

**SEC. 74003. RELATIONSHIP TO STATE LAW.**

*Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—*

*(1) in subparagraph (A), by striking ''or'' at the end;*

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

*(3) by adding at the end the following:*

*''(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.''.*

## TITLE LXXV—ELIMINATE PRIVACY NOTICE CONFUSION

**SEC. 75001. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BLILEY ACT.**

*Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:*

''(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

''(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b), and

''(2) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section,

shall not be required to provide an annual disclosure under this section until such time as the financial institution fails to comply with any criteria described in paragraph (1) or (2).''.

## TITLE LXXVI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

### SEC. 76001. EXEMPTED TRANSACTIONS.

(a) EXEMPTED TRANSACTIONS.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(7) transactions meeting the requirements of subsection (d).'';

(2) by redesignating the second subsection (b) (relating to securities offered and sold in compliance with Rule 506 of Regulation D) as subsection (c); and

(3) by adding at the end the following:

''(d) CERTAIN ACCREDITED INVESTOR TRANSACTIONS.—The transactions referred to in subsection (a)(7) are transactions meeting the following requirements:

''(1) ACCREDITED INVESTOR REQUIREMENT.—Each purchaser is an accredited investor, as that term is defined in section 230.501(a) of title 17, Code of Federal Regulations (or any successor regulation).

''(2) PROHIBITION ON GENERAL SOLICITATION OR ADVERTISING.—Neither the seller, nor any person acting on the seller's behalf, offers or sells securities by any form of general solicitation or general advertising.

''(3) INFORMATION REQUIREMENT.—In the case of a transaction involving the securities of an issuer that is neither subject to section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m; 78o(d)), nor exempt from reporting pursuant to section 240.12g3–2(b) of title 17, Code of Federal Regulations, nor a foreign government (as defined in section 230.405 of title 17, Code of Federal Regulations) eligible to register securities under Schedule B, the seller and a prospective purchaser designated by the seller obtain from the issuer, upon request of the seller, and the seller in all cases makes available to a prospective purchaser, the following information (which shall be reasonably current in relation to the date of resale under this section):

''(A) The exact name of the issuer and the issuer's predecessor (if any).

''(B) The address of the issuer's principal executive offices.

''(C) The exact title and class of the security.

''(D) The par or stated value of the security.

''(E) The number of shares or total amount of the securities outstanding as of the end of the issuer's most recent fiscal year.

''(F) The name and address of the transfer agent, corporate secretary, or other person responsible for transferring shares and stock certificates.

''(G) A statement of the nature of the business of the issuer and the products and services it offers, which shall be presumed reasonably current if the statement is as of 12 months before the transaction date.

''(H) The names of the officers and directors of the issuer.

''(I) The names of any persons registered as a broker, dealer, or agent that shall be paid or given, directly or indirectly, any commission or remuneration for such person's participation in the offer or sale of the securities.

''(J) The issuer's most recent balance sheet and profit and loss statement and similar financial statements, which shall—

''(i) be for such part of the 2 preceding fiscal years as the issuer has been in operation;

''(ii) be prepared in accordance with generally accepted accounting principles or, in the case of a foreign private issuer, be prepared in accordance with generally accepted accounting principles or the International Financial Reporting Standards issued by the International Accounting Standards Board;

''(iii) be presumed reasonably current if—

''(I) with respect to the balance sheet, the balance sheet is as of a date less than 16 months before the transaction date; and

''(II) with respect to the profit and loss statement, such statement is for the 12 months preceding the date of the issuer's balance sheet; and

''(iv) if the balance sheet is not as of a date less than 6 months before the transaction date, be accompanied by additional statements of profit and loss for the period from the date of such balance sheet to a date less than 6 months before the transaction date.

''(K) To the extent that the seller is a control person with respect to the issuer, a brief statement regarding the nature of the affiliation, and a statement certified by such seller that they have no reasonable grounds to believe that the issuer is in violation of the securities laws or regulations.

''(4) ISSUERS DISQUALIFIED.—The transaction is not for the sale of a security where the seller is an issuer or a subsidiary, either directly or indirectly, of the issuer.

''(5) BAD ACTOR PROHIBITION.—Neither the seller, nor any person that has been or will be paid (directly or indirectly) remuneration or a commission for their participation in the offer or sale of the securities, including solicitation of purchasers for the seller is subject to an event that would disqualify an issuer or other covered person under Rule 506(d)(1) of Regulation D (17 CFR 230.506(d)(1)) or is subject to a statutory disqualification described under section 3(a)(39) of the Securities Exchange Act of 1934.

''(6) BUSINESS REQUIREMENT.—The issuer is engaged in business, is not in the organizational stage or in bankruptcy or receivership, and is not a blank check, blind pool, or shell company that has no specific business plan or purpose or has indicated that the issuer's primary business plan is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person.

''(7) UNDERWRITER PROHIBITION.—The transaction is not with respect to a security that constitutes the whole or part of an unsold allotment to, or a subscription or participation by, a broker or dealer as an underwriter of the security or a redistribution.

''(8) OUTSTANDING CLASS REQUIREMENT.—The transaction is with respect to a security of a class that has been authorized and outstanding for at least 90 days prior to the date of the transaction.

''(e) ADDITIONAL REQUIREMENTS.—

''(1) IN GENERAL.—With respect to an exempted transaction described under subsection (a)(7):

''(A) Securities acquired in such transaction shall be deemed to have been acquired in a transaction not involving any public offering.

''(B) Such transaction shall be deemed not to be a distribution for purposes of section 2(a)(11).

''(C) Securities involved in such transaction shall be deemed to be restricted securities within the meaning of Rule 144 (17 CFR 230.144).

''(2) RULE OF CONSTRUCTION.—The exemption provided by subsection (a)(7) shall not be the exclusive means for establishing an exemption from the registration requirements of section 5.''.

(b) EXEMPTION IN CONNECTION WITH CERTAIN EXEMPT OFFERINGS.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) by redesignating the second subparagraph (D) and subparagraph (E) as subparagraphs (E) and (F), respectively;

(2) in subparagraph (E), as so redesignated, by striking ''; or'' and inserting a semicolon;

(3) in subparagraph (F), as so redesignated, by striking the period and inserting ''; or''; and

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

''(G) section 4(a)(7).''.

## TITLE LXXVII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY

### SEC. 77001. DISTRIBUTIONS AND RESIDUAL RECEIPTS.

Section 222 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4112) is amended by adding at the end the following new subsection:

''(e) DISTRIBUTION AND RESIDUAL RECEIPTS.—

''(1) AUTHORITY.—After the date of the enactment of this subsection, the owner of a property subject to a plan of action or use agreement pursuant to this section shall be entitled to distribute—

''(A) annually, all surplus cash generated by the property, but only if the owner is in material compliance with such use agreement including compliance with prevailing physical condition standards established by the Secretary; and

''(B) notwithstanding any conflicting provision in such use agreement, any funds accumulated in a residual receipts account, but only if the owner is in material compliance with such use agreement and has completed, or set aside sufficient funds for completion of, any capital repairs identified by the most recent third party capital needs assessment.

''(2) OPERATION OF PROPERTY.—An owner that distributes any amounts pursuant to paragraph (1) shall—

''(A) continue to operate the property in accordance with the affordability provisions of the use agreement for the property for the remaining useful life of the property;

''(B) as required by the plan of action for the property, continue to renew or extend any project-based rental assistance contract for a term of not less than 20 years; and

''(C) if the owner has an existing multi-year project-based rental assistance contract for less than 20 years, have the option to extend the contract to a 20-year term.''.

### SEC. 77002. FUTURE REFINANCINGS.

Section 214 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4104) is amended by adding at the end the following new subsection:

''(c) FUTURE FINANCING.—Neither this section, nor any plan of action or use agreement implementing this section, shall restrict an owner from obtaining a new loan or refinancing an existing loan secured by the project, or from distributing the proceeds of such a loan; except that, in conjunction with such refinancing—

''(1) the owner shall provide for adequate rehabilitation pursuant to a capital needs assessment to ensure long-term sustainability of the property satisfactory to the lender or bond issuance agency;

''(2) any resulting budget-based rent increase shall include debt service on the new financing, commercially reasonable debt service coverage, and replacement reserves as required by the lender; and

''(3) for tenants of dwelling units not covered by a project- or tenant-based rental subsidy, any rent increases resulting from the refinancing transaction may not exceed 10 percent per year, except that—

''(A) any tenant occupying a dwelling unit as of time of the refinancing may not be required to pay for rent and utilities, for the duration of such tenancy, an amount that exceeds the greater of—

''(i) 30 percent of the tenant's income; or

''(ii) the amount paid by the tenant for rent and utilities immediately before such refinancing; and

''(B) this paragraph shall not apply to any tenant who does not provide the owner with proof of income.

Paragraph (3) may not be construed to limit any rent increases resulting from increased operating costs for a project.''.

***SEC. 77003. IMPLEMENTATION.***

*The Secretary of Housing and Urban Development shall issue any guidance that the Secretary considers necessary to carry out the provisions added by the amendments made by this title not later than the expiration of the 120-day period beginning on the date of the enactment of this Act.*

## *TITLE LXXVIII—TENANT INCOME VERIFICATION RELIEF*

***SEC. 78001. REVIEWS OF FAMILY INCOMES.***

*(a) IN GENERAL.—The second sentence of paragraph (1) of section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)(1)) is amended by inserting before the period at the end the following: ''; except that, in the case of any family with a fixed income, as defined by the Secretary, after the initial review of the family's income, the public housing agency or owner shall not be required to conduct a review of the family's income for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, which shall include policies to adjust for inflation-based income changes, that 90 percent or more of the income of the family consists of fixed income, and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years''.*

*(b) HOUSING CHOICE VOUCHER PROGRAM.—Subparagraph (A) of section 8(o)(5) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(5)(A)) is amended by striking ''not less than annually'' and inserting ''as required by section 3(a)(1) of this Act''.*

## *TITLE LXXIX—HOUSING ASSISTANCE EFFICIENCY*

***SEC. 79001. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.***

*Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting ''private nonprofit organization,'' after ''unit of general local government,''.*

***SEC. 79002. REALLOCATION OF FUNDS.***

*Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking ''twice'' and inserting ''once''.*

## *TITLE LXXX—CHILD SUPPORT ASSISTANCE*

***SEC. 80001. REQUESTS FOR CONSUMER REPORTS BY STATE OR LOCAL CHILD SUPPORT ENFORCEMENT AGENCIES.***

*Paragraph (4) of section 604(a) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(4)) is amended—*

*(1) in subparagraph (A), by striking ''or determining the appropriate level of such payments'' and inserting '', determining the appropriate level of such payments, or enforcing a child support order, award, agreement, or judgment'';*

*(2) in subparagraph (B)—*

*(A) by striking ''paternity'' and inserting ''parentage''; and*

*(B) by adding ''and'' at the end;*

*(3) by striking subparagraph (C); and*

*(4) by redesignating subparagraph (D) as subparagraph (C).*

## *TITLE LXXXI—PRIVATE INVESTMENT IN HOUSING*

***SEC. 81001. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.***

*(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') shall establish a demonstration program under which the Secretary may execute budget-neutral, performance-based agreements in fiscal years 2016 through 2019 that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—*

*(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;*

*(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or*

*(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).*

*(b) REQUIREMENTS.—*

*(1) PAYMENTS CONTINGENT ON SAVINGS.—*

*(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).*

*(B) PAYMENT METHODOLOGY.—*

*(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision that—*

*(I) shall serve as a payment threshold for the term of the agreement; and*

*(II) requires that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties.*

*(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section—*

*(I) shall be contingent on documented utility savings; and*

*(II) shall not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.*

*(C) THIRD-PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—*

*(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established pre-retrofit;*

*(ii) annual third-party confirmation of actual utility consumption and cost for utilities;*

*(iii) annual third-party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and*

*(iv) annual third-party determination of savings to the Secretary.*

*An agreement under this section with an entity shall provide that the entity shall cover costs associated with third-party verification under this subparagraph.*

*(2) TERMS OF PERFORMANCE-BASED AGREEMENTS.—A performance-based agreement under this section shall include—*

*(A) the period that the agreement will be in effect and during which payments may be made, which may not be longer than 12 years;*

*(B) the performance measures that will serve as payment thresholds during the term of the agreement;*

*(C) an audit protocol for the properties covered by the agreement;*

*(D) a requirement that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties; and*

*(E) such other requirements and terms as determined to be appropriate by the Secretary.*

*(3) ENTITY ELIGIBILITY.—The Secretary shall—*

*(A) establish a competitive process for entering into agreements under this section; and*

*(B) enter into such agreements only with entities that, either jointly or individually, demonstrate significant experience relating to—*

*(i) financing or operating properties receiving assistance under a program identified in subsection (a);*

*(ii) oversight of energy or water conservation programs, including oversight of contractors; and*

*(iii) raising capital for energy or water conservation improvements from charitable organizations or private investors.*

*(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.*

*(5) PROPERTIES.—A property may only be included in the demonstration under this section only if the property is subject to affordability restrictions for at least 15 years after the date of the completion of any conservation improvements made to the property under the demonstration program. Such restrictions may be made through an extended affordability agreement for the property under a new housing assistance payments contract with the Secretary of Housing and Urban Development or through an enforceable covenant with the owner of the property.*

*(c) PLAN AND REPORTS.—*

*(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations and Financial Services of the House of Representatives and the Committees on Appropriations and Banking, Housing, and Urban Affairs of the Senate a detailed plan for the implementation of this section.*

*(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—*

*(A) conduct an evaluation of the program under this section; and*

*(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).*

*(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).*

## *TITLE LXXXII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS*

***SEC. 82001. PRIVATELY INSURED CREDIT UNIONS AUTHORIZED TO BECOME MEMBERS OF A FEDERAL HOME LOAN BANK.***

*(a) IN GENERAL.—Section 4(a) of the Federal Home Loan Bank Act (12 U.S.C. 1424(a)) is amended by adding at the end the following new paragraph:*

*''(5) CERTAIN PRIVATELY INSURED CREDIT UNIONS.—*

*''(A) IN GENERAL.—Subject to the requirements of subparagraph (B), a credit union shall be treated as an insured depository institution for purposes of determining the eligibility of such credit union for membership in a Federal home loan bank under paragraphs (1), (2), and (3).*

*''(B) CERTIFICATION BY APPROPRIATE SUPERVISOR.—*

*''(i) IN GENERAL.—For purposes of this paragraph and subject to clause (ii), a credit union which lacks Federal deposit insurance and which has applied for membership in a Federal home loan bank may be treated as meeting all the eligibility requirements for Federal deposit insurance only if the appropriate supervisor of the State in which the credit union is chartered has determined that the credit union meets all the eligibility requirements for Federal deposit insurance as of the date of the application for membership.*

*''(ii) CERTIFICATION DEEMED VALID.—If, in the case of any credit union to which clause (i) applies, the appropriate supervisor of the State in which such credit union is chartered fails to make a determination pursuant to such clause by the end of the 6-month period beginning on the date of the application, the credit union shall be deemed to have met the requirements of clause (i).*

*''(C) SECURITY INTERESTS OF FEDERAL HOME LOAN BANK NOT AVOIDABLE.—Notwithstanding*

*any provision of State law authorizing a conservator or liquidating agent of a credit union to repudiate contracts, no such provision shall apply with respect to—*

*''(i) any extension of credit from any Federal home loan bank to any credit union which is a member of any such bank pursuant to this paragraph; or*

*''(ii) any security interest in the assets of such credit union securing any such extension of credit.*

*''(D) PROTECTION FOR CERTAIN FEDERAL HOME LOAN BANK ADVANCES.—Notwithstanding any State law to the contrary, if a Bank makes an advance under section 10 to a State-chartered credit union that is not federally insured—*

*''(i) the Bank's interest in any collateral securing such advance has the same priority and is afforded the same standing and rights that the security interest would have had if the advance had been made to a federally insured credit union; and*

*''(ii) the Bank has the same right to access such collateral that the Bank would have had if the advance had been made to a federally insured credit union.''.*

*(b) COPIES OF AUDITS OF PRIVATE INSURERS OF CERTAIN DEPOSITORY INSTITUTIONS REQUIRED TO BE PROVIDED TO SUPERVISORY AGENCIES.—Section 43(a)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(a)(2)(A)) is amended—*

*(1) in clause (i), by striking ''and'' at the end;*

*(2) in clause (ii), by striking the period at the end and inserting ''; and''; and*

*(3) by inserting at the end the following new clause:*

*''(iii) in the case of depository institutions described in subsection (e)(2)(A) the deposits of which are insured by the private insurer which are members of a Federal home loan bank, to the Federal Housing Finance Agency, not later than 7 days after the audit is completed.''.*

***SEC. 82002. GAO REPORT.***

*Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to Congress—*

*(1) on the adequacy of insurance reserves held by a private deposit insurer that insures deposits in an entity described in section 43(e)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(e)(2)(A)); and*

*(2) for an entity described in paragraph (1) the deposits of which are insured by a private deposit insurer, information on the level of compliance with Federal regulations relating to the disclosure of a lack of Federal deposit insurance.*

## *TITLE LXXXIII—SMALL BANK EXAM CYCLE REFORM*

***SEC. 83001. SMALLER INSTITUTIONS QUALIFYING FOR 18-MONTH EXAMINATION CYCLE.***

*Section 10(d) of the Federal Deposit Insurance Act (12 U.S.C. 1820(d)) is amended—*

*(1) in paragraph (4)—*

*(A) in subparagraph (A), by striking ''$500,000,000'' and inserting ''$1,000,000,000''; and*

*(B) in subparagraph (C)(ii), by striking ''$100,000,000'' and inserting ''$200,000,000''; and*

*(2) in paragraph (10)—*

*(A) by striking ''$100,000,000'' and inserting ''$200,000,000''; and*

*(B) by striking ''$500,000,000'' and inserting ''$1,000,000,000''.*

## *TITLE LXXXIV—SMALL COMPANY SIMPLE REGISTRATION*

***SEC. 84001. FORWARD INCORPORATION BY REFERENCE FOR FORM S–1.***

*Not later than 45 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise Form S–1 so as to permit a smaller reporting company (as defined in section 230.405 of title 17, Code of Federal Regulations) to incorporate by reference in a registration statement filed on such form any documents that such company files with the Commission after the effective date of such registration statement.*

## *TITLE LXXXV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION*

***SEC. 85001. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.***

*The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—*

*(1) in section 12(g)—*

*(A) in paragraph (1)(B), by inserting after ''is a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and*

*(B) in paragraph (4), by inserting after ''case of a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and*

*(2) in section 15(d), by striking ''case of bank'' and inserting the following: ''case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''.*

## *TITLE LXXXVI—REPEAL OF INDEMNIFICATION REQUIREMENTS*

***SEC. 86001. REPEAL.***

*(a) DERIVATIVES CLEARING ORGANIZATIONS.—Section 5b(k)(5) of the Commodity Exchange Act (7 U.S.C. 7a–1(k)(5)) is amended to read as follows:*

*''(5) CONFIDENTIALITY AGREEMENT.—Before the Commission may share information with any entity described in paragraph (4), the Commission shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.*

*(b) SWAP DATA REPOSITORIES.—Section 21 of the Commodity Exchange Act (7 U.S.C. 24a(d)) is amended—*

*(1) in subsection (c)(7)—*

*(A) in the matter preceding subparagraph (A), by striking ''all'' and inserting ''swap''; and*

*(B) in subparagraph (E)—*

*(i) in clause (ii), by striking ''and'' at the end; and*

*(ii) by adding at the end the following:*

*''(iv) other foreign authorities; and''; and*

*(2) by striking subsection (d) and inserting the following:*

*''(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.*

*(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(n)(5)) is amended—*

*(1) in subparagraph (G)—*

*(A) in the matter preceding clause (i), by striking ''all'' and inserting ''security-based swap''; and*

*(B) in clause (v)—*

*(i) in subclause (II), by striking ''; and'' and inserting a semicolon;*

*(ii) in subclause (III), by striking the period at the end and inserting ''; and''; and*

*(iii) by adding at the end the following:*

*''(IV) other foreign authorities.''; and*

*(2) by striking subparagraph (H) and inserting the following:*

*''(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.''.*

*(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203).*

## *TITLE LXXXVII—TREATMENT OF DEBT OR EQUITY INSTRUMENTS OF SMALLER INSTITUTIONS*

***SEC. 87001. DATE FOR DETERMINING CONSOLIDATED ASSETS.***

*Section 171(b)(4)(C) of the Financial Stability Act of 2010 (12 U.S.C. 5371(b)(4)(C)) is amended by inserting ''or March 31, 2010,'' after ''December 31, 2009,''.*

## *TITLE LXXXVIII—STATE LICENSING EFFICIENCY*

***SECTION 88001. SHORT TITLE.***

*This title may be cited as the ''State Licensing Efficiency Act of 2015''.*

***SEC. 88002. BACKGROUND CHECKS.***

*Section 1511(a) of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5110(a)) is amended—*

*(1) by inserting ''and other financial service providers'' after ''State-licensed loan originators''; and*

*(2) by inserting ''or other financial service providers'' before the period at the end.*

## *TITLE LXXXIX—HELPING EXPAND LENDING PRACTICES IN RURAL COMMUNITIES*

***SEC. 89001. SHORT TITLE.***

*This title may be cited as the ''Helping Expand Lending Practices in Rural Communities Act of 2015'' or the ''HELP Rural Communities Act of 2015''.*

***SEC. 89002. DESIGNATION OF RURAL AREA.***

*(a) APPLICATION.—Not later than 90 days after the date of the enactment of this Act, the Bureau of Consumer Financial Protection shall establish an application process under which a person who lives or does business in a State may, with respect to an area identified by the person in such State that has not been designated by the Bureau as a rural area for purposes of a Federal consumer financial law (as defined under section 1002 of the Consumer Financial Protection Act of 2010), apply for such area to be so designated.*

*(b) EVALUATION CRITERIA.—When evaluating an application submitted under subsection (a), the Bureau shall take into consideration the following factors:*

*(1) Criteria used by the Director of the Bureau of the Census for classifying geographical areas as rural or urban.*

*(2) Criteria used by the Director of the Office of Management and Budget to designate counties as metropolitan or micropolitan or neither.*

*(3) Criteria used by the Secretary of Agriculture to determine property eligibility for rural development programs.*

*(4) The Department of Agriculture rural-urban commuting area codes.*

*(5) A written opinion provided by the State's bank supervisor, as defined under section 3(r) of the Federal Deposit Insurance Act (12 U.S.C. 1813(r)).*

*(6) Population density.*

*(c) RULE OF CONSTRUCTION.—If, at any time prior to the submission of an application under subsection (a), the area subject to review has been designated as nonrural by any Federal agency described under subsection (b) using any of the criteria described under subsection (b), the Bureau shall not be required to consider such designation in its evaluation.*

*(d) PUBLIC COMMENT PERIOD.—*

*(1) IN GENERAL.—Not later than 60 days after receiving an application submitted under subsection (a), the Bureau shall—*

*(A) publish such application in the Federal Register; and*

*(B) make such application available for public comment for not fewer than 90 days.*

*(2) LIMITATION ON ADDITIONAL APPLICATIONS.—Nothing in this section shall be con-*

*strued to require the Bureau, during the public comment period with respect to an application submitted under subsection (a), to accept an additional application with respect to the area that is the subject of the initial application.*

*(e) DECISION ON DESIGNATION.—Not later than 90 days after the end of the public comment period under subsection (d)(1) for an application, the Bureau shall—*

*(1) grant or deny such application, in whole or in part; and*

*(2) publish such grant or denial in the Federal Register, along with an explanation of what factors the Bureau relied on in making such determination.*

*(f) SUBSEQUENT APPLICATIONS.—A decision by the Bureau under subsection (e) to deny an application for an area to be designated as a rural area shall not preclude the Bureau from accepting a subsequent application submitted under subsection (a) for such area to be so designated, so long as such subsequent application is made after the end of the 90-day period beginning on the date that the Bureau denies the application under subsection (e).*

*(g) SUNSET.—This section shall cease to have any force or effect after the end of the 2-year period beginning on the date of the enactment of this Act.*

***SEC. 89003. OPERATIONS IN RURAL AREAS.***

*The Truth in Lending Act (15 U.S.C. 1601 et seq.) is amended—*

*(1) in section 129C(b)(2)(E)(iv)(I), by striking ''predominantly''; and*

*(2) in section 129D(c)(1), by striking ''predominantly''.*

And the House agree to the same.

From the Committee on Transportation and Infrastructure, for consideration of the House amendment and the Senate amendment, and modifications committed to conference:

BILL SHUSTER,
JOHN J. DUNCAN, Jr.,
SAM GRAVES,
CANDICE S. MILLER,
ERIC A. ''RICK'' CRAWFORD,
LOU BARLETTA,
BLAKE FARENTHOLD,
BOB GIBBS,
JEFF DENHAM,
REID J. RIBBLE,
SCOTT PERRY,
ROB WOODALL,
JOHN KATKO,
BRIAN BABIN,
CRESENT HARDY,
GARRET GRAVES,
PETER A. DEFAZIO,
ELEANOR HOLMES NORTON,
JERROLD NADLER,
CORRINE BROWN,
EDDIE BERNICE JOHNSON,
ELIJAH E. CUMMINGS,
RICK LARSEN,
MICHAEL E. CAPUANO,
GRACE F. NAPOLITANO,
DANIEL LIPINSKI,
STEVE COHEN,
ALBIO SIRES,

As additional conferees from the Committee on Armed Services, for consideration of sec. 1111 of the House amendment, and modifications committed to conference:

MAC THORNBERRY,
LORETTA SANCHEZ,

As additional conferees from the Committee on Energy and Commerce, for consideration of secs. 1109, 1201, 1202, 3003, Division B, secs. 31101, 31201, and Division F of the House amendment and secs. 11005, 11006, 11013, 21003, 21004, subtitles B and D of title XXXIV, secs. 51101 and 51201 of the Senate amendment, and modifications committed to conference:

FRED UPTON,
MARKWAYNE MULLIN,
FRANK PALLONE, Jr.,

As additional conferees from the Committee on Financial Services, for consideration of sec. 32202 and Division G of the House amendment and secs. 52203 and 52205 of the Senate amendment, and modifications committed to conference:

MAXINE WATERS,

As additional conferees from the Committee on the Judiciary, for consideration of secs. 1313, 24406, and 43001 of the House amendment and secs. 32502 and 35437 of the Senate amendment, and modifications committed to conference:

BOB GOODLATTE,
TOM MARINO,
ZOE LOFGREN,

As additional conferees from the Committee on Natural Resources, for consideration of secs. 1114–16, 1120, 1301, 1302, 1304, 1305, 1307, 1308, 1310–13, 1316, 1317, 10001, and 10002 of the House amendment and secs. 11024–27, 11101–13, 11116–18, 15006, 31103–05, and 73103 of the Senate amendment and modifications committed to conference:

GLENN THOMPSON,
DARIN LAHOOD,

As additional conferees from the Committee on Oversight and Government Reform, for consideration of secs. 5106, 5223, 5504, 5505, 61003, and 61004 of the House amendment and secs. 12004, 21019, 31203, 32401, 32508, 32606, 35203, 35311, and 35312 of the Senate amendment, and modifications committed to conference:

JOHN L. MICA,
WILL HURD,
GERALD E. CONNOLLY,

As additional conferees from the Committee on Science, Space, and Technology, for consideration of secs. 3008, 3015, 4003, and title VI of the House amendment and secs. 11001, 12001, 12002, 12004, 12102, 21009, 21017, subtitle B of title XXXI, secs. 35105 and 72003 of the Senate amendment, and modifications committed to conference:

LAMAR SMITH,
BARBARA COMSTOCK,
DONNA F. EDWARDS,

As additional conferees from the Committee on Ways and Means, for consideration of secs. 31101, 31201, and 31203 of the House amendment, and secs. 51101, 51201, 51203, 52101, 52103–05, 52108, 62001, and 74001 of the Senate amendment, and modifications committed to conference:

KEVIN BRADY,
DAVID G. REICHERT,
SANDER LEVIN,

*Managers on the Part of the House.*

JAMES M. INHOFE,
JOHN THUNE,
ORRIN G. HATCH,
LISA MURKOWSKI,
DEB FISCHER,
JOHN BARRASSO,
JOHN CORNYN,
BARBARA BOXER,
BILL NELSON,
RICHARD J. DURBIN,

*Managers on the Part of the Senate.*

When said conference report was considered.

After debate,

Pursuant to House Resolution 546, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. SHUSTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 359 / Nays ..... 65

¶148.17 [Roll No. 673]

YEAS—359

| | | |
|---|---|---|
| Abraham | Donovan | Lance |
| Adams | Doyle, Michael F. | Langevin |
| Aderholt | Duckworth | Larsen (WA) |
| Allen | Duncan (TN) | Larson (CT) |
| Ashford | Edwards | Latta |
| Babin | Ellison | Lawrence |
| Barletta | Ellmers (NC) | Lee |
| Barr | Emmer (MN) | Levin |
| Barton | Engel | Lewis |
| Bass | Eshoo | Lieu, Ted |
| Beatty | Esty | Lipinski |
| Becerra | Farenthold | LoBiondo |
| Benishek | Farr | Loebsack |
| Bera | Fattah | Lofgren |
| Beyer | Fincher | Long |
| Bilirakis | Fitzpatrick | Loudermilk |
| Bishop (GA) | Fleischmann | Love |
| Bishop (MI) | Forbes | Lowenthal |
| Bishop (UT) | Fortenberry | Lowey |
| Black | Foster | Lucas |
| Blum | Frankel (FL) | Luetkemeyer |
| Blumenauer | Frelinghuysen | Lujan Grisham (NM) |
| Bonamici | Fudge | Luján, Ben Ray (NM) |
| Bost | Gabbard | Lummis |
| Boustany | Gallego | Lynch |
| Boyle, Brendan F. | Garamendi | MacArthur |
| Brady (PA) | Gibbs | Maloney, Carolyn |
| Brady (TX) | Gibson | Maloney, Sean |
| Brooks (IN) | Goodlatte | Marino |
| Brown (FL) | Graham | Matsui |
| Brownley (CA) | Granger | McCarthy |
| Buchanan | Graves (GA) | McCaul |
| Bucshon | Graves (LA) | McCollum |
| Bustos | Graves (MO) | McDermott |
| Butterfield | Grayson | McGovern |
| Byrne | Green, Al | McHenry |
| Calvert | Green, Gene | McKinley |
| Capps | Griffith | McMorris Rodgers |
| Capuano | Grijalva | McNerney |
| Cárdenas | Guinta | McSally |
| Carney | Guthrie | Meadows |
| Carson (IN) | Gutiérrez | Meehan |
| Carter (GA) | Hahn | Meng |
| Carter (TX) | Hanna | Messer |
| Cartwright | Hardy | Mica |
| Castor (FL) | Harper | Miller (MI) |
| Castro (TX) | Hartzler | Moolenaar |
| Chabot | Hastings | Mooney (WV) |
| Chu, Judy | Heck (NV) | Moore |
| Cicilline | Heck (WA) | Moulton |
| Clark (MA) | Herrera Beutler | Mullin |
| Clarke (NY) | Higgins | Murphy (FL) |
| Clay | Hill | Murphy (PA) |
| Cleaver | Himes | Nadler |
| Clyburn | Hinojosa | Napolitano |
| Cohen | Honda | Neal |
| Cole | Hoyer | Newhouse |
| Collins (GA) | Huffman | Noem |
| Collins (NY) | Hultgren | Nolan |
| Comstock | Hunter | Norcross |
| Conaway | Hurd (TX) | Nunes |
| Connolly | Israel | O'Rourke |
| Conyers | Jackson Lee | Olson |
| Cook | Jeffries | Palazzo |
| Cooper | Jenkins (KS) | Pallone |
| Costa | Jenkins (WV) | Pascrell |
| Costello (PA) | Johnson (GA) | Paulsen |
| Courtney | Johnson (OH) | Pelosi |
| Cramer | Johnson, E. B. | Perlmutter |
| Crawford | Jolly | Perry |
| Crenshaw | Joyce | Peters |
| Crowley | Kaptur | Peterson |
| Cummings | Katko | Pingree |
| Curbelo (FL) | Keating | Pittenger |
| Davis (CA) | Kelly (IL) | Pitts |
| Davis, Danny | Kelly (MS) | Pocan |
| Davis, Rodney | Kelly (PA) | Poe (TX) |
| DeFazio | Kennedy | Poliquin |
| DeGette | Kildee | Polis |
| Delaney | Kilmer | Price (NC) |
| DeLauro | Kind | Price, Tom |
| DelBene | King (IA) | Quigley |
| Denham | King (NY) | Rangel |
| Dent | Kinzinger (IL) | Reed |
| DeSaulnier | Kirkpatrick | Reichert |
| Deutch | Kline | Ribble |
| Diaz-Balart | Knight | Rice (NY) |
| Dingell | Kuster | |
| Doggett | LaHood | |
| Dold | LaMalfa | |

Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wittman
Womack
Woodall
Yarmuth
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—65

Amash
Amodei
Blackburn
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Chaffetz
Clawson (FL)
Coffman
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gohmert
Gosar
Gowdy
Grothman
Harris
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hurt (VA)
Issa
Jones
Jordan
Labrador
Lamborn
Marchant
Massie
McClintock
Miller (FL)
Mulvaney
Neugebauer
Nugent
Palmer
Pearce
Pompeo
Posey
Ratcliffe
Renacci
Rohrabacher
Roskam
Salmon
Sanford
Schweikert
Smith (TX)
Stewart
Tipton
Walker
Weber (TX)
Wenstrup
Wilson (SC)
Yoder
Yoho

NOT VOTING—9

Aguilar
Cuellar
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

### ¶148.18 ADJOURNMENT OVER

On motion of Mr. MCCARTHY, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet at noon on Monday, December 7, 2015, for morning-hour debate and 2 p.m. for legislative business.

### ¶148.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PAYNE, for today.

And then,

### ¶148.20 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 3 o'clock and 22 minutes p.m., the House adjourned until noon on Monday, December 7, 2015.

### ¶148.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 195. A bill to terminate the Election Assistance Commission (Rept. 114–361). Referred to the Committee of the Whole House on the state of the Union.

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 412. A bill to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns (Rept. 114–362, Pt. 1). Ordered to be printed.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3869. A bill to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes (Rept. 114–363). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3106. A bill to authorize Department major medical facility construction projects for fiscal year 2015, to amend title 38, United States Code, to make certain improvements in the administration of Department medical facility construction projects, and for other purposes; with an amendment (Rept. 114–364). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 2915. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary; with an amendment (Rept. 114–365). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1107. A bill to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; with an amendment (Rept. 114–366). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. S. 1580. An act to allow additional appointing authorities to select individuals from competitive service certificates (Rept. 114–367). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. S. 1629. An act to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes (Rept. 114–368). Referred to the Committee of the Whole House on the state of the Union.

### ¶148.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DOLD (for himself and Ms. LINDA T. SÁNCHEZ of California):

H.R. 4165. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property; to the Committee on Ways and Means.

By Mr. BARR (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 4166. A bill to amend the Securities Exchange Act of 1934 to provide specific credit risk retention requirements to certain qualifying collateralized loan obligations; to the Committee on Financial Services.

By Mr. GOHMERT (for himself, Mr. FARENTHOLD, Mr. DUNCAN of Tennessee, Mr. THOMPSON of California, and Mr. CULBERSON):

H.R. 4167. A bill to amend the Communications Act of 1934 to require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POLIQUIN (for himself and Mr. VARGAS):

H.R. 4168. A bill to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act; to the Committee on Financial Services.

By Mr. ROTHFUS (for himself, Mr. MCKINLEY, Mr. BARR, Mrs. NOEM, Mr. MOONEY of West Virginia, Mr. ZINKE, Mr. CRAMER, Mr. STUTZMAN, Mr. PITTENGER, Mr. WEBER of Texas, and Mr. ROUZER):

H.R. 4169. A bill to amend the Clean Air Act to prohibit any regulation under such Act concerning the emissions of carbon dioxide from a fossil fuel-fired electric generating unit from taking effect until the Administrator of the Environmental Protection Agency makes certain certifications, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT:

H.R. 4170. A bill to require the Secretary of Labor, in consultation with the Secretary of Health and Human Services, to draft disclosures describing the rights and liabilities of customers of domestic care services and require that such services provide such disclosures to customers in any contract for such services; to the Committee on Education and the Workforce.

By Mr. CROWLEY:

H.R. 4171. A bill to amend title 49, United States Code, to prohibit the operation of certain aircraft not complying with stage 4 noise levels, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ELLISON (for himself, Mr. FITZPATRICK, Mr. AL GREEN of Texas, Mr. RENACCI, Ms. MOORE, Mr. DUFFY, Mr. HIMES, Mr. MULVANEY, Mr. CARNEY, Mr. PITTENGER, Mr. HINOJOSA, Mr. JONES, Mr. GRIJALVA, Mr. SCHWEIKERT, Mr. RUSH, Mrs. LOVE, Mr. MCNERNEY, Mr. STIVERS, and Mr. BLUMENAUER):

H.R. 4172. A bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes; to the Committee on Financial Services.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself and Ms. MCCOLLUM):

H.R. 4173. A bill to provide that an alien who has traveled to Iraq or Syria during the 5-year period prior to the alien's application for admission is ineligible to be admitted to the United States under the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. CÁRDENAS (for himself and Mr. ASHFORD):

H.R. 4174. A bill to establish a program that promotes reforms in workforce education and skill training for manufacturing in States and metropolitan areas, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Science, Space, and Technology, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAWFORD:

H.R. 4175. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for conservation expenditures to reduce groundwater consumption; to the Committee on Ways and Means.

By Mr. DEUTCH:

H.R. 4176. A bill to amend title 18, United States Code, to limit the recovery of damages in a civil action related to the disclosure of certain personal information from State motor vehicle records, and for other purposes; to the Committee on the Judiciary.

By Mr. GOSAR (for himself, Mr. BRAT, Mr. BUCK, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JONES, Mrs. KIRKPATRICK, Mr. LAMALFA, Mr. MESSER, Mr. PEARCE, Mr. POSEY, Mr. ROUZER, Mr. SALMON, Mr. SESSIONS, Mr. STUTZMAN, Mr. AMODEI, Mr. DESJARLAIS, Mr. WILSON of South Carolina, Mr. FITZPATRICK, Mr. RIGELL, and Mr. BABIN):

H.R. 4177. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the acceptance by political committees of online contributions from certain unverified sources, and for other purposes; to the Committee on House Administration.

By Mr. LOWENTHAL (for himself, Ms. KUSTER, and Mr. CÁRDENAS):

H.R. 4178. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity tax credit and to allow small employers a credit against income tax for hiring individuals receiving unemployment compensation; to the Committee on Ways and Means.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. PALLONE, Ms. ESHOO, Mr. YARMUTH, Mr. WELCH, Ms. MATSUI, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. CLARKE of New York):

H.R. 4179. A bill to direct the Federal Communications Commission to promulgate regulations requiring material in the online public inspection file of a covered entity to be made available in a format that is machine-readable; to the Committee on Energy and Commerce.

By Mr. MEADOWS (for himself and Mr. CONNOLLY):

H.R. 4180. A bill to improve Federal agency financial and administrative controls and procedures to assess and mitigate fraud risks, and to improve Federal agencies' development and use of data analytics for the purpose of identifying, preventing, and responding to fraud, including improper payments; to the Committee on Oversight and Government Reform.

By Mrs. NOEM (for herself, Mr. PASCRELL, and Mr. BLUM):

H.R. 4181. A bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel; to the Committee on Ways and Means.

By Mr. ROONEY of Florida (for himself and Ms. FRANKEL of Florida):

H.R. 4182. A bill to require the lender or servicer of a home mortgage, upon a request by the homeowner for a short sale, to make a prompt decision whether to allow the sale; to the Committee on Financial Services.

By Mr. ROONEY of Florida (for himself and Mr. RYAN of Ohio):

H.R. 4183. A bill to increase the penalties for fentanyl trafficking; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES (for himself, Ms. ESTY, Mr. RANGEL, Mr. SCHIFF, Ms. NORTON, Mr. GRAYSON, Mr. HONDA, Ms. SLAUGHTER, Mr. LOWENTHAL, Ms. SPEIER, Mr. CARTWRIGHT, and Mr. POCAN):

H. Res. 548. A resolution expressing support for designation of February 12, 2016, as ''Darwin Day'' and recognizing the importance of science in the betterment of humanity; to the Committee on Science, Space, and Technology.

By Ms. DELBENE (for herself, Mr. LOWENTHAL, Mr. LARSEN of Washington, Mr. POCAN, Mr. JEFFRIES, Mr. HASTINGS, Mr. ENGEL, Mr. TAKANO, Mr. KEATING, Mrs. WATSON COLEMAN, Mr. KILMER, Mr. TED LIEU of California, Mr. VAN HOLLEN, Ms. NORTON, Mr. POLIS, Mr. HINOJOSA, Mr. GRIJALVA, Ms. LEE, Ms. SPEIER, Ms. CASTOR of Florida, Mr. ASHFORD, Mr. GALLEGO, Ms. HAHN, Mr. LOEBSACK, Mr. CARSON of Indiana, Mr. RUSH, Mr. LEWIS, Mr. MOULTON, Ms. VELÁZQUEZ, Mrs. DAVIS of California, Mr. SCHIFF, Ms. MATSUI, Ms. CLARK of Massachusetts, Mr. HIGGINS, Ms. DEGETTE, Mr. SMITH of Washington, Mr. RANGEL, Mr. SWALWELL of California, Mr. CICILLINE, Mr. DELANEY, Ms. TITUS, Ms. SLAUGHTER, Mr. NORCROSS, Mr. PASCRELL, Mr. KENNEDY, Mr. LANGEVIN, Mr. HONDA, Ms. ESTY, Ms. MENG, Mr. BRADY of Pennsylvania, Mr. MURPHY of Florida, Mr. GARAMENDI, Ms. JUDY CHU of California, Mr. PALLONE, Ms. CLARKE of New York, Mr. YARMUTH, Mr. HECK of Washington, Ms. LOFGREN, Ms. MCCOLLUM, Ms. TSONGAS, Mr. MCDERMOTT, Mrs. DINGELL, Mrs. CAPPS, Mr. BLUMENAUER, Ms. BASS, Ms. BROWNLEY of California, Mr. GUTIÉRREZ, Ms. WILSON of Florida, Mr. SERRANO, Mr. NADLER, Mr. KILDEE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CÁRDENAS, Ms. SINEMA, Mr. SEAN PATRICK MALONEY of New York, Mrs. BUSTOS, Mr. MCNERNEY, Mr. THOMPSON of California, Mr. KIND, Mr. GRAYSON, Ms. MOORE, Ms. BONAMICI, Ms. PINGREE, Miss RICE of New York, Ms. SCHAKOWSKY, Mr. DESAULNIER, Ms. FRANKEL of Florida, Ms. KUSTER, Ms. WASSERMAN SCHULTZ, Mr. CROWLEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CARTWRIGHT, Mr. BEYER, and Ms. DUCKWORTH):

H. Res. 549. A resolution expressing support for the designation of June 26 as ''LGBT Equality Day''; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. GOODLATTE, Mr. NADLER, Ms. JUDY CHU of California, Mr. COHEN, Mrs. LAWRENCE, Mr. RANGEL, Ms. JACKSON LEE, Mr. DEUTCH, Mr. PALLONE, Ms. DELBENE, Mr. UPTON, Mrs. BLACKBURN, Mr. JEFFRIES, Mrs. DINGELL, Mr. BENISHEK, Mr. RICHMOND, Mr. KILDEE, Mr. CHABOT, Ms. LOFGREN, Mr. BUTTERFIELD, Mrs. MILLER of Michigan, and Mr. CICILLINE):

H. Res. 550. A resolution honoring the achievements of Berry Gordy, Jr. and the musical history he created through Motown Records; to the Committee on the Judiciary.

By Mr. TED LIEU of California (for himself, Mr. POE of Texas, Mr. ROYCE, and Mr. ENGEL):

H. Res. 551. A resolution recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation; to the Committee on Foreign Affairs.

By Mr. PAYNE (for himself, Mr. MULLIN, Mr. BUCHANAN, Mrs. NAPOLITANO, and Mr. RYAN of Ohio):

H. Res. 552. A resolution expressing support for health and wellness coaches and ''National Health and Wellness Coach Recognition Week''; to the Committee on Energy and Commerce.

By Mr. ZINKE (for himself, Mr. COFFMAN, Mrs. LOVE, Mr. WILSON of South Carolina, Mr. ROKITA, Mr. POMPEO, Mr. RUSSELL, Mr. NEWHOUSE, Mrs. WAGNER, Mr. WEBER of Texas, Mr. BABIN, Mr. ADERHOLT, Mr. GUTHRIE, Mr. MESSER, Mr. YODER, Mr. ROYCE, Mrs. LUMMIS, Mr. LONG, Mr. ZELDIN, Mr. SHUSTER, Mr. SCHWEIKERT, Mr. LAMBORN, Mr. MILLER of Florida, Mr. MCCAUL, Mr. CONAWAY, Mr. CHAFFETZ, Mr. SALMON, Mr. COLLINS of New York, Mr. ABRAHAM, Mr. DESANTIS, and Mrs. BLACK):

H. Res. 553. A resolution urging the President and the International Atomic Energy Agency (IAEA) to submit to Congress the text of all side agreements entered into between the IAEA and Iran with respect to the Joint Comprehensive Plan of Action; to the Committee on Foreign Affairs.

## ¶148.23 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 158: Ms. SINEMA, Mr. FOSTER, Mr. FORTENBERRY, Mrs. WAGNER, Mr. LATTA, Mr. NUNES, Mr. ZINKE, Mr. QUIGLEY, Mr. PITTENGER, Ms. ESTY, Mr. POLIQUIN, Mr. COLLINS of New York, Mr. JOHNSON of Ohio, Mrs. WALORSKI, Mr. STEWART, Mr. COOK, Mrs. BLACK, Mr. BYRNE, Mr. DONOVAN, Mr. CULBERSON, Mr. SMITH of Missouri, Mr. HARPER, and Mr. STIVERS.

H.R. 170: Mr. WILLIAMS.

H.R. 317: Mr. PRICE of North Carolina.

H.R. 344: Ms. ADAMS.

H.R. 363: Mr. KILDEE.

H.R. 379: Mr. GIBSON and Ms. BROWNLEY of California.

H.R. 430: Mr. KILDEE.

H.R. 546: Ms. MCSALLY.

H.R. 592: Mrs. HARTZLER.

H.R. 721: Ms. ROYBAL-ALLARD.

H.R. 746: Mr. CUMMINGS.

H.R. 921: Mr. MACARTHUR and Mr. FARENTHOLD.

H.R. 1076: Mr. HONDA, Ms. MATSUI, Mr. DONOVAN, Ms. DELAURO, Mr. LANGEVIN, Ms. DUCKWORTH, Mr. MEEKS, Ms. DELBENE, and Mr. PETERS.

H.R. 1197: Ms. GRAHAM and Mr. TIBERI.

H.R. 1220: Mr. CÁRDENAS and Mr. GUINTA.

H.R. 1288: Mr. KENNEDY, Mr. FOSTER, and Ms. FRANKEL of Florida.

H.R. 1309: Mr. KATKO.

H.R. 1342: Mr. RIGELL.

H.R. 1399: Mr. WELCH and Mr. COLLINS of New York.

H.R. 1421: Mr. NORCROSS.

H.R. 1427: Mr. KENNEDY.

H.R. 1457: Ms. BROWNLEY of California.

H.R. 1475: Mr. FITZPATRICK.

H.R. 1586: Ms. SPEIER.

H.R. 1670: Mrs. COMSTOCK.

H.R. 1671: Mr. NEUGEBAUER.

H.R. 1728: Mr. SCHRADER, Ms. MATSUI, Mr. DANNY K. DAVIS of Illinois, and Miss RICE of New York.

H.R. 1733: Ms. BROWNLEY of California.

H.R. 1736: Mr. DOLD, Mr. FINCHER, and Mr. MOOLENAAR.
H.R. 1769: Mr. HASTINGS.
H.R. 1786: Mr. COOPER.
H.R. 2058: Mr. MOONEY of West Virginia.
H.R. 2125: Mr. KILDEE.
H.R. 2138: Mr. HUFFMAN.
H.R. 2156: Mr. WILLIAMS.
H.R. 2228: Mr. GARAMENDI.
H.R. 2293: Ms. TSONGAS.
H.R. 2302: Ms. KELLY of Illinois.
H.R. 2342: Mr. GOODLATTE and Mr. LOEBSACK.
H.R. 2382: Mr. MEEHAN.
H.R. 2477: Mr. MOULTON.
H.R. 2493: Mr. DESAULNIER.
H.R. 2612: Mr. BERA.
H.R. 2680: Mr. PASCRELL.
H.R. 2716: Mr. LONG.
H.R. 2802: Mr. LONG.
H.R. 2850: Ms. TSONGAS.
H.R. 2874: Mr. ISSA and Mr. SCHWEIKERT.
H.R. 2880: Mr. RUSH, Mr. ELLISON, and Mr. BLUMENAUER.
H.R. 3036: Mr. COSTELLO of Pennsylvania, Mrs. MCMORRIS RODGERS, and Mr. JENKINS of West Virginia.
H.R. 3051: Mr. KILDEE, Mrs. LAWRENCE, Mr. RICHMOND, Mr. RANGEL, Ms. BONAMICI, and Mr. KEATING.
H.R. 3119: Mr. RODNEY DAVIS of Illinois.
H.R. 3159: Mrs. LOVE.
H.R. 3180: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3183: Mr. MESSER.
H.R. 3222: Mr. HUNTER.
H.R. 3225: Mr. WILLIAMS.
H.R. 3268: Mr. CONYERS.
H.R. 3314: Mrs. WALORSKI.
H.R. 3323: Mr. LAHOOD.
H.R. 3326: Mr. CHAFFETZ and Mr. JODY B. HICE of Georgia.
H.R. 3437: Mr. BURGESS, Mr. MARCHANT, Mr. BARTON, Mr. FLORES, Mr. SMITH of Texas, Mr. FARENTHOLD, Mr. OLSON, Mr. CULBERSON, Mr. WEBER of Texas, Mr. WESTMORELAND, Mr. BISHOP of Utah, and Mr. PALAZZO.
H.R. 3455: Mr. RUIZ.
H.R. 3497: Mr. KEATING.
H.R. 3520: Ms. SCHAKOWSKY and Mr. GUINTA.
H.R. 3551: Mrs. BEATTY.
H.R. 3565: Mr. THOMPSON of California, Ms. HAHN, Mrs. TORRES, Mr. TAKANO, Mr. SHERMAN, Mr. SCHIFF, and Mr. FARR.
H.R. 3667: Mr. POSEY.
H.R. 3706: Mrs. BEATTY.
H.R. 3713: Mr. CURBELO of Florida, Mrs. LAWRENCE, Ms. LEE, Ms. VELÁZQUEZ, Mrs. BEATTY, Mr. O'ROURKE, Mr. PAYNE, Mr. TAKANO, and Mr. HIGGINS.
H.R. 3721: Mr. COURTNEY.
H.R. 3734: Mr. ZINKE.
H.R. 3760: Mr. TAKANO.
H.R. 3785: Ms. VELÁZQUEZ, Miss RICE of New York, and Mr. DELANEY.
H.R. 3808: Mrs. WAGNER and Mr. KING of New York.
H.R. 3846: Mr. MCGOVERN, Mr. KILMER, and Mr. RENACCI.
H.R. 3852: Mr. TAKAI.
H.R. 3880: Mrs. WAGNER and Mr. HULTGREN.
H.R. 3888: Mr. KEATING.
H.R. 3917: Mr. WALBERG, Mr. FLEISCHMANN, Ms. FUDGE, Mr. RODNEY DAVIS of Illinois, and Mr. MARCHANT.
H.R. 3926: Mr. KEATING.
H.R. 3940: Mr. ROTHFUS, Mr. COFFMAN, Mr. CRAMER, and Mr. BISHOP of Michigan.
H.R. 3965: Ms. SPEIER.
H.R. 3986: Mr. CÁRDENAS.
H.R. 3997: Mr. SARBANES.
H.R. 4014: Miss RICE of New York.
H.R. 4019: Mr. CÁRDENAS.
H.R. 4032: Mr. CULBERSON and Ms. GRANGER.
H.R. 4040: Ms. DELAURO.
H.R. 4062: Mr. KELLY of Pennsylvania.
H.R. 4084: Mr. KNIGHT and Ms. ADAMS.
H.R. 4087: Ms. PINGREE.
H.R. 4109: Mr. HINOJOSA.
H.R. 4113: Mr. SWALWELL of California and Mrs. NAPOLITANO.
H.R. 4122: Mr. PERRY.
H.R. 4131: Ms. MCCOLLUM, Mr. SIMPSON, Mr. KIND, and Mr. YOUNG of Alaska.
H.R. 4153: Mr. HANNA.
H.J. Res. 11: Mr. ABRAHAM.
H.J. Res. 23: Mr. GRAYSON.
H.J. Res. 74: Mr. FORBES.
H. Con. Res. 17: Mr. EMMER of Minnesota.
H. Con. Res. 97: Mr. HILL.
H. Con. Res. 98: Ms. JUDY CHU of California.
H. Res. 130: Mr. DIAZ-BALART.
H. Res. 220: Mr. DIAZ-BALART, Mr. LOWENTHAL, and Ms. BONAMICI.
H. Res. 265: Ms. JUDY CHU of California.
H. Res. 343: Mr. THOMPSON of Pennsylvania.
H. Res. 393: Mr. BRADY of Pennsylvania.
H. Res. 419: Mr. SMITH of Washington.
H. Res. 432: Mr. BILIRAKIS, Mr. LANGEVIN, Mr. LAMALFA, and Mr. PETERS.
H. Res. 467: Mrs. TORRES, Ms. LOFGREN, Mr. LANGEVIN, Mr. PAYNE, Mrs. KIRKPATRICK, Ms. LINDA T. SÁNCHEZ of California, Mr. COURTNEY, Mr. CLAY, Ms. LORETTA SANCHEZ of California, Mr. COOPER, and Mr. HIGGINS.
H. Res. 523: Mr. LOEBSACK.
H. Res. 535: Mr. COLLINS of New York.
H. Res. 536: Mr. POE of Texas, Ms. WASSERMAN SCHULTZ, and Mr. CURBELO of Florida.
H. Res. 544: Mr. GRAVES of Louisiana and Mr. MILLER of Florida.

## MONDAY, DECEMBER 7, 2015 (149)

¶149.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. BYRNE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*December 7, 2015.*

I hereby appoint the Honorable BRADLEY BYRNE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶149.2 RECESS—12:05 P.M.

The SPEAKER pro tempore, Mr. BYRNE, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 5 minutes p.m., until 2 p.m.

¶149.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, called the House to order.

¶149.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. EMMER of Minnesota, announced he had examined and approved the Journal of the proceedings of Thursday, December 3, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶149.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3662. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-85; Small Entity Compliance Guide [Docket No.: FAR 2015-0051, Sequence No.: 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services and Oversight and Government Reform.

3663. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; ND; Update to Materials Incorporated by Reference [EPA-R08-OAR-2013-0047; FRL-9932-60-Region 8] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3664. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Transit System Improvements [EPA-R01-OAR-2013-0786; A-1-FRL-9936-08-Region 1] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3665. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque-Bernalillo County; Infrastructure and Interstate Transport State Implementation Plan for the 2008 Lead National Ambient Air Quality Standards [EPA-R06-OAR-2012-0400; FRL-9939-47-Region 6] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3666. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, Placer County Air Pollution Control District [EPA-R09-OAR-2015-0689; FRL-9936-83-Region 9] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3667. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, South Coast Air Quality Management District and Yolo-Solano Air Quality Management District [EPA-R09-OAR-2015-0690; FRL-9937-29-Region 9] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3668. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Etoxazole; Pesticide Tolerances [EPA-HQ-OPP-2014-0681; FRL-9934-60] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3669. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hexythiazox; Pesticide Tolerances; Technical Correction [EPA-HQ-OPP-2014-0804; FRL-9937-02] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3670. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyester Polyol Polymers; Tolerance Exemption [EPA-HQ-OPP-2015-0465; FRL-9936-91] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3671. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District, Feather River Air Quality Management District and Santa Barbara County Air Pollution Control District [EPA-R09-OAR-2015-0619; FRL-9936-67-Region 9] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3672. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rule on Certain Chemical Substances [EPA-HQ-OPPT-2014-0390; FRL-9939-20] (RIN: 2070-AB27) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3673. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Accessibility of User Interfaces, and Video Programming Guides and Menus [MB Docket No.: 12-108] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3674. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-210, ''Ward 5 Paint Spray Booth Conditional Moratorium Temporary Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3675. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-211, ''N Street Village, Inc. Tax and TOPA Exemption Clarification Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3676. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-212, ''Gas Station Advisory Board Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3677. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-209, ''Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3678. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-208, ''Truancy Referral Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3679. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-207, ''Emergency Medical Services Contract Authority Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3680. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-206, ''Grocery Store Restrictive Covenant Prohibition Temporary Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3681. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-205, ''Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3682. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-204, ''Early Learning Quality Improvement Network Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3683. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-203, ''ABLE Program Trust Establishment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3684. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-213, ''Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3685. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendment [FAC 2005-85; Item VII; Docket No.: 2015-0052; Sequence No.: 4] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3686. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Establishing a Minimum Wage for Contractors [FAC 2005-85; FAR Case 2015-003; Item VI; Docket No.: 2014-0050; Sequence No.: 1] (RIN: 9000-AM82) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform and Armed Services.

3687. A letter from the Chief Impact Analyst, Office of Regulations Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's interim final rule — Expanded Access to Non-VA Care through the Veterans Choice Program (RIN: 2900-AP60) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3688. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Retention Periods [FAC 2005-85; FAR Case 2015-009; Item V; Docket No.: 2015-0009, Sequence No.: 1] (RIN: 9000-AN12) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Science, Space, and Technology, and Oversight and Government Reform.

3689. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of interim and final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-85; Introduction [Docket No.: FAR 2015-0051, Sequence No.: 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services and Oversight and Government Reform.

3690. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Pilot Program for Enhancement of Contractor Employee Whistleblower Protections [FAC 2005-85; FAR Case 2013-015; Item IV; Docket 2013-0015, Sequence 1] (RIN: 9000-AM56) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Science, Space, and Technology, and Oversight and Government Reform.

3691. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's interim rule — Federal Acquisition Regulation; Updating Federal Contractor Reporting of Veterans' Employment [FAC 2005-85; FAR Case 2015-036; Item III; Docket No.: 2015-0036, Sequence No.: 1] (RIN: 9000-AN14) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

3692. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Further Amendments to Equal Employment Opportunity [FAC 2005-85; FAR Case 2015-013; Item II; Docket No.: 2015-0013, Sequence No.: 1] (RIN: 9000-AN01) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

3693. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's interim rule — Federal Acquisition Regulation: Prohibition on Contracting with Corporations with Delinquent Taxes or a Felony Conviction [FAC 2005-85; FAR Case 2015-011; Item No.: I; Docket No.: 2015-0011; Sequence No.: 1] (RIN: 9000-AN05) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

## ¶149.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. EMMER of Minnesota, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 4, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 4, 2015 at 10:40 a.m.:

That the Senate agreed to Conference Report H.R. 22.

That the Senate passed S. 2032.

That the Senate passed with an amendment H.R. 3762.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶149.7 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. EMMER of Minnesota, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mrs. COMSTOCK, signed the following enrolled bill on Friday, December 4, 2015:

H.R. 22. An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

¶149.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. EMMER of Minnesota, laid before the House the following communication from Paul Ritacco, office of the Honorable Michael G. Fitzpatrick:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, December 2, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

PAUL RITACCO.

¶149.9 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. EMMER of Minnesota, laid before the House the following communication from Norman Gugliotta, office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
*Washington, DC, December 2, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

NORMAN GUGLIOTTA.

¶149.10 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. EMMER of Minnesota, laid before the House the following communication from John Nadeau, office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
*Washington, DC, December 2, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JOHN NADEAU.

¶149.11 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. EMMER of Minnesota, laid before the House the following communication from Jacqueline Hurda, office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
*Washington, DC, December 2, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JACQUELINE HURDA.

¶149.12 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. EMMER of Minnesota, laid before the House the following communication from Andrew Todd Caulk, office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
*Washington, DC, December 2, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

ANDREW TODD CAULK.

¶149.13 RECESS—2:19 P.M.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 19 minutes p.m., until approximately 3:45 p.m.

¶149.14 AFTER RECESS—3:46 P.M.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, called the House to order.

¶149.15 IMPROPER PAYMENTS COORDINATION

Mr. MULVANEY moved to suspend the rules and pass the bill of the Senate (S. 614) to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. MULVANEY and Mr. CONNOLLY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶149.16 MICROBEAD-FREE WATERS

Mr. UPTON moved to suspend the rules and pass the bill (H.R. 1321) to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads; as amended.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. UPTON and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally-added plastic microbeads.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶149.17 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2032. An Act to adopt the bison as the national mammal of the United States; to the Committee on Oversight and Government Reform.

¶149.18 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 4, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 22. An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

And then,

¶149.19 ADJOURNMENT

On motion of Mr. UPTON, at 4 o'clock and 12 minutes p.m., the House adjourned.

¶149.20 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 158. A bill to clarify the grounds for ineligibility for travel to the United States regarding terrorism risk, to expand the criteria by which a country may be removed from the Visa Waiver Program, to require the Secretary of Homeland Security to submit a report on strengthening the Electronic System for Travel Authorization to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States, and for other purposes; with an amendment (Rept. 114–369, Pt. 1). Ordered to be printed.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2795. A bill to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event; with an amendment (Rept. 114–370). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1321. A bill to prohibit the sale of distribution of cosmetics containing synthetic plastic microbeads; with amendments (Rept. 114–371). Referred to the Committee of the Whole House on the state of the Union.

¶149.21 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. PINGREE:

H.R. 4184. A bill to decrease the incidence of food waste, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on House Administration, Oversight and Government Reform, Ways and Means, Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself and Ms. DELBENE):

H. Res. 554. A resolution supporting the goals and ideals of ''Computer Science Education Week''; to the Committee on Education and the Workforce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶149.22 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 158: Mr. TROTT, Mr. ROUZER, Mr. LYNCH, Mr. BENISHEK, Ms. LORETTA SANCHEZ of California, Mr. KLINE, Mr. HILL, Mr. THOMPSON of Mississippi, Mrs. HARTZLER, Mr. LANCE, Mr. WESTERMAN, Mr. LONG, Mr. COURTNEY, Mr. ABRAHAM, Mr. ASHFORD, Mr. HENSARLING, Mr. SCHRADER, Mr. COLE, Mr. MCKINLEY, Mr. MEEHAN, Mr. GARAMENDI, Mr. LUETKEMEYER, Mr. HUIZENGA of Michigan, Mr. BOUSTANY, Mr. JENKINS of West Virginia, Ms. DUCKWORTH, Mr. CICILLINE, Mr. ENGEL, Ms. TITUS, Mr. BILIRAKIS, Mrs. LUMMIS, Mr. HUFFMAN, Mr. MILLER of Florida, Mr. BISHOP of Georgia, Mrs. BUSTOS, Mr. WELCH, Mr. ADERHOLT, Mr. SMITH of Nebraska, Mr. POLIS, Mr. MOOLENAAR, Mr. RANGEL, Mr. PERLMUTTER, Mrs. ELLMERS of North Carolina, Mr. DUNCAN of South Carolina, Mr. CARTER of Georgia, Mr. RICHMOND, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MARINO, Mr. PETERSON, Mr. KATKO, Mr. BISHOP of Michigan, Mr. NEWHOUSE, Ms. JENKINS of Kansas, Ms. MCSALLY, and Mr. PERRY.

H.R. 415: Mr. DEFAZIO, Mr. VISCLOSKY, and Mr. CUMMINGS.

H.R. 721: Mr. VARGAS, Ms. NORTON, and Mr. HUFFMAN.

H.R. 865: Mr. TOM PRICE of Georgia.

H.R. 879: Mr. KELLY of Pennsylvania, Mr. JOLLY, Mrs. MIMI WALTERS of California, Mr. ROGERS of Kentucky, and Mr. LAHOOD.

H.R. 985: Mr. PERLMUTTER.

H.R. 997: Mr. FORTENBERRY.

H.R. 1220: Mr. CRAMER.

H.R. 1288: Mr. ROGERS of Kentucky, Mr. HIGGINS, and Mr. O'ROURKE.

H.R. 1321: Ms. MCCOLLUM.

H.R. 1427: Mr. ZELDIN and Mr. KEATING.

H.R. 1482: Mr. SCOTT of Virginia and Mr. ENGEL.

H.R. 1548: Mr. SCOTT of Virginia.

H.R. 1594: Mr. YODER.

H.R. 1595: Mr. DEUTCH and Mr. ROSS.

H.R. 1625: Ms. SEWELL of Alabama, Mr. LARSON of Connecticut, Mr. SEAN PATRICK MALONEY of New York, and Ms. MOORE.

H.R. 1671: Mr. TIPTON and Mr. CHABOT.

H.R. 1769: Mr. STIVERS.

H.R. 2082: Mr. HONDA, Mrs. LAWRENCE, and Mr. CONYERS.

H.R. 2144: Mrs. WALORSKI.

H.R. 2287: Mr. WILLIAMS.

H.R. 2290: Mr. BARLETTA.

H.R. 2302: Ms. CLARKE of New York and Mr. MCGOVERN.

H.R. 2382: Mr. ZELDIN.

H.R. 2404: Mr. MCKINLEY.

H.R. 2500: Mr. LATTA, Mr. BEN RAY LUJÁN of New Mexico, Mr. WEBER of Texas, and Mr. RANGEL.

H.R. 2657: Mr. DENT, Ms. STEFANIK, and Mr. YOUNG of Alaska.

H.R. 2660: Ms. ADAMS and Mr. DANNY K. DAVIS of Illinois.

H.R. 2680: Mrs. DAVIS of California and Ms. BROWNLEY of California.

H.R. 2759: Mr. RUIZ.

H.R. 2847: Mr. FITZPATRICK and Mr. HASTINGS.

H.R. 3061: Mr. VAN HOLLEN.

H.R. 3065: Ms. JUDY CHU of California.

H.R. 3071: Ms. VELÁZQUEZ.

H.R. 3092: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. DAVIS of California, Mr. DOLD, and Mrs. HARTZLER.

H.R. 3222: Mr. LATTA and Mr. MARCHANT.

H.R. 3225: Mr. CRAMER.

H.R. 3280: Mrs. KIRKPATRICK.

H.R. 3323: Mr. COURTNEY.

H.R. 3339: Mr. ROUZER and Mr. BURGESS.

H.R. 3355: Mr. SHERMAN.

H.R. 3381: Mr. YOUNG of Iowa and Mr. SMITH of New Jersey.

H.R. 3384: Ms. SPEIER.

H.R. 3406: Mrs. LOVE.

H.R. 3411: Ms. LORETTA SANCHEZ of California.

H.R. 3437: Mr. DUNCAN of South Carolina, Mr. COLLINS of Georgia, and Mr. HENSARLING.

H.R. 3484: Ms. BROWNLEY of California.

H.R. 3565: Ms. LEE.

H.R. 3639: Mr. LOEBSACK.

H.R. 3700: Mr. MCHENRY.

H.R. 3706: Mr. LANCE and Mr. SERRANO.

H.R. 3734: Mr. MCKINLEY.

H.R. 3760: Ms. ESHOO.

H.R. 3791: Mr. WILLIAMS and Mr. STIVERS.

H.R. 3799: Mr. HARRIS, Mr. AUSTIN SCOTT of Georgia, and Mr. HENSARLING.

H.R. 3848: Mr. LEVIN and Mr. WALBERG.

H.R. 3868: Mr. DOLD.

H.R. 3888: Mr. MEEKS, Ms. KELLY of Illinois, and Mr. TAKANO.

H.R. 3940: Mr. YOUNG of Iowa, Mr. SMITH of New Jersey, and Mr. WALKER.

H.R. 4006: Mr. LOWENTHAL.

H.R. 4007: Mr. ROUZER.

H.R. 4079: Mr. KEATING.

H.R. 4087: Mrs. KIRKPATRICK.

H.R. 4094: Mr. GOSAR, Mr. FRANKS of Arizona, Mr. GRIFFITH, and Mr. SALMON.

H.R. 4132: Mr. YOUNG of Alaska.

H.R. 4138: Mr. HUELSKAMP and Mr. JONES.

H.R. 4163: Mr. MURPHY of Florida.

H.R. 4171: Mr. QUIGLEY and Mr. ISRAEL.

H.R. 4177: Ms. GABBARD.

H.R. 4178: Ms. JUDY CHU of California.

H.J. Res. 33: Mr. JODY B. HICE of Georgia.

H. Res. 32: Mr. CARSON of Indiana and Ms. WILSON of Florida.

H. Res. 110: Mr. ROSKAM.

H. Res. 289: Mr. MCGOVERN.

H. Res. 467: Mr. VARGAS, Ms. BROWNLEY of California, Mr. PETERS, Mr. CROWLEY, Ms. JUDY CHU of California, Mr. PALLONE, Mr. RUIZ, and Mr. NADLER.

H. Res. 494: Mr. COLLINS of Georgia.

H. Res. 536: Mr. WEBER of Texas, Mr. SHERMAN, Mr. CRENSHAW, Mr. KEATING, Ms. WILSON of Florida, Mr. DONOVAN, Mr. DEUTCH, Ms. FRANKEL of Florida, and Mr. CHABOT.

H. Res. 538: Mr. QUIGLEY.

H. Res. 548: Ms. SCHAKOWSKY and Mr. SMITH of Washington.

H. Res. 553: Mr. AUSTIN SCOTT of Georgia and Mr. GRAVES of Missouri.

## TUESDAY, DECEMBER 8, 2015 (150)

¶150.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. JOLLY, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*December 8, 2015.*

I hereby appoint the Honorable DAVID W. JOLLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

¶150.2 RECESS—10:45 A.M.

The SPEAKER pro tempore, Mr. JOLLY, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 45 minutes a.m., until noon.

¶150.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶150.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, December 7, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

¶150.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3694. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3695. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's Major final rule — Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food; Clarification of Compliance Date for Certain Food Establishments [Docket No.: FDA-2011-N-0920] (RIN: 0910-AG36) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3696. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's Major final rule — Accreditation of Third-Party Certification Bodies To Conduct Food Safety Audits and To Issue Certifications [Docket No.: FDA-2011-N-0146] (RIN: 0910-AG66) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3697. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's Major final rule — Foreign Supplier Verification Programs for Importers of Food for Humans and Animals [Docket No.: FDA-2011-N-0143] (RIN: 0910-AG64) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3698. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's Major final rule — Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption [Docket No.: FDA-2011-N-0921] (RIN: 0910-AG35) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3699. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; SC; Redesignation of the Charlotte-Rock Hill, 2008 8-Hour Ozone Nonattainment Area to Attainment [EPA-RO4-OAR-2015-0298; FRL-9939-66-Region 4] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3700. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Minnesota; Transportation Conformity Procedures [EPA-R05-2015-0563; FRL-9939-80-Region 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3701. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Wisconsin; Wisconsin State Board Requirements [EPA-R05-OAR-2015-0464; FRL-9939-78-Region 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3702. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyamide ester polymers; Tolerance Exemption [EPA-HQ-OPP-2015-0451; FRL-9939-28] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3703. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Renewable Fuel Standard Program: Standards for 2014, 2015, and 2016 and Biomass-Based Diesel Volume for 2017 [EPA-HQ-OAR-2015-0111; FRL-9939-72-OAR] (RIN: 2060-AS22) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3704. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Wisconsin; Disapproval of Infrastructure SIP with respect to oxides of nitrogen as a precursor to ozone provisions for the 2006 PM2.5 NAAQS [EPA-R05-OAR-2009-0805; FRL-9939-77-Region 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3705. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Turkey, Transmittal No. 14-01, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, and certification, pursuant to 22 U.S.C. 2373(d); Public Law 87-195, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3706. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-092, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3707. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-106, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

3708. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-060, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3709. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-049, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3710. A letter from the Assistant Legal Advisor, Office of Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d) Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

3711. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's correcting amendments — Wassenaar Arrangement 2014 Plenary Agreements Implementation and Country Policy Amendments; Correction [Docket No.: 150304217-5727-02] (RIN: 0694-AG44) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3712. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to India, Transmittal No. 0B-16, pursuant to Sec. 36(b)(5)(C) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3713. A letter from the Acting Administrator, Agency for International Development, transmitting the Agency's Semiannual Report to the Congress for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3714. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Commission's semiannual report for the period April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3715. A letter from the Secretary, Department of Education, transmitting the Department's Semiannual Report to Congress on Audit Follow-up for the period ending September 30, 2015, pursuant to µ5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3716. A letter from the Assistant Director, Senior Executive Management Office, Department of the Army, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3717. A letter from the Assistant Director, Senior Executive Management Office, Department of the Army, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3718. A letter from the Director, Federal Housing Finance Agency, transmitting the Agency's Semiannual Report to Congress for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3719. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the Board's Semiannual Report for the period April 1, 2015, to September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3720. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3721. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's sixth annual report regarding compliance of federal departments and agencies with providing relevant information to the National Instant Criminal Background Check System, pursuant to 18 U.S.C. 922 note; Public Law 103-159, Sec. 103(e)(1)(E) (as added by Public Law 110-180, Sec. 101(a)); (121 Stat. 2561) (121 Stat. 2561); to the Committee on the Judiciary.

3722. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's 2014 Annual Report of the National Institute of Justice, pursuant to Public Law 90-351 and Public Law 107-296; to the Committee on the Judiciary.

3723. A letter from the Secretary, Department of Transportation, transmitting the Department's Letter Report to Congress on the 2015 Fundamental Properties of Asphalts and Modified Asphalts — III, pursuant to Public Law 102-240, Sec. 6016(e); (105 Stat. 2183); to the Committee on Transportation and Infrastructure.

3724. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 31048; Amdt. No.: 523] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3725. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2015-0787; Directorate Identifier 2015-NE-10-AD; Amendment 39-18307; AD 2015-22-03] (RIN: 2120-AA64) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3726. A letter from the Assistant Administrator for Procurement, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Federal Acquisition Regulation Supplement: NASA Capitalization Threshold (NFS Case 2015-N004) (RIN: 2700-AE23) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

3727. A letter from the Chief Impact Analyst, Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's final rule — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Updating References (RIN: 2900-AP03) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3728. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — December 2015 (Rev. Rule. 2015-25) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3729. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2016 Section 1274A CPI Adjustments (Rev. Rul. 2015-24) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3730. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Safe harbor method of accounting for retail establishments and restaurants (Rev. Proc. 2015-56) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3731. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicaid Program; Mechanized Claims Processing and Information Retrieval Systems (90/10) [CMS-2392-F] (RIN: 0938-AS53) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

## ¶150.6 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, December 4, 2015.*

Hon. PAUL D. RYAN,
*Office of the Speaker,*
*Washington, DC.*

MR. SPEAKER, In light of my recent appointment as Chairman of the Human Resource Subcommittee on Ways and Means, I hereby resign my position on the House Budget Committee.

Best Regards,
CONGRESSMAN VERN BUCHANAN,
*Member of Congress.*

## ¶150.7 COMMITTEE ELECTION—MAJORITY

Ms. FOXX, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 555):

*Resolved,* That the following named member be, and is hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON THE BUDGET: Mr. Renacci.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

## ¶150.8 MOTION TO ADJOURN

Mr. THOMPSON of California, moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. GRAVES of Louisiana, announced that the noes had it.

Mr. THOMPSON of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 0 / Nays ..... 399

¶150.9 [Roll No. 674]

NAYS—399

| | | |
|---|---|---|
| Abraham | DeSaulnier | Katko |
| Adams | Diaz-Balart | Keating |
| Aderholt | Dingell | Kelly (IL) |
| Allen | Doggett | Kelly (MS) |
| Amash | Dold | Kelly (PA) |
| Amodei | Doyle, Michael F. | Kennedy |
| Ashford | Duckworth | Kildee |
| Babin | Duffy | Kilmer |
| Barletta | Duncan (SC) | Kind |
| Barr | Duncan (TN) | King (IA) |
| Barton | Edwards | King (NY) |
| Bass | Ellison | Kinzinger (IL) |
| Beatty | Ellmers (NC) | Kirkpatrick |
| Becerra | Emmer (MN) | Kline |
| Benishek | Engel | Knight |
| Bera | Eshoo | Kuster |
| Beyer | Esty | Labrador |
| Bilirakis | Farenthold | LaHood |
| Bishop (GA) | Farr | LaMalfa |
| Bishop (UT) | Fincher | Lamborn |
| Black | Fitzpatrick | Lance |
| Blackburn | Fleischmann | Langevin |
| Blum | Fleming | Larsen (WA) |
| Blumenauer | Flores | Latta |
| Bonamici | Forbes | Lawrence |
| Bost | Fortenberry | Lee |
| Boustany | Foster | Levin |
| Boyle, Brendan F. | Foxx | Lieu, Ted |
| Brady (PA) | Frankel (FL) | Lipinski |
| Brady (TX) | Franks (AZ) | LoBiondo |
| Brat | Frelinghuysen | Loebsack |
| Brooks (IN) | Fudge | Lofgren |
| Brown (FL) | Gabbard | Long |
| Brownley (CA) | Gallego | Loudermilk |
| Buchanan | Garamendi | Love |
| Buck | Garrett | Lowenthal |
| Bucshon | Gibson | Lowey |
| Burgess | Goodlatte | Lucas |
| Bustos | Gosar | Luetkemeyer |
| Byrne | Gowdy | Lujan Grisham (NM) |
| Calvert | Graham | Luján, Ben Ray (NM) |
| Capps | Granger | Lummis |
| Capuano | Graves (GA) | Lynch |
| Carney | Graves (LA) | MacArthur |
| Carson (IN) | Graves (MO) | Maloney, Carolyn |
| Carter (GA) | Grayson | Maloney, Sean |
| Carter (TX) | Green, Al | Marchant |
| Cartwright | Green, Gene | Marino |
| Castor (FL) | Griffith | Massie |
| Castro (TX) | Grijalva | Matsui |
| Chabot | Grothman | McCarthy |
| Chaffetz | Guinta | McCaul |
| Chu, Judy | Guthrie | McClintock |
| Cicilline | Gutiérrez | McCollum |
| Clark (MA) | Hahn | McDermott |
| Clarke (NY) | Hanna | McGovern |
| Clawson (FL) | Hardy | McHenry |
| Clay | Harper | McKinley |
| Cleaver | Hartzler | McMorris Rodgers |
| Clyburn | Heck (NV) | McNerney |
| Coffman | Heck (WA) | McSally |
| Cohen | Hensarling | Meadows |
| Cole | Herrera Beutler | Meehan |
| Collins (GA) | Hice, Jody B. | Meeks |
| Collins (NY) | Higgins | Messer |
| Comstock | Hill | Mica |
| Conaway | Himes | Miller (FL) |
| Connolly | Hinojosa | Miller (MI) |
| Conyers | Holding | Moolenaar |
| Cook | Honda | Moore |
| Cooper | Hoyer | Moulton |
| Costa | Hudson | Mullin |
| Costello (PA) | Huelskamp | Mulvaney |
| Courtney | Huffman | Murphy (FL) |
| Cramer | Huizenga (MI) | Murphy (PA) |
| Crawford | Hultgren | Nadler |
| Crenshaw | Hunter | Napolitano |
| Crowley | Hurd (TX) | Neugebauer |
| Cuellar | Hurt (VA) | Newhouse |
| Culberson | Israel | Noem |
| Cummings | Issa | Nolan |
| Curbelo (FL) | Jackson Lee | Norcross |
| Davis (CA) | Jeffries | Nugent |
| Davis, Danny | Jenkins (KS) | Nunes |
| Davis, Rodney | Jenkins (WV) | O'Rourke |
| DeFazio | Johnson (GA) | Olson |
| DeGette | Johnson (OH) | Palazzo |
| Delaney | Johnson, E. B. | Pallone |
| DeLauro | Jolly | Palmer |
| DelBene | Jones | Pascrell |
| Denham | Jordan | |
| Dent | Joyce | |
| DeSantis | Kaptur | |

Paulsen
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—34

Aguilar
Bishop (MI)
Bridenstine
Brooks (AL)
Butterfield
Cárdenas
DesJarlais
Deutch
Donovan
Fattah
Gibbs
Gohmert
Harris
Hastings
Johnson, Sam
Larson (CT)
Lewis
Meng
Mooney (WV)
Neal
Payne
Perlmutter
Posey
Ribble
Richmond
Rohrabacher
Rooney (FL)
Ruppersberger
Rush
Schiff
Scott, David
Sires
Takai
Young (AK)

So the motion to adjourn was not agreed to.

¶150.10 FEDERAL LAW ENFORCEMENT TRAINING CENTERS REFORM AND IMPROVEMENT

Mr. CARTER of Georgia, moved to suspend the rules and pass the bill (H.R. 3842) to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. KELLY of Mississippi, recognized Mr. CARTER of Georgia, and Mrs. TORRES, each for 20 minutes.

After debate,

¶150.11 MOTION TO ADJOURN

Mr. KILDEE moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. KELLY of Mississippi, announced that the noes had it.

Mr. KILDEE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 0; Nays ..... 405; Answered present 2

¶150.12 [Roll No. 675]

NAYS—405

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—2

Johnson, E. B.
Young (AK)

NOT VOTING—26

Aguilar
Bishop (MI)
Bridenstine
Capuano
Comstock
Davis, Rodney
Donovan
Fattah
Franks (AZ)
Harris
Hartzler
Hastings
Johnson, Sam
Kelly (IL)
King (IA)
Lewis
Loudermilk
Love
Mooney (WV)
Perlmutter
Roskam
Ruppersberger
Rush
Takai
Takano
Wittman

So the motion to adjourn was not agreed to.

After further debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. KELLY of Mississippi, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CARTER of Georgia, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. KELLY of Mississippi, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶150.13 MOTION TO ADJOURN

Mr. SWALWELL of California, moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. KELLY of Mississippi, announced that the noes had it.

Mr. SWALWELL of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative .....

| | |
|---|---|
| Yeas ..... | 3 |
| Nays ..... | 399 |
| Answered present | 2 |

¶150.14 [Roll No. 676]

YEAS—3

Cleaver DeFazio Lipinski

NAYS—399

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Zeldin

ANSWERED ''PRESENT''—2

Johnson, E. B. Young (AK)

NOT VOTING—29

Aguilar
Bishop (MI)
Bridenstine
Cárdenas
Costa
Davis, Danny
Diaz-Balart
Donovan
Edwards
Franks (AZ)
Graham
Hunter
Johnson, Sam
Lewis
Lummis
Lynch
Marchant
Mooney (WV)
Perlmutter
Ribble
Rush
Schrader
Scott, David
Sires
Smith (NJ)
Takai
Tipton
Young (IN)
Zinke

So the motion to adjourn was not agreed to.

¶150.15 HSA TECHNICAL CORRECTIONS

Mr. PERRY moved to suspend the rules and pass the bill (H.R. 3859) to make technical corrections to the Homeland Security Act of 2002; as amended.

The SPEAKER pro tempore, Mr. KELLY of Mississippi, recognized Mr. PERRY and Ms. JACKSON LEE, each for 20 minutes.

After debate,

¶150.16 MOTION TO ADJOURN

Ms. SPEIER moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. KELLY of Mississippi, announced that the noes had it.

Ms. SPEIER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative .....

| | |
|---|---|
| Yeas ..... | 4 |
| Nays ..... | 394 |
| Answered present | 2 |

¶150.17 [Roll No. 677]

YEAS—4

DeFazio Johnson, E. B.
Harris Peterson

NAYS—394

Abraham
Adams
Aderholt
Allen
Amash
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)

Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—2

Cohen
Lipinski

NOT VOTING—33

Aguilar
Amodei
Bass
Bishop (MI)
Cicilline
Clay
Collins (NY)
Costa
Davis, Danny
Deutch
Dingell
Donovan
Edwards
Granger
Grijalva
Gutiérrez
Hartzler
Huffman
Jeffries
Johnson, Sam
Lewis
Lummis
Mooney (WV)
Murphy (PA)
Perlmutter
Pittenger
Rush
Russell
Schrader
Scott, David
Takai
Titus
Young (AK)

So the motion to adjourn was not agreed to.

After further debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶150.18 MOTION TO ADJOURN

Mrs. CAPPS moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that the noes had it.

Mrs. CAPPS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative .....

| | |
|---|---|
| Yeas ..... | 7 |
| Nays ..... | 398 |
| Answered present | 4 |

¶150.19 [Roll No. 678]

YEAS—7

DeFazio
Farr
Harris
Johnson, E. B.
Labrador
Massie
Peterson

NAYS—398

Abraham
Adams
Aderholt
Allen
Amash
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larson (CT)
Latta
Lawrence
Lee
Levin
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—4

Cohen
Lipinski
Richmond
Young (AK)

NOT VOTING—24

Aguilar
Amodei
Bishop (MI)
Bishop (UT)
Cárdenas
Cole
Dingell
Donovan
Garamendi
Grijalva
Johnson, Sam
Larsen (WA)
Lewis
Lummis
Mooney (WV)
Mulvaney
Perlmutter
Roskam
Rush
Russell
Schrader
Scott, David
Simpson
Takai

So the motion to adjourn was not agreed to.

¶150.20 VISA WAIVER PROGRAM IMPROVEMENT

Mr. GOODLATTE moved to suspend the rules and pass the bill (H.R. 158) to clarify the grounds for ineligibility for travel to the United States regarding terrorism risk, to expand the criteria

by which a country may be removed from the Visa Waiver Program, to require the Secretary of Homeland Security to submit a report on strengthening the Electronic System for Travel Authorization to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. GOODLATTE and Ms. LOFGREN, each for 20 minutes.

By unanimous consent, the time for debate was extended by 20 minutes to be equally divided and controlled by Mr. GOODLATTE and Ms. LOFGREN.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GOODLATTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. COLLINS of New York, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶150.21 PROVIDING FOR CONSIDERATION OF H.R. 2130 AND MOTIONS TO SUSPEND THE RULES

Mr. NEWHOUSE, by direction of the Committee on Rules, reported (Rept. No. 114–375) the resolution (H. Res. 556) providing for consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes, and providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶150.22 H.R. 158—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of New York, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 158) to clarify the grounds for ineligibility for travel to the United States regarding terrorism risk, to expand the criteria by which a country may be removed from the Visa Waiver Program, to require the Secretary of Homeland Security to submit a report on strengthening the Electronic System for Travel Authorization to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 407 / Nays ..... 19

¶150.23 [Roll No. 679]

YEAS—407

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—19

Bass
Clarke (NY)
Conyers
Dingell
Ellison
Farr
Grijalva
Honda
Johnson (GA)
Kildee
Lawrence
Lee
McDermott
Pocan
Schakowsky
Takano
Waters, Maxine
Watson Coleman
Wilson (FL)

NOT VOTING—7

Aguilar
Bishop (MI)
Donovan
Johnson, Sam
Lewis
Perlmutter
Rush

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Immigration and Nationality Act to provide enhanced security measures for the visa waiver program, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶150.24 H.R. 3842—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of New York, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3842) to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 420 Nays ..... 2

¶150.25 [Roll No. 680]

YEAS—420

Abraham
Adams
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Amash
Massie

NOT VOTING—11

Aguilar
Bishop (MI)
Donovan
Johnson, Sam
Keating
Lewis
Lieu, Ted
Lowenthal
Perlmutter
Rush
Velázquez

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶150.26 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. TIBERI, by unanimous consent, that the managers on the part of the House have until midnight tonight to file the conference report on the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes.

¶150.27 CRITICAL ACCESS AND RURAL HOSPITALS OUTPATIENT THERAPEUTIC SERVICES

On motion of Mr. BURGESS, by unanimous consent, the Committee on Energy and Commerce and the Committee on Ways and Means, were discharged from further consideration of the bill of the Senate (S. 1461) to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶150.28 PHYLLIS E. GALANTI ARBORETUM

On motion of Mr. MILLER of Florida, by unanimous consent, the Committee on Veterans' Affairs was discharged from further consideration of the bill (H.R. 2693) to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶150.29 FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY

Mr. POE of Texas, moved to suspend the rules and pass the bill (H.R. 3766) to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. Mimi WALTERS of California, recognized Mr. POE of Texas, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. Mimi WALTERS of California, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶150.30 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. LEWIS, for today; and

To Mr. MOONEY of West Virginia, for today until 4:30 p.m.

And then,

¶150.31 ADJOURNMENT

On motion of Mr. GOHMERT, at 7 o'clock and 37 minutes p.m., the House adjourned.

¶150.32 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 3578. A bill to amend the Homeland Security Act of 2002 to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes; with an amendment (Rept. 114–372). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 974. A bill to direct the Secretary of the Interior to promulgate regulations to allow the use of hand-propelled vessels on certain rivers and streams that flow in and through certain Federal lands in Yellowstone National Park, Grand Teton National Park, the John D. Rockefeller, Jr. Memorial Parkway, and for other purposes; with an amendment (Rept. 114–373). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1452. A bill to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance (Rept. 114–374). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 556. Resolution providing for consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes, and providing for consideration of motions to suspend the rules (Rept. 114–375). Referred to the House Calendar.

¶150.33 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TOM PRICE of Georgia (for himself, Mrs. MCMORRIS RODGERS, Mrs. BLACKBURN, Ms. DUCKWORTH, Mr. LOEBSACK, Mr. RYAN of Ohio, Mr. ROE of Tennessee, Mrs. NOEM, Mr. KING of New York, Mr. ZINKE, Mr. TIPTON, Mr. BLUM, Mr. CRAMER, Mr. MCCLINTOCK, Mr. KEATING, Mr. DUNCAN of Tennessee, Mrs. ELLMERS of North Carolina, Mr. HARPER, and Mr. AUSTIN SCOTT of Georgia):

H.R. 4185. A bill to make adjustments, including by amending title XVIII of the Social Security Act, relating to competitive bidding program and durable medical equipment under the Medicare program, to amend such title to establish a DMEPOS market pricing program demonstration project, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT (for himself and Mr. ASHFORD):

H.R. 4186. A bill to add support of a foreign terrorist organization to the list of acts for which United States nationals would lose their nationality, and for other purposes; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY (for herself, Mr. PALLONE, Mr. RUSH, Mr. TONKO, Mr. WELCH, Mr. KENNEDY, Mr. SARBANES, and Mr. BUTTERFIELD):

H.R. 4187. A bill to require certain entities who collect and maintain personal information of individuals to secure such information and to provide notice to such individuals in the case of a breach of security involving such information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUNTER (for himself, Mr. GARAMENDI, Mr. SHUSTER, and Mr. DEFAZIO):

H.R. 4188. A bill to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FINCHER (for himself and Mr. LUETKEMEYER):

H.R. 4189. A bill to amend the Foreign Assistance Act of 1961 to require congressional approval of rescissions of determinations of countries as state sponsors of terrorism and waivers of prohibitions on assistance to state sponsors of terrorism under that Act; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI:

H.R. 4190. A bill to promote innovation, investment, and economic growth by accelerating spectrum efficiency through a challenge prize competition; to the Committee on Energy and Commerce.

By Ms. PLASKETT:

H.R. 4191. A bill to establish a program that enables college-bound residents of the United States Virgin Islands to have greater choices among institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TIBERI (for himself, Mr. RANGEL, Mr. YOUNG of Indiana, Mr. LARSON of Connecticut, Mr. NEAL, and Mr. PAULSEN):

H.R. 4192. A bill to amend the Internal Revenue Code of 1986 to clarify the valuation rule applicable to the early termination of certain charitable remainder unitrusts; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 4193. A bill to authorize the expansion of an existing hydroelectric project; to the Committee on Natural Resources.

By Ms. FOXX:

H. Res. 555. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. LARSON of Connecticut (for himself and Mr. COLE):

H. Res. 557. A resolution recognizing the establishment of the Congressional Patriot Award and congratulating the first award recipients, Sam Johnson and John Lewis, for their patriotism and selfless service to the country; to the Committee on House Administration.

By Ms. DEGETTE (for herself, Ms. ADAMS, Mr. ASHFORD, Ms. BASS, Mrs. BEATTY, Mr. BECERRA, Mr. BERA, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DANNY K. DAVIS of Illinois, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FATTAH, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEGO, Mr. GARAMENDI, Ms. GRAHAM, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HECK of Washington, Mr. HINOJOSA, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. LEWIS, Mr. TED LIEU of California, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NORCROSS, Ms. NORTON, Mr. PALLONE, Mr. PAYNE, Ms. PELOSI, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Miss RICE of New York, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. SHERMAN, Ms. SINEMA, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKAI, Mr. TAKANO, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. GENE GREEN of Texas, Mr. CASTRO of Texas, Mr. CARSON of Indiana, Mr. COURTNEY, Mr. HOYER, Mr. LYNCH, Mr. O'ROURKE, Mr. HANNA, Mr. SCHRADER, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, and Mr. COSTA):

H. Res. 558. A resolution condemning violence that targets healthcare for women; to the Committee on the Judiciary.

¶150.34 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. CARTER of Georgia.

H.R. 158: Mr. ROYCE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. WOODALL, and Mr. GRAVES of Louisiana.

H.R. 213: Mr. NADLER.
H.R. 224: Mr. CAPUANO, Mr. SARBANES, Ms. CASTOR of Florida, Mr. MURPHY of Florida, Mr. LARSEN of Washington, and Mr. HIMES.
H.R. 225: Ms. BONAMICI.
H.R. 226: Ms. SCHAKOWSKY and Mr. KEATING.
H.R. 250: Mr. MOULTON.
H.R. 353: Mr. DEFAZIO.
H.R. 358: Mr. DEFAZIO.
H.R. 393: Mr. ZELDIN.
H.R. 472: Mr. COOK.
H.R. 512: Mr. SENSENBRENNER.
H.R. 539: Mr. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. YARMUTH, and Ms. PLASKETT.
H.R. 546: Mr. LARSEN of Washington.
H.R. 565: Mr. FOSTER.
H.R. 592: Mr. MCNERNEY, Ms. SEWELL of Alabama, and Mr. BARTON.
H.R. 699: Mr. JODY B. HICE of Georgia.
H.R. 731: Mr. CUMMINGS, Mr. DESJARLAIS, Mr. JOHNSON of Georgia, Mrs. WATSON COLEMAN, and Mr. SMITH of Washington.
H.R. 759: Mr. TED LIEU of California.
H.R. 793: Ms. SLAUGHTER and Ms. SEWELL of Alabama.
H.R. 879: Ms. JENKINS of Kansas, Mr. CRAMER, and Mrs. HARTZLER.
H.R. 911: Mr. RYAN of Ohio and Mrs. LUMMIS.
H.R. 920: Mr. MCGOVERN.
H.R. 921: Mrs. BROOKS of Indiana and Mr. COFFMAN.
H.R. 973: Mr. KATKO.
H.R. 1002: Ms. ROS-LEHTINEN and Mr. CARTWRIGHT.
H.R. 1076: Ms. MENG, Ms. BROWNLEY of California, Ms. SINEMA, Mrs. CAPPS, Ms. CLARK of Massachusetts, Mr. SEAN PATRICK MALONEY of New York, Ms. KAPTUR, Mr. POLIS, Mr. SIRES, Mr. WELCH, Mr. BRADY of Pennsylvania, Ms. ESHOO, Mr. YARMUTH, Mr. SWALWELL of California, Mr. AGUILAR, Ms. FRANKEL of Florida, Ms. TSONGAS, Mrs. TORRES, Ms. HAHN, Mr. LYNCH, Ms. ADAMS, Mr. VISCLOSKY, Mr. VARGAS, Ms. LEE, Mr. LOEBSACK, Mr. SHERMAN, Mr. JEFFRIES, Mr. CÁRDENAS, Ms. JACKSON LEE, and Mr. ASHFORD.
H.R. 1116: Mr. HUIZENGA of Michigan, Mr. YODER, Mr. COSTELLO of Pennsylvania, and Mrs. MILLER of Michigan.
H.R. 1197: Mr. KINZINGER of Illinois.
H.R. 1283: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1453: Mr. WALDEN.
H.R. 1457: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1475: Mr. MICA.
H.R. 1505: Mr. FORTENBERRY.
H.R. 1559: Mr. ASHFORD.
H.R. 1571: Mr. PRICE of North Carolina, Mr. JOHNSON of Georgia, and Mrs. KIRKPATRICK.
H.R. 1586: Ms. ESTY.
H.R. 1608: Mr. WILLIAMS, Mr. TONKO, Mr. WALDEN, and Mr. TAKAI.
H.R. 1655: Mr. CUELLAR and Mr. KENNEDY.
H.R. 1713: Mr. LOWENTHAL.
H.R. 1733: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1769: Ms. ESHOO.
H.R. 1786: Mr. NEWHOUSE, Mrs. WALORSKI, Mr. REICHERT, Mr. YOUNG of Alaska, and Mr. LUCAS.
H.R. 1814: Mr. DOGGETT.
H.R. 1818: Mr. BOUSTANY.
H.R. 1854: Mr. CURBELO of Florida and Mr. KATKO.
H.R. 1893: Mr. LATTA.
H.R. 1901: Mr. SESSIONS and Mr. BABIN.
H.R. 2046: Mr. GRIFFITH.
H.R. 2050: Mr. LAHOOD.
H.R. 2191: Ms. LOFGREN.
H.R. 2241: Ms. MCCOLLUM.
H.R. 2264: Mr. CARNEY and Ms. JENKINS of Kansas.
H.R. 2287: Mr. MCHENRY.
H.R. 2311: Mr. LOEBSACK.
H.R. 2315: Mr. YOUNG of Iowa.
H.R. 2380: Mr. CROWLEY.
H.R. 2449: Ms. ESTY, Mr. MCNERNEY, Mrs. KIRKPATRICK, Mr. NORCROSS, Mr. CAPUANO, and Mr. WELCH.
H.R. 2513: Mr. POMPEO.
H.R. 2515: Mr. MCNERNEY, Mr. DOGGETT, Mr. FITZPATRICK, Mr. BEN RAY LUJÁN of New Mexico, Ms. MCCOLLUM, and Mr. CONNOLLY.
H.R. 2521: Mr. SMITH of Washington.
H.R. 2536: Mr. MCKINLEY.
H.R. 2540: Mr. ROE of Tennessee.
H.R. 2566: Mr. LAMALFA.
H.R. 2646: Mr. BRADY of Pennsylvania and Mr. LAHOOD.
H.R. 2649: Mr. MARCHANT.
H.R. 2680: Mr. RYAN of Ohio and Mr. GARAMENDI.
H.R. 2698: Mr. SMITH of Nebraska.
H.R. 2799: Mr. RUIZ and Ms. ESHOO.
H.R. 2818: Mrs. BROOKS of Indiana.
H.R. 2847: Mrs. BROOKS of Indiana.
H.R. 2858: Mr. GUTIÉRREZ.
H.R. 2880: Mr. SMITH of Washington and Ms. TITUS.
H.R. 2894: Mr. DEFAZIO.
H.R. 2896: Mr. SENSENBRENNER.
H.R. 2903: Mr. CLAY, Mrs. DINGELL, and Ms. TSONGAS.
H.R. 2908: Mrs. LAWRENCE, Ms. SCHAKOWSKY, and Mr. KIND.
H.R. 3036: Mr. MEEHAN, Mr. HANNA, Mr. LANCE, Ms. SLAUGHTER, and Mr. STIVERS.
H.R. 3051: Mr. TED LIEU of California, Ms. BROWNLEY of California, Mr. RUPPERSBERGER, and Ms. ESHOO.
H.R. 3099: Mrs. NAPOLITANO and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 3110: Mr. BYRNE.
H.R. 3119: Mr. COHEN.
H.R. 3164: Mr. CAPUANO.
H.R. 3193: Ms. ESHOO.
H.R. 3222: Mr. WEBER of Texas, Mr. PALAZZO, and Mr. KELLY of Mississippi.
H.R. 3229: Ms. MCCOLLUM, Mr. FITZPATRICK, Mr. BLUM, Mr. VALADAO, Mr. AMODEI, Mr. SCHWEIKERT, Mr. LANCE, Mr. CROWLEY, and Mr. KING of Iowa.
H.R. 3237: Mr. GRIJALVA.
H.R. 3326: Mr. KENNEDY.
H.R. 3359: Miss RICE of New York.
H.R. 3406: Mr. CURBELO of Florida.
H.R. 3441: Mrs. HARTZLER.
H.R. 3445: Mr. HONDA.
H.R. 3455: Mr. CROWLEY and Mr. DOLD.
H.R. 3463: Mr. COLLINS of New York.
H.R. 3516: Mr. BISHOP of Utah, Mr. GRIFFITH, Mr. PETERSON, and Mr. THORNBERRY.
H.R. 3532: Mr. ROKITA and Mr. WALBERG.
H.R. 3551: Mr. GRAYSON.
H.R. 3556: Mrs. CAPPS.
H.R. 3565: Mr. SWALWELL of California.
H.R. 3654: Mr. HIGGINS, Mr. KEATING, Mr. ROSS, Ms. FRANKEL of Florida, and Mr. BERA.
H.R. 3683: Ms. TSONGAS.
H.R. 3687: Ms. DUCKWORTH.
H.R. 3706: Mr. DENT, Ms. LOFGREN, Mr. SMITH of Texas, and Ms. ESHOO.
H.R. 3734: Mr. BOST.
H.R. 3742: Mr. RIGELL, Mr. GOODLATTE, Mr. FORBES, Mr. LANCE, and Mr. CARTWRIGHT.
H.R. 3750: Ms. JACKSON LEE.
H.R. 3760: Ms. TSONGAS.
H.R. 3766: Mr. SMITH of Washington, Mrs. BROOKS of Indiana, and Mr. ROYCE.
H.R. 3770: Ms. LOFGREN.
H.R. 3785: Ms. DELAURO and Ms. KAPTUR.
H.R. 3790: Mr. HONDA.
H.R. 3795: Mr. HONDA.
H.R. 3852: Mr. CARTWRIGHT.
H.R. 3861: Mr. CRAWFORD.
H.R. 3872: Ms. LEE, Mr. BUTTERFIELD, and Ms. FUDGE.
H.R. 3917: Mr. KINZINGER of Illinois, Mr. SIRES, Mr. ROSS, and Mr. COSTA.
H.R. 3940: Mr. VISCLOSKY, Mr. ALLEN, Mr. LATTA, and Mr. BROOKS of Alabama.
H.R. 3943: Mr. BUTTERFIELD.
H.R. 3944: Mr. POCAN and Mr. BUTTERFIELD.
H.R. 3946: Mrs. LOVE.
H.R. 3978: Ms. KUSTER.
H.R. 4000: Mrs. BROOKS of Indiana.
H.R. 4007: Mr. LOUDERMILK.
H.R. 4008: Ms. KAPTUR.
H.R. 4016: Mr. MCHENRY.
H.R. 4019: Ms. DELBENE.
H.R. 4029: Mr. ASHFORD and Mr. FORTENBERRY.
H.R. 4032: Mr. YODER.
H.R. 4055: Mr. RANGEL.
H.R. 4063: Mr. POCAN, Mr. RIBBLE, Mr. SENSENBRENNER, and Mr. ASHFORD.
H.R. 4065: Mr. CRENSHAW.
H.R. 4073: Mr. SENSENBRENNER.
H.R. 4076: Mr. LYNCH.
H.R. 4084: Mr. POSEY.
H.R. 4085: Mr. RENACCI.
H.R. 4087: Mrs. DINGELL and Mr. BISHOP of Utah.
H.R. 4100: Mr. LUETKEMEYER.
H.R. 4113: Ms. LOFGREN and Mr. CARTWRIGHT.
H.R. 4122: Mr. PETERSON.
H.R. 4135: Mr. LARSEN of Washington, Ms. FRANKEL of Florida, Mr. CARNEY, and Mr. HONDA.
H.R. 4141: Mrs. NOEM.
H.R. 4144: Mr. LANGEVIN, Ms. DELAURO, Ms. KAPTUR, Mr. HASTINGS, Ms. MATSUI, Ms. TSONGAS, Ms. SLAUGHTER, and Mrs. KIRKPATRICK.
H.R. 4148: Ms. MCCOLLUM.
H.R. 4154: Mr. CONNOLLY.
H.R. 4171: Ms. SCHAKOWSKY, Ms. DUCKWORTH, and Ms. MENG.
H.R. 4180: Mr. MULVANEY.
H.J. Res. 33: Mr. BYRNE.
H.J. Res. 47: Mr. LOEBSACK, Mr. MOULTON, and Mr. KENNEDY.
H.J. Res. 50: Mr. BRAT.
H. Con. Res. 97: Mr. LUCAS, Mrs. HARTZLER, and Mr. PALAZZO.
H. Con. Res. 98: Ms. FUDGE.
H. Con. Res. 99: Mr. ADERHOLT and Mr. BOUSTANY.
H. Res. 54: Mr. BISHOP of Michigan.
H. Res. 265: Mrs. BEATTY, Mr. POCAN, Mrs. DINGELL, Mr. PAYNE, and Mr. COSTELLO of Pennsylvania.
H. Res. 289: Mr. FATTAH.
H. Res. 346: Mr. PITTENGER and Mr. MEADOWS.
H. Res. 383: Ms. KAPTUR.
H. Res. 469: Mr. SENSENBRENNER and Mr. NUGENT.
H. Res. 536: Mr. BILIRAKIS, Mr. HIGGINS, Mr. YOHO, Mr. CLAWSON of Florida, and Mr. CASTRO of Texas.
H. Res. 541: Mr. KEATING.
H. Res. 549: Mr. MCGOVERN, Mr. MEEKS, Mr. PETERS, Ms. JACKSON LEE, Mr. QUIGLEY, Mr. ELLISON, Mr. CARNEY, and Mrs. NAPOLITANO.
H. Res. 551: Mr. DEUTCH and Mrs. WAGNER.

## WEDNESDAY, DECEMBER 9, 2015 (151)

¶151.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. FLEISCHMANN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*December 9, 2015.*

I hereby appoint the Honorable CHARLES J. ''CHUCK'' FLEISCHMANN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members

were recognized for morning-hour debate.

¶151.2 RECESS—10:48 A.M.

The SPEAKER pro tempore, Mr. FLEISCHMANN, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 48 minutes a.m., until noon.

¶151.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. BOST, called the House to order.

¶151.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BOST, announced he had examined and approved the Journal of the proceedings of Tuesday, December 8, 2015.

Mr. WILSON of South Carolina, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. BOST, announced that the ayes had it.

Mr. WILSON of South Carolina, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶151.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3732. A letter from the Director, Issuance Staff, Office of Policy and Program Development, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's Major final rule — Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish [Docket No.: FSIS-2008-0031] (RIN: 0583-AD36) received December 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3733. A letter from the Secretary, Department of Commerce, transmitting a report prepared by the Department of Commerce's Bureau of Industry and Security on the national emergency declared by Executive Order 13222 of August 17, 2001 and continued through August 7, 2015, to deal with the threat the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3734. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Japan, Transmittal No. 15-62, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3735. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's interim final rule — Amendment to the Export Administration Regulations to Add XBS Epoxy System to the List of 0Y521 Series; Technical Amendment to Update Other 0Y521 Items [Docket No.: 150825777-5777-01] (RIN: 0694-AG70) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3736. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's Semiannual Report to Congress for the period from April 1, 2015, through September 30, 2015, pursuant to µ5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3737. A letter from the Chairman, National Mediation Board, transmitting the Board's Annual Performance and Accountability Report 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3738. A letter from the Chief, Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf — Decommissioning Costs [Docket ID: BSEE-2015-0012; 15XE1700DX EEEE500000 EX1SF0000.DAQ000] (RIN: 1014-AA24) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3739. A letter from the United States Trade Representative, Executive Office of the President, transmitting a letter regarding the pending accession to the World Trade Organization of the Republic of Liberia and the Islamic Republic of Afghanistan, pursuant to Sec. 122 of the Uruguay Round Agreements Act; to the Committee on Ways and Means.

¶151.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BOST, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 9, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 9, 2015 at 9:33 a.m.:

That the Senate passed S. 1719.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶151.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BOST, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 9, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 9, 2015 at 11:23 a.m.:

That the Senate agreed to the Conference Report S. 1177.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶151.8 PROVIDING FOR CONSIDERATION OF H.R. 2130 AND MOTIONS TO SUSPEND THE RULES

Mr. NEWHOUSE, by direction of the Committee on Rules, called up the following resolution (H. Res. 556):

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time through the calendar day of December 13, 2015, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

Pending consideration of said resolution,

¶151.9 POINT OF ORDER

Ms. ESTY made a point of order against consideration of the resolution, and said:

''Mr. Speaker, I raise a point of order against House Resolution 556 because the resolution violates section 426(a) of

the Congressional Budget Act. The resolution, in waiving all points of order against consideration of the bill, waives section 425 of the Congressional Budget Act, thereby causing a violation of section 426(a).''.

The SPEAKER pro tempore, Mr. BOST, responded to the point of order, and said:

''The gentlewoman from Connecticut makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

''The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Connecticut and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.''.

Ms. ESTY was further recognized and said:

''Mr. Speaker, Americans, understandably, feel a sense of fear and chaos caused by the news of the senseless attacks that have been carried out against civilians in this country and around the world in the past few weeks.

''We can and we should help reassure the American people that their Representatives in Congress—that we here in this Chamber—are doing everything in our power to prevent such a brutal attack from happening in any one of our communities.

''If we do not act this week, how can we go home? How can we go home and look our constituents in the eyes and tell them that we are doing everything we can? That we are upholding our sworn duty to protect the American people?

''But we can act. We can act, and we should act today.

''We need to close the loophole that allows dangerous people from buying guns. There is no loophole more egregious, more glaring, or more shocking than the one that allows suspected terrorists in this country to walk legally into a gun shop, to go online or to go to a gun show, and purchase a weapon in order to kill American citizens.

''This astounding loophole has allowed more than 2,000 individuals on the FBI's terrorist watch list to buy weapons legally in this country in the last 11 years. In that time, more than 90 percent of the individuals on the watch list who have tried to buy guns have been given a green light. They have been handed a gun. Those numbers are shocking, and they are disturbing.

''As Members of Congress, it is our responsibility to protect all Americans wherever they live, and one of those areas of protection is from terror in their communities. It is to keep our citizens safe.

''What is terror? There has been a lot of discussion about what terror is. In its most simple sense, terror is spreading fear and chaos, and that is exactly what the American people are feeling right now—fear and chaos here and around the world.

''There are no easy answers for mass shootings, and there are no easy answers for combating terrorism; but the fact that the answers are not easy does not absolve us of our responsibility to step up and do what is hard. We are not elected to do what is easy. We are not elected to do what is possible. We are elected and we are sworn to do what is hard and what is necessary to protect and advance the interests of the American people.

''Now is the time to act.

''Yesterday, the House voted to strengthen the security screening process for those who travel to the United States under the Visa Waiver Program, and I was proud to cosponsor that bill. We acted together in this body to protect the American people.

''While reforming the Visa Waiver Program is a good thing, it is not enough. It is insufficient to the task. Keeping guns out of the hands of terrorists in this country, on American soil, is a necessary and an important step for us to take; but until we have the opportunity to vote to close this loophole, suspected terrorists in this country will continue to have and to use the opportunity to buy weapons in our country.

''The simple truth for the American people to know is that we have been denied even the opportunity to vote to close this loophole, and we have a bipartisan bill right now that we could act on. It is time for us in this House to stand up for the safety of the American people and to stand up to the NRA and others who are sowing fear and misinformation about what is possible to do to protect people.

''I am a proud cosponsor of the bipartisan bill that would protect the American people. The Denying Firearms and Explosives to Dangerous Terrorists Act would close this loophole by banning the sale or the distribution of firearms to anyone the Attorney General deems to be engaged in terrorist activities.

''The U.S. Government already maintains a list of known and suspected terrorists. If there are problems with that list—and I have heard my colleagues raise that question—then let's fix the list. If there are problems with the law, let's fix the bill. We can't afford to remain silent. We can't afford to remain passive. We can't afford to be denied the opportunity to exercise our duty to vote as Members of Congress. That is what we do; and, right now, we are being denied that simple and straightforward right.

''It is time. It is past time for this Congress to act. Let's keep guns out of the hands of suspected terrorists. Let's bring up the bill. If you can't fly, you shouldn't be able to buy a gun.

''Tonight, I will be joining some of my colleagues at the third national vigil to end gun violence. Here on Capitol Hill in a church a few blocks away, we will be meeting with families and survivors of gun violence from across the country, from Newtown, Connecticut, in my district; from Aurora, Colorado; from Chicago; from Harlem; from across this great country. Thousands of Americans are affected every month by our inaction.

''I am going to have a very hard time looking these folks in the eye today. I ask you to join me, come with me, and look them in the eye and tell them why you are unwilling to take one single vote, one single step to try to protect people in America. We have an opportunity to change that today. We have an opportunity to act together. We have an opportunity to fulfill our duty to protect and defend the American people from the scourge of gun violence. A simple, straightforward, and important way to start is to allow us to vote on this bipartisan bill that will close an absurd loophole in the law that allows terrorists to buy guns to kill Americans.''.

Mr. NEWHOUSE was recognized to speak to the point of order and said:

''Mr. Speaker, the question before the House is, 'Should the House now consider House Resolution 556?'. While the resolution waives all points of order against consideration of today's measures, the Committee on Rules is not aware of any violation of the Unfunded Mandates Reform Act. In fact, as the gentlewoman from Connecticut clearly agrees, she did not even mention the word 'unfunded' once in her comments. The waiver is only necessary to ensure that the House can continue with its scheduled business. In fact, the Congressional Budget Office has stated in its analysis of this measure that there are no violations of the Unfunded Mandates Reform Act.

''Mr. Speaker, this is a dilatory tactic. This straightforward bill will provide certainty to the landowners on the Red River who are unsure if the land to which they hold title and have paid taxes on will remain in their families.

''In order to allow the House to continue its scheduled business for the day, I urge Members to vote 'yes' on the question of consideration of the resolution.''.

Ms. ESTY was further recognized and said:

''Mr. Speaker, some say as my colleague just did, my friend across the aisle, that we shouldn't bring up this issue this week; that this is political and, therefore, inappropriate. Well, I have to disagree and disagree strongly.

''Politics is about people coming together to solve problems. If we can't come together to help address the crying need of the American citizens to be protected a little bit more from the fear and chaos of terrorists on our soil, armed with guns legally purchased in this country because we have refused to act, I proudly say it is political and that is exactly what we should be doing. We should be coming together as the body politic of the American people.

''It is precisely the time to take action, and I support the underlying legislation. I support even more us taking steps now in the wake of mass shootings, now in the wake of terrorism, now at the time when many of the

world's religions are praying for peace, hope, and light in the dark time of the year.

''It is a dark time in the soul of the American people and in this country, and we have the opportunity to take action. We have the opportunity to be a beacon of light and hope and responsiveness to the needs of the people. That is our job.

''I call on my colleagues to join me at the vigil and to join me in allowing us the opportunity to vote, to act, to protect and defend this country.''.

Mr. MCGOVERN was recognized to speak to the point of order and said:

''Mr. Speaker, let me thank the gentlewoman from Connecticut [Ms. ESTY] for raising an important issue, for forcing us to talk about something that the Republican leadership is working overtime to prevent us from having a vote on.

''Only in this Republican-controlled House of Representatives would the idea of prohibiting terror suspects from getting weapons be considered controversial. It is stunning.

''Let me say to the Republican leadership, who are, again, preventing us from being able to deliberate on this issue, you take my breath away. I cannot believe that you will not allow us to have a vote on the floor on this important issue. You are on the wrong side of history. You are certainly on the wrong side of public opinion.

''The vast majority of Americans—Democrats, Republicans, Independents—all think we ought to close this loophole, everybody but the leadership of this House, which is beholden to one special interest.

''Terror suspects can't fly on airplanes. I fly back and forth from Boston to Washington every week. I am glad that terror suspects can't fly on airplanes. I feel more safe. The people I fly with feel more safe.

''Why would it be somehow acceptable, then, to allow those same people who cannot fly to be able to go out and buy weapons, highly sophisticated weapons, weapons that are used by terrorists to kill civilians? Why would that be acceptable?

''We ought to have a vote on this. Let us vote. Let us deliberate on this important issue.''.

Mr. NEWHOUSE was further recognized and said:

''Mr. Speaker, I appreciate the comments from my colleagues from Connecticut and Massachusetts. I can't think of one person out of 535 Members of Congress that wants terrorists to have a firearm. Certainly not. That is not something that is even in question.

''I do find it very interesting, especially from my colleague from Massachusetts—and which we sit together on the Rules Committee—to bring up a point of something that, I would say, he advocates for daily on this floor and in this body and, that is, to follow regular order to allow pieces of legislation to go through the committee process, to allow every Member of this body to have their input, to have their say, to be able to amend, to be able to argue, to be able to debate, to allow it to go through the process that this body stands for, until today when it is their side of the aisle's idea that they have to move an issue forward.

''They say: 'Let's circumvent regular order, let's bring something that has not gone through the committee process, that has not allowed every Member of this body to weigh in on, to debate, to bring up amendments, to make their feelings known. Let's only do it when it is not their idea.' That is the message I am getting.

''So, Mr. Speaker, I certainly appreciate the enormity of the issue before us. We are working on many bills in this legislative body to deal with the issue of terrorism in front of us as a Nation and as a world. I hope that Members of the other side of the aisle will support those efforts to make this country safer.''.

After debate,

The question being put, viva voce,

Will the House now consider the resolution?

The SPEAKER pro tempore, Mr. BOST, announced that the ayes had it.

Ms. ESTY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 241 / Nays ..... 174

¶151.10 [Roll No. 681]

YEAS—241

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

NAYS—174

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

NOT VOTING—18

| | | |
|---|---|---|
| Aguilar | Luetkemeyer | Ruppersberger |
| Gabbard | Norcross | Sanchez, Loretta |
| Hoyer | Payne | Scott, David |
| Hunter | Pelosi | Takai |
| Johnson, Sam | Perlmutter | Tsongas |
| Lowey | Rothfus | Turner |

So the House decided to consider said resolution.

A motion to reconsider the vote whereby the House decided to consider said resolution was, by unanimous consent, laid on the table.

Accordingly,

When said resolution was considered.

After debate,

Mr. NEWHOUSE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. YOUNG of Iowa, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 242 Nays ..... 178

¶151.11 [Roll No. 682]

YEAS—242

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

NAYS—178

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

NOT VOTING—13

| | | |
|---|---|---|
| Aguilar | Huffman | Sanchez, Loretta |
| Barr | Johnson, Sam | Turner |
| Bishop (GA) | Lee | Wagner |
| Garamendi | Perlmutter | |
| Green, Al | Rush | |

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. YOUNG of Iowa, announced that the ayes had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 241 Noes ..... 183

¶151.12 [Roll No. 683]

AYES—241

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

Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—183

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

NOT VOTING—9

Aguilar
Bishop (GA)
Franks (AZ)
Johnson, Sam
Kinzinger (IL)
Perlmutter
Rush
Sanchez, Loretta
Turner

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶151.13 SUBMISSION OF CONFERENCE REPORT—H.R. 644

Mr. BRADY of Texas, submitted a conference report (Rept. No. 114–376) on the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶151.14 RED RIVER PRIVATE PROPERTY PROTECTION

The SPEAKER pro tempore, Mr. FLEISCHMANN, pursuant to House Resolution 556 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes.

The SPEAKER pro tempore, Mr. FLEISCHMANN, by unanimous consent, designated Mr. POE of Texas, as Chairman of the Committee of the Whole; and after some time spent therein,

¶151.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 114-375, submitted by Mr. COLE:

Page 6, line 13, strike ''landowners'' and insert ''federally recognized Indian tribes with jurisdiction over lands''.

Page 7, lines 8 and 9, strike ''or deed or color of title''.

Page 7, line 11, strike ''$1.25'' and insert ''fair market value''.

Page 8, after line 7, insert the following (and redesignate the subsequent clauses accordingly):

(i) the federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, with the first right of refusal;

Page 8, line 9, strike ''first'' and insert ''second''.

Page 8, line 13, strike ''second'' and insert ''third''.

Page 8, line 15, strike ''third'' and insert ''fourth''.

Page 8, line 18, strike ''fourth'' and insert ''fifth''

Page 8, after line 22, insert the following (and redesignate the subsequent clauses accordingly):

(i) the federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, with the first right of refusal;

Page 8, line 24, strike ''first'' and insert ''second''.

Page 9, line 3, strike ''second'' and insert ''third''.

Page 9, line 5, strike ''third'' and insert ''fourth''.

Page 9, line 8, strike ''fourth'' and insert ''fifth''

Page 11, after line 20, insert the following:

(d) TRIBAL ALLOTMENTS.—Nothing in this Act shall be construed to alter the present median line of the Red River as it relates to the surface or mineral interests of tribal allottees north of the present median line.

It was decided in the affirmative ..... { Ayes ..... 246 / Noes ..... 183

¶151.16 [Roll No. 684]

AYES—246

Adams
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Black
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Cummings
Curbelo (FL)
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hanna
Harris
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson, E. B.
Jolly
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kline
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rigell
Rogers (KY)
Rooney (FL)
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walberg
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wilson (FL)
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zinke

NOES—183

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bishop (UT)
Blackburn
Bost
Boustany
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clarke (NY)
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hardy
Harper
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Johnson (GA)
Johnson (OH)
Jordan
Joyce

Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
LoBiondo
Long
Loudermilk
Love
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Salmon
Sanford
Scalise
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Valadao
Vela
Wagner
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Young (IN)
Zeldin

NOT VOTING—4

Aguilar
Davis, Danny
Johnson, Sam
Sanchez, Loretta

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. WOMACK, assumed the Chair.

When Mr. STEWART, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 556, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Red River Private Property Protection Act''.

**SEC. 2. DISCLAIMER AND OUTDATED SURVEYS.**

(a) IN GENERAL.—The Secretary disclaims any right, title, and interest to the land located south of the South Bank boundary line in the affected area.

(b) CLARIFICATION OF PRIOR SURVEYS.—Surveys conducted by the Bureau of Land Management before the date of the enactment of this Act shall have no force or effect in determining the South Bank boundary line.

**SEC. 3. SURVEY OF SOUTH BANK BOUNDARY LINE.**

(a) SURVEY REQUIRED.—To identify the South Bank boundary line in the affected area, the Secretary shall commission a survey. The survey shall—

(1) adhere to the gradient boundary survey method;

(2) span the entire length of the affected area;

(3) be conducted by Licensed State Land Surveyors chosen by the Texas General Land Office, in consultation with the Oklahoma Commissioners of the Land Office and each affected federally recognized Indian tribe;

(4) be completed not later than 2 years after the date of the enactment of this Act; and

(5) not be submitted to the Bureau of Land Management for approval.

(b) APPROVAL OF THE SURVEY.—After the survey is completed, the Secretary shall submit the survey to be approved by the Texas General Land Office, in consultation with the Oklahoma Commissioners of the Land Office and each affected federally recognized Indian tribe.

(c) SURVEYS OF INDIVIDUAL PARCELS.—

(1) IN GENERAL.—Parcels surveyed as required by this section shall be surveyed and approved on an individual basis by the Texas General Land Office, in consultation with the Oklahoma Commissioners of the Land Office and each affected federally recognized Indian tribe.

(2) SURVEYS OF INDIVIDUAL PARCELS NOT SUBMITTED TO THE BUREAU OF LAND MANAGEMENT.—Surveys of individual parcels shall not be submitted to the Bureau of Land Management for approval.

(d) NOTICE.—

(1) NOTIFICATION TO THE SECRETARY.—Not later than 30 days after a survey for a parcel is approved by the Texas General Land Office under subsection (c), such office shall provide to the Secretary the following:

(A) Notice of the approval of such survey.

(B) A copy of such survey and field notes relating to such parcel.

(2) NOTIFICATION TO ADJACENT LANDOWNERS.—Not later than 30 days after the date on which the Secretary receives notification relating to a parcel under paragraph (1), the Secretary shall provide to landowners adjacent to such parcel the following:

(A) Notice of the approval of such survey.

(B) A copy of such survey and field notes relating to such parcel.

(C) Notice that the landowner may file an appeal and seek further judicial review under section 4.

(D) Notice that the landowner may apply for a patent under section 5.

(E) Any additional information considered appropriate by the Secretary.

**SEC. 4. APPEAL.**

(a) APPEAL TO ADMINISTRATIVE LAW JUDGE.—Not later than 1 year after the date on which a landowner receives notification under section 3(d)(2), a landowner who claims to hold right, title, or interest in the affected area may appeal the determination of the survey to an administrative law judge of the Department of the Interior.

(b) FURTHER JUDICIAL REVIEW.—

(1) IN GENERAL.—A landowner who filed an appeal under subsection (a) and is adversely affected by the final decision may, not later than 120 days after the date of the final decision, file a civil action in the United States district court for the district—

(A) in which the person resides; or

(B) in which the affected area is located.

(2) STANDARD OF REVIEW.—The district court may review the case de novo and may enter a judgment enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part, the decision of the administrative law judge.

**SEC. 5. RED RIVER SURFACE RIGHTS.**

(a) NOTIFICATION OF APPLICATION PERIOD FOR PATENTS.—

(1) IN GENERAL.—On the date that is 18 months after the date on which the Secretary receives notification relating to a parcel under section 3(d)(1), the Secretary shall determine whether such parcel is subject to appeal or further judicial review.

(2) PARCEL NOT SUBJECT TO APPEAL OR JUDICIAL REVIEW.—Not later than 30 days after the date on which the Secretary determines a parcel is not subject to appeal or judicial review, the Secretary shall—

(A) notify federally recognized Indian tribes with jurisdiction over lands adjacent to such parcel that the Secretary shall accept applications for patents for that parcel under subsection (b) for a period of 210 days; and

(B) begin accepting applications for patents for that parcel under subsection (b) for a period of 210 days.

(3) PARCEL SUBJECT TO APPEAL OR JUDICIAL REVIEW.—If the Secretary determines a parcel is subject to appeal or further judicial review, the Secretary shall, not less than once every 6 months, check the status of the appeals or judicial reviews relating to such parcel, until the Secretary determines such parcel is not subject to appeal or further judicial review.

(b) PATENTS FOR LANDS IN THE AFFECTED AREA.—If the Secretary receives an application for a patent for a parcel of identified Federal lands during the period for applications for such parcel under subsection (a)(2)(B) and determines that the parcel has been held in good faith and in peaceful adverse possession by an applicant, or the ancestors or grantors of such applicant, for more than 20 years under claim (including through a State land grant), the Secretary may issue a patent for the surface rights to such parcel to the applicant, on the payment of fair market value per acre, if the patent includes the following conditions:

(1) All minerals contained in the parcel are reserved to the United States and subject to sale or disposal by the United States under applicable leasing and mineral land laws.

(2) Permittees, lessees, or grantees of the United States have the right to enter the parcel for the purpose of prospecting for and mining deposits.

(c) PENDING REQUESTS FOR PATENTS.—The Secretary shall not offer a parcel of identified Federal land for purchase under section 6 if a patent request for that parcel is pending under this section.

**SEC. 6. RIGHT OF REFUSAL AND COMPETITIVE SALE.**

(a) RIGHT OF REFUSAL.—

(1) OFFERS TO PURCHASE.—After the expiration of the period for applications under section 5(a)(2)(B), the Secretary shall offer for purchase for a period of 60 days for each right of refusal—

(A) the surface rights to the remaining identified Federal lands located north of the vegetation line of the South Bank to—

(i) the federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, with the first right of refusal;

(ii) the adjacent owner of land located in Oklahoma to the north with the second right of refusal;

(iii) if applicable, the adjacent owner of land located in Texas to the south with the third right of refusal;

(iv) if applicable, the adjacent owner of land located to the east with the fourth right of refusal; and

(v) if applicable, the adjacent owner of land located to the west with the fifth right of refusal; and

(B) the surface rights to the remaining identified Federal lands located south of the vegetation line of the South Bank to—

(i) the federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, with the first right of refusal;

(ii) the adjacent owner of land located in Texas to the south with the second right of refusal;

(iii) if applicable, the adjacent owner of land located in Oklahoma to the north with the third right of refusal;

(iv) if applicable, the adjacent owner of land located to the east with the fourth right of refusal; and

(v) if applicable, the adjacent owner of land located to the west with the fifth right of refusal.

(2) REMAINING IDENTIFIED FEDERAL LANDS DEFINED.—In this subsection, the term ''remaining identified Federal lands'' means any parcel of identified Federal lands—

(A) not subject to appeal or further judicial review under section 4;

(B) not determined by an administrative law judge of the Department of the Interior

or a Federal court to be the property of an adjacent landowner; and

(C) not patented or subject to a pending request for a patent under section 5.

(b) DISPOSAL BY COMPETITIVE SALE.—If a parcel offered under subsection (a) is not purchased, the Secretary shall offer the parcel for disposal by competitive sale for not less than fair market value as determined by an appraisal conducted in accordance with nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(c) CONDITIONS OF SALE.—The sale of a parcel under this section shall be subject to—

(1) the condition that all minerals contained in the parcel are reserved to the United States and subject to sale or disposal by the United States under applicable leasing and mineral land laws;

(2) the condition that permittees, lessees, or grantees of the United States have the right to enter the parcel for the purpose of prospecting for and mining deposits; and

(3) valid existing State, tribal, and local rights.

(d) REPORT.—Not later than 5 years after the date on which the survey is approved, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a list of the parcels of identified Federal lands that have not been sold under subsection (b) and a description of the reasons such parcels were not sold.

**SEC. 7. RESOURCE MANAGEMENT PLAN.**

The Secretary may not treat a parcel of identified Federal lands as Federal land for the purposes of a resource management plan if the treatment of such parcel does not comply with the provisions of this Act.

**SEC. 8. CONSTRUCTION.**

(a) LANDS LOCATED NORTH OF THE SOUTH BANK BOUNDARY LINE.—Nothing in this Act shall be construed to modify the interest of Texas or Oklahoma or sovereignty rights of any federally recognized Indian tribe over lands located to the north of the South Bank boundary line as established by the survey.

(b) PATENTS UNDER THE COLOR OF TITLE ACT.—Nothing in this Act shall be construed to modify land patented under the Act of December 22, 1928 (Public Law 70–645; 45 Stat. 1069; 43 U.S.C. 1068; commonly known as the Color of Title Act), before the date of the enactment of this Act.

(c) RED RIVER BOUNDARY COMPACT.—Nothing in this Act shall be construed to modify the Red River Boundary Compact as enacted by the States of Texas and Oklahoma and consented to by the United States Congress by Public Law 106–288 (114 Stat. 919).

(d) TRIBAL ALLOTMENTS.—Nothing in this Act shall be construed to alter the present median line of the Red River as it relates to the surface or mineral interests of tribal allottees north of the present median line.

(e) TRIBAL RESERVATIONS.—Nothing in this Act shall be construed to create or reinstate a tribal reservation or any portion of a tribal reservation.

(f) TRIBAL MINERAL INTERESTS.—Nothing in this Act shall be construed to alter the valid rights of the Kiowa, Comanche, and Apache Nations to the mineral interest trust fund created pursuant to the Act of June 12, 1926.

**SEC. 9. DEFINITIONS.**

In this Act:

(1) AFFECTED AREA.—The term ''affected area'' means lands along the approximately 116-mile stretch of the Red River from its confluence with the North Fork of the Red River on the west to the 98th meridian on the east between the States of Texas and Oklahoma.

(2) GRADIENT BOUNDARY SURVEY METHOD.—The term ''gradient boundary survey method'' means the measurement technique used to locate the South Bank boundary line under the methodology established in Oklahoma v. Texas, 261 U.S. 340 (1923) (recognizing that the boundary line between the States of Texas and Oklahoma along the Red River is subject to change due to erosion and accretion).

(3) IDENTIFIED FEDERAL LANDS.—The term ''identified Federal lands'' means the lands in the affected area from the South Bank boundary line north to the medial line of the Red River as identified pursuant to this Act.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(5) SOUTH BANK.—The term ''South Bank'' means the water-washed and relatively permanent elevation or acclivity, commonly called a cut bank, along the southerly or right side of the Red River which separates its bed from the adjacent upland, whether valley or hill, and usually serves to confine the waters within the bed and to preserve the course of the river (as specified in the fifth paragraph of Oklahoma v. Texas, 261 U.S. 340 (1923)).

(6) SOUTH BANK BOUNDARY LINE.—The term ''South Bank boundary line'' means the boundary between Texas and Oklahoma identified through the gradient boundary survey method (as specified in the sixth and seventh paragraphs of Oklahoma v. Texas, 261 U.S. 340 (1923)).

(7) SURVEY.—The term ''survey'' means the survey required by section 3(a).

(8) VEGETATION LINE.—The term ''vegetation line'' means the visually identifiable continuous line of vegetation that is adjacent to the portion of the riverbed kept practically bare of vegetation by the natural flow of the river and is continuous with the vegetation beyond the riverbed.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. THOMPSON of California, moved to recommit the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

After section 8, add the following (and redesignate the subsequent section accordingly):

**SEC. 9. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.**

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting the following new section after section 922:

**''§ 922A. Attorney General's discretion to deny transfer of a firearm**

''The Attorney General may deny the transfer of a firearm pursuant to section 922(t)(1)(B)(ii) if the Attorney General determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.'';

(2) by inserting the following new section after section 922A:

**''§ 922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)**

''The Attorney General may determine that an applicant for a firearm permit which would qualify for an exemption under section 922(t)(3) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''; and

(3) in section 921(a), by adding at the end the following:

''(36) The term 'terrorism' means 'international terrorism' as defined in section 2331(1), and 'domestic terrorism' as defined in section 2331(5).

''(37) The term 'material support' means 'material support or resources' within the meaning of section 2339A or 2339B.

''(38) The term 'responsible person' means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.''.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of such title is amended—

(1) in paragraph (1)(B)(ii), by inserting ''or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A'' before the semicolon;

(2) in paragraph (2), by inserting after ''or State law'' the following: ''or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A'';

(3) in paragraph (3)(A)(i)—

(A) by striking ''and'' at the end of subclause (I); and

(B) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);'';

(4) in paragraph (3)(A)—

(A) by adding ''and'' at the end of clause (ii); and

(B) by adding after and below the end the following:

''(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B;'';

(5) in paragraph (4), by inserting after ''or State law,'' the following: ''or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A,''; and

(6) in paragraph (5), by inserting after ''or State law,'' the following: ''or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A,''.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED ON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of such title is amended—

(1) by striking ''or'' at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) has been the subject of a determination by the Attorney General pursuant to section 922A, 922B, 923(d)(1)(H), or 923(e) of this title.''.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of such title is amended—

(1) by striking ''or'' at the end of paragraph (8);

(2) by striking the comma at the end of paragraph (9) and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) who has received actual notice of the Attorney General's determination made pursuant to section 922A, 922B, 923(d)(1)(H), or 923(e) of this title,''.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d)(1) of such title is amended—

(1) by striking ''Any'' and inserting ''Except as provided in subparagraph (H), any'';

(2) in subparagraph (F)(iii), by striking ''and'' at the end;

(3) in subparagraph (G), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(H) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of such title is amended—

(1) in the 1st sentence—

(A) by inserting after ''revoke'' the following: ''—(1)''; and

(B) by striking the period and inserting a semicolon;

(2) in the 2nd sentence—

(A) by striking ''The Attorney General may, after notice and opportunity for hearing, revoke'' and insert ''(2)''; and

(B) by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(3) any license issued under this section if the Attorney General determines that the holder of the license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(g) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—Section 923(f) of such title is amended—

(1) in the 1st sentence of paragraph (1), by inserting '', except that if the denial or revocation is pursuant to subsection (d)(1)(H) or (e)(3), then any information on which the Attorney General relied for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security'' before the period; and

(2) in paragraph (3), by inserting after the 3rd sentence the following: ''With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(h) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of such title is amended by inserting after the 3rd sentence the following: ''If receipt of a firearm by the person would violate section 922(g)(10), any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(i) PENALTIES.—Section 924(k) of such title is amended—

(1) by striking ''or'' at the end of paragraph (2);

(2) in paragraph (3), by striking '', or'' and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) constitutes an act of terrorism (as defined in section 921(a)(36)), or material support thereof (as defined in section 921(a)(37)); or''.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—Section 925A of such title is amended—

(1) in the section heading, by striking ''**Remedy for erroneous denial of firearm**'' and inserting ''**Remedies**'';

(2) by striking ''Any person denied a firearm pursuant to subsection (s) or (t) of section 922'' and inserting the following:

''(a) Except as provided in subsection (b), any person denied a firearm pursuant to section 922(t) or pursuant to a determination made under section 922B,''; and

(3) by adding after and below the end the following:

''(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A or has made a determination regarding a firearm permit applicant pursuant to section 922B, an action challenging the determination may be brought against the United States. The petition must be filed not later than 60 days after the petitioner has received actual notice of the Attorney General's determination made pursuant to section 922A or 922B. The court shall sustain the Attorney General's determination on a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B. To make this showing, the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. On request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B.''.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (Public Law 103–159) is amended—

(1) in subsection (f)—

(A) by inserting after ''is ineligible to receive a firearm,'' the following: ''or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code''; and

(B) by inserting after ''the system shall provide such reasons to the individual,'' the following: ''except for any information the disclosure of which the Attorney General has determined would likely compromise national security''; and

(2) in subsection (g)—

(A) in the 1st sentence, by inserting after ''subsection (g) or (n) of section 922 of title 18, United States Code or State law'' the following: ''or if the Attorney General has made a determination pursuant to section 922A or 922B of such title,'';

(B) by inserting '', except any information the disclosure of which the Attorney General has determined would likely compromise national security'' before the period; and

(C) by adding at the end the following: ''Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.''.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED ON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of such title is amended—

(1) by striking the period at the end of paragraph (9) and inserting ''; or''; and

(2) by adding at the end the following:

''(10) has received actual notice of the Attorney General's determination made pursuant to section 843(b)(8) or (d)(2) of this title.''.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of such title is amended—

(1) by adding ''; or'' at the end of paragraph (7); and

(2) by inserting after paragraph (7) the following:

''(8) who has received actual notice of the Attorney General's determination made pursuant to section 843(b)(8) or (d)(2),''.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(b) of such title is amended—

(1) by striking ''Upon'' and inserting the following: ''Except as provided in paragraph (8), on''; and

(2) by inserting after paragraph (7) the following:

''(8) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of such title is amended—

(1) by inserting ''(1)'' in the first sentence after ''if''; and

(2) by striking the period at the end of the first sentence and inserting the following: ''; or (2) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(p) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of such title is amended—

(1) in the 1st sentence of paragraph (1), by inserting ''except that if the denial or revocation is based on a determination under subsection (b)(8) or (d)(2), then any information which the Attorney General relied on for the determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security'' before the period; and

(2) in paragraph (2), by adding at the end the following: ''In responding to any petition

for review of a denial or revocation based on a determination under section 843(b)(8) or (d)(2), the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of such title is amended—

(1) in subparagraph (A), by inserting ''or section 843(b)(1) (on grounds of terrorism) of this title,'' after ''section 842(i),''; and

(2) in subparagraph (B)—

(A) by inserting ''or section 843(b)(8)'' after ''section 842(i)''; and

(B) in clause (ii), by inserting '', except that any information that the Attorney General relied on for a determination pursuant to section 843(b)(8) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' before the semicolon.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking ''or (5)'' and inserting ''(5), or (10)''.

¶151.17 POINT OF ORDER

Mr. BISHOP of Utah, made a point of order against the motion to recommit with instructions, and said:

''This motion to recommit involves subject matter that is different from the bill. The fundamental purpose of the motion is unrelated to the bill.

''I insist on my point of order.''.

The SPEAKER pro tempore, Mr. WOMACK sustained the point of order, and said:

''The gentleman from Utah makes a point of order that the instructions proposed in the motion to recommit offered by the gentleman from California involve a subject matter different from the bill.

''Clause 7 of rule XVI, the germaneness rule, provides that

'no proposition on a subject different from that under consideration shall be admitted under color of amendment'.

''The bill addresses the boundary line between Texas and Oklahoma drawn by the Red River. Though the bill touches on a number of aspects of property management, it does so only with respect to a narrow geographic area.

''The amendment proposed in the motion to recommit makes a variety of changes to title 18 of the United States Code relating to the sale, possession, licensing, and distribution of firearms and explosives. It has no bearing on the land addressed in the underlying bill.

''The Chair finds that the amendment proposed in the motion to recommit goes beyond the subject matter of the underlying bill. It is, therefore, not germane. The point of order is sustained.''.

Mr. THOMPSON of California, appealed the ruling of the Chair.

The question being stated,

Will the decision of the Chair stand as the judgment of the House?

Mr. BISHOP of Utah, moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. WOMACK, announced that the noes had it.

Mr. THOMPSON of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 246 / Nays ..... 182

¶151.18 [Roll No. 685]

YEAS—246

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

NAYS—182

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

NOT VOTING—5

| | | |
|---|---|---|
| Aguilar | Johnson, Sam | Sanchez, Loretta |
| Davis, Danny | Nolan | |

So the motion to lay the appeal on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. WOMACK, announced that the ayes had it.

Ms. TSONGAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 253 Nays ..... 177

¶151.19 [Roll No. 686]

YEAS—253

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

NAYS—177

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

NOT VOTING—3

Aguilar
Johnson, Sam
Sanchez, Loretta

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶151.20 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CURBELO of Florida, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, December 8, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. CURBELO of Florida, announced that the ayes had it.

So the Journal was approved.

¶151.21 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1719. An Act to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Education and the Workforce.

¶151.22 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 614. An Act to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

S. 1177. An Act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

S. 1461. An Act to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

And then,

¶151.23 ADJOURNMENT

On motion of Mr. GOHMERT, at 8 o'clock and 31 minutes p.m., the House adjourned.

¶151.24 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee of Conference. Conference report on H.R. 644. A bill to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes (Rept. 114–376). Ordered to be printed.

¶151.25 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CUMMINGS:

H.R. 4194. A bill to require the Attorney General to make competitive grants to State, tribal, and local governments to establish and maintain witness protection and assistance programs; to the Committee on the Judiciary.

By Mr. JONES (for himself, Mr. MASSIE, and Mr. YOHO):

H.R. 4195. A bill to repeal the authorizations for office space, office expenses, franking and printing privileges, and staff for former Speakers of the House of Representatives; to the Committee on House Administration.

By Mr. NOLAN:

H.R. 4196. A bill to amend the Tariff Act of 1930 to improve enforcement of the trade laws of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. POE of Texas (for himself, Mr. FARENTHOLD, Mr. BABIN, Mr. WEBER of Texas, Mr. BARTON, Mr. OLSON, Mr. SESSIONS, Mr. ROGERS of Alabama, Mr. SALMON, Mr. LOUDERMILK, Mr. ZINKE, Mr. ABRAHAM, Mr. SMITH of Texas, Mr. BRIDENSTINE, Mr. NEUGEBAUER, Mr. PITTENGER, Mr. JONES, Mr. GOWDY, Mr. KING of Iowa, Mr. BLUM, Mr. BURGESS, Mr. COLLINS of Georgia, Mr. DUNCAN of South Carolina, Mr. CULBERSON, Mr. JODY B. HICE of Georgia, Mr. POSEY, Mr. HARRIS, Mr. CONAWAY, Mr. PALMER, Mr. CARTER of Texas, and Mr. FLORES):

H.R. 4197. A bill to amend the Immigration and Nationality Act to permit the Governor of a State to reject the resettlement of a refugee in that State unless there is adequate assurance that the alien does not present a security risk and for other purposes; to the Committee on the Judiciary.

By Mr. BRAT:
H.R. 4198. A bill to amend the Small Business Act to clarify the responsibilities of Commercial Market Representatives, and for other purposes; to the Committee on Small Business.

By Mr. DUFFY:
H.R. 4199. A bill to provide the government of Puerto Rico the choice to restructure its municipal debt in conjunction with enhanced financial oversight, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBSON (for himself, Mr. NUGENT, Mr. WALZ, and Mr. O'ROURKE):
H.R. 4200. A bill to amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families, and for other purposes; to the Committee on Armed Services.

By Mr. HASTINGS (for himself, Ms. LEE, Mr. GRIJALVA, Mr. FATTAH, Mr. BLUMENAUER, Mr. DEUTCH, Mr. JOHNSON of Georgia, and Ms. EDDIE BERNICE JOHNSON of Texas):
H.R. 4201. A bill to amend titles XVI, XVIII, XIX, and XXI of the Social Security Act to remove limitations on Medicaid, Medicare, SSI, and CHIP benefits for persons in custody pending disposition of charges; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself and Mr. HANNA):
H.R. 4202. A bill to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Natural Resources.

By Mr. LIPINSKI:
H.R. 4203. A bill to amend title 49, United States Code, to prohibit certain fees related to aircraft lavatories, to require refunding baggage fees if baggage is delayed, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MACARTHUR (for himself, Miss RICE of New York, Mr. LANCE, Mr. PALLONE, Mr. FRELINGHUYSEN, Ms. DELAURO, Mr. LEVIN, Mr. PAYNE, Ms. MCCOLLUM, and Mr. PASCRELL):
H.R. 4204. A bill to posthumously award a Congressional gold medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Financial Services.

By Mr. MCCAUL:
H.R. 4205. A bill to permit producers of ''Choose and Cut'' Christmas trees to opt out of the Christmas tree promotion, research, and information order; to the Committee on Agriculture.

By Mr. SARBANES (for himself, Mrs. ELLMERS of North Carolina, and Mr. MCNERNEY):
H.R. 4206. A bill to provide for a technology demonstration program related to the modernization of the electric grid; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. DOGGETT, Ms. LEE, Mr. POCAN, Ms. DELAURO, Mr. MCDERMOTT, Mr. WELCH, and Mr. CUMMINGS):
H.R. 4207. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to determine, on behalf of Medicare beneficiaries, covered part D drug prices for certain covered part D drugs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Kentucky:
H.J. Res. 75. A joint resolution making further continuing appropriations for fiscal year 2016, and for other purposes; to the Committee on Appropriations.

By Mr. TROTT:
H. Res. 559. A resolution disapproving of Executive Order 13688 (regarding Federal support for local law enforcement equipment acquisition) issued by President Obama on January 16, 2015; to the Committee on the Judiciary.

## ¶151.26 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

158. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 144, urging the President and the Congress to support the National Breast Cancer Coalition's goal of knowing how to end breast cancer by 2020; to the Committee on Energy and Commerce.

159. Also, a memorial of the General Assembly of the State of New Jersey, relative to Senate Concurrent Resolution No. 132, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

160. Also, a memorial of the Legislature of the State of Alabama, relative to House Joint Resolution No. 112, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

161. Also, a memorial of the Legislature of the State of Michigan, relative to Senate Resolution No. 105, encouraging the President, the Congress, and the Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and approve the Army Corps of Engineers' reprogramming request to fund an Economic Reevaluation Report for replacing the Davis and Sabin locks; to the Committee on Transportation and Infrastructure.

162. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 154, encouraging the President, the Congress, and the Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and approve the Army Corps of Engineers' reprogramming request to fund an Economic Reevaluation Report for replacing the Davis and Sabin locks; to the Committee on Transportation and Infrastructure.

## ¶151.27 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 379: Mr. CRAMER, Mr. TAKANO, Mr. KINZINGER of Illinois, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 592: Mr. RICHMOND and Mr. LYNCH.
H.R. 649: Ms. MCCOLLUM.
H.R. 662: Mr. JOHNSON of Georgia.
H.R. 769: Mr. JONES.
H.R. 771: Mr. TIPTON and Mr. RIBBLE.
H.R. 775: Mr. SMITH of Texas, Mr. DOLD, and Mr. NEAL.
H.R. 842: Mrs. TORRES.
H.R. 863: Mr. BISHOP of Michigan.
H.R. 990: Mrs. LOWEY.
H.R. 1005: Mr. KIND.
H.R. 1039: Ms. LEE.
H.R. 1076: Mr. MOULTON, Mr. DELANEY, Mr. TED LIEU of California, Ms. KUSTER, Mr. BLUMENAUER, Mr. HINOJOSA, Mr. FOSTER, and Mrs. KIRKPATRICK.
H.R. 1116: Mr. MURPHY of Pennsylvania, Mrs. MIMI WALTERS of California, Mr. BARLETTA, and Mr. MEEHAN.
H.R. 1218: Mr. DEUTCH, Mr. WESTERMAN, and Mr. RICHMOND.
H.R. 1220: Miss RICE of New York.
H.R. 1282: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mrs. DAVIS of California.
H.R. 1292: Mr. ZELDIN.
H.R. 1303: Mr. WELCH.
H.R. 1304: Mr. WELCH.
H.R. 1427: Ms. JACKSON LEE and Mr. HUNTER.
H.R. 1568: Mr. KILMER.
H.R. 1594: Ms. KAPTUR, Mr. O'ROURKE, and Mr. JOYCE.
H.R. 1598: Mr. LOBIONDO.
H.R. 1602: Ms. EDWARDS.
H.R. 1625: Miss RICE of New York.
H.R. 1654: Mr. DONOVAN.
H.R. 1686: Mr. SMITH of Texas, Ms. NORTON, Ms. MATSUI, Mrs. NAPOLITANO, and Mr. BUCHANAN.
H.R. 1688: Mrs. BROOKS of Indiana.
H.R. 1728: Mr. KATKO and Mr. DELANEY.
H.R. 1751: Mrs. DAVIS of California and Ms. SPEIER.
H.R. 1761: Ms. MCCOLLUM.
H.R. 1769: Mr. LOEBSACK, Mr. SERRANO, and Mr. DONOVAN.
H.R. 1786: Mr. DENHAM.
H.R. 2087: Mr. DESAULNIER and Ms. DELAURO.
H.R. 2095: Mr. CARTWRIGHT.
H.R. 2101: Mr. NADLER.
H.R. 2102: Ms. LOFGREN, Mr. ASHFORD, Mr. LOWENTHAL, Mr. KILMER, Mr. HARPER, Mr. ROSS, and Mr. BUCHANAN.
H.R. 2114: Mrs. LOWEY.
H.R. 2142: Mr. PETERS and Mr. SHUSTER.
H.R. 2150: Ms. TITUS.
H.R. 2193: Ms. EDWARDS.
H.R. 2209: Mr. ROUZER.
H.R. 2283: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2302: Mr. CAPUANO and Mrs. WATSON COLEMAN.
H.R. 2382: Mr. KATKO.
H.R. 2400: Mr. CULBERSON, Mr. SIMPSON, and Mr. ROONEY of Florida.
H.R. 2405: Mr. RANGEL.
H.R. 2411: Mr. HONDA, Mr. COURTNEY, Mr. POLIS, Ms. CLARK of Massachusetts, Mr. POCAN, Mr. SABLAN, Mr. MURPHY of Florida, Mr. GRAYSON, Ms. PINGREE, Mr. VAN HOLLEN, Mr. BEYER, Mr. HUFFMAN, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, and Mr. CARSON of Indiana.
H.R. 2530: Ms. MCCOLLUM.
H.R. 2540: Mr. GIBSON.
H.R. 2646: Mr. ROSS and Mr. RIBBLE.
H.R. 2680: Ms. TITUS, Mr. CUMMINGS, Ms. WASSERMAN SCHULTZ, and Mr. SERRANO.
H.R. 2713: Mr. DELANEY.
H.R. 2715: Mr. DANNY K. DAVIS of Illinois.
H.R. 2716: Mr. PALAZZO.
H.R. 2759: Mrs. NAPOLITANO, Mr. CARTWRIGHT, and Mr. NOLAN.
H.R. 2805: Mrs. MIMI WALTERS of California.
H.R. 2858: Mr. CURBELO of Florida.
H.R. 2894: Mrs. NAPOLITANO.
H.R. 2896: Mr. FORTENBERRY.
H.R. 2903: Mr. LOEBSACK, Ms. FUDGE, Mr. GIBBS, and Mr. HILL.

H.R. 2911: Mr. DELANEY and Mr. HOLDING.
H.R. 3002: Mr. CULBERSON.
H.R. 3029: Ms. MCCOLLUM.
H.R. 3061: Mr. COHEN and Ms. MCCOLLUM.
H.R. 3069: Ms. TITUS and Ms. VELÁZQUEZ.
H.R. 3080: Mr. CRAMER.
H.R. 3084: Mr. STIVERS.
H.R. 3130: Mrs. KIRKPATRICK.
H.R. 3222: Mrs. BLACK.
H.R. 3261: Mr. COHEN.
H.R. 3323: Mr. DAVID SCOTT of Georgia and Mr. CARTWRIGHT.
H.R. 3326: Mr. MEEHAN and Mr. JORDAN.
H.R. 3366: Ms. TITUS.
H.R. 3381: Mrs. KIRKPATRICK, Mr. BOST, Mr. BRADY of Pennsylvania, Mr. PAULSEN, and Mr. KIND.
H.R. 3399: Ms. ESHOO.
H.R. 3411: Mr. ENGEL, Mr. MCGOVERN, Mr. RUSH, and Mr. COHEN.
H.R. 3516: Mr. BARTON and Mr. GOHMERT.
H.R. 3520: Mr. SMITH of New Jersey and Mr. SIRES.
H.R. 3565: Ms. MATSUI.
H.R. 3569: Mrs. LOWEY.
H.R. 3640: Ms. MCCOLLUM.
H.R. 3643: Mr. BERA.
H.R. 3652: Ms. MCCOLLUM.
H.R. 3658: Ms. MCCOLLUM.
H.R. 3680: Mr. HULTGREN.
H.R. 3691: Mr. HASTINGS and Ms. MCCOLLUM.
H.R. 3696: Mrs. NAPOLITANO.
H.R. 3706: Mr. QUIGLEY.
H.R. 3712: Ms. MCCOLLUM and Mr. ASHFORD.
H.R. 3785: Mr. DEUTCH and Mr. MCDERMOTT.
H.R. 3793: Mr. LEWIS, Mr. MCDERMOTT, and Ms. MCCOLLUM.
H.R. 3808: Mr. ASHFORD and Mr. SHERMAN.
H.R. 3841: Ms. MCCOLLUM.
H.R. 3852: Ms. NORTON.
H.R. 3892: Ms. GRANGER, Mr. JORDAN, Mr. STIVERS, and Mr. ROHRABACHER.
H.R. 3929: Mr. ROUZER and Mr. PALAZZO.
H.R. 3940: Mr. ROGERS of Alabama.
H.R. 4006: Mr. RICE of South Carolina.
H.R. 4016: Mr. RANGEL.
H.R. 4018: Mr. HECK of Nevada.
H.R. 4069: Mr. HUFFMAN, Mr. ENGEL, Ms. TSONGAS, and Mr. KEATING.
H.R. 4117: Ms. JACKSON LEE.
H.R. 4132: Mr. HARDY.
H.R. 4135: Mr. DESAULNIER and Mr. HINOJOSA.
H.R. 4143: Mr. MILLER of Florida.
H.R. 4144: Mr. DEFAZIO, Mr. TAKANO, Mr. GUTIÉRREZ, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. SERRANO, and Mr. NOLAN.
H.R. 4152: Mr. ROE of Tennessee and Mr. BURGESS.
H.R. 4161: Mr. COLLINS of Georgia.
H.R. 4171: Mr. MEEKS.
H.R. 4181: Mr. SMITH of Nebraska, Mr. RODNEY DAVIS of Illinois, and Mr. GUTHRIE.
H.R. 4185: Mr. SMITH of Missouri, Mr. MILLER of Florida, Mr. ROGERS of Alabama, Mr. JOYCE, and Mr. LANGEVIN.
H.R. 4186: Mr. LANCE.
H.J. Res. 22: Ms. EDDIE BERNICE JOHNSON of Texas and Mrs. LAWRENCE.
H. Con. Res. 75: Mr. KING of New York, Ms. MCCOLLUM, Mr. LUETKEMEYER, and Mr. DONOVAN.
H. Res. 14: Mr. HONDA and Mr. HASTINGS.
H. Res. 32: Mr. ROYCE.
H. Res. 54: Mr. SMITH of Washington.
H. Res. 207: Mr. ISRAEL and Mr. STEWART.
H. Res. 230: Ms. MATSUI and Ms. MCCOLLUM.
H. Res. 248: Mr. THORNBERRY.
H. Res. 265: Mr. KINZINGER of Illinois.
H. Res. 289: Mr. KEATING and Mrs. LOWEY.
H. Res. 467: Mr. QUIGLEY, Mr. AGUILAR, Mr. CARSON of Indiana, Mr. HIMES, Mr. JEFFRIES, and Mr. HINOJOSA.
H. Res. 506: Ms. VELÁZQUEZ.
H. Res. 520: Ms. LEE.
H. Res. 534: Mrs. LOWEY.
H. Res. 536: Mr. GRAYSON, Mr. SMITH of New Jersey, and Mr. PASCRELL.
H. Res. 540: Mr. CARTWRIGHT.
H. Res. 549: Mrs. LOWEY, Mr. WELCH, and Mr. PAYNE.
H. Res. 558: Mr. HIMES.

### ¶151.28 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 381: Mr. JOHNSON of Georgia.

## THURSDAY, DECEMBER 10, 2015 (152)

### ¶152.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. JENKINS of West Virginia, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*December 10, 2015.*

I hereby appoint the Honorable EVAN H. JENKINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

### ¶152.2 RECESS—10:22 A.M.

The SPEAKER pro tempore, Mr. JENKINS of West Virginia, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 22 minutes a.m., until noon.

### ¶152.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

### ¶152.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SIMPSON, announced he had examined and approved the Journal of the proceedings of Wednesday, December 9, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶152.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3740. A letter from the Director, Issuances Staff, Office of Policy and Program Development, Department of Agriculture, transmitting the Department's final rule — Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish [Docket No.: FSIS-2008-0031] (RIN: 0583-AD36) received December 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3741. A letter from the Secretary, Department of Defense, transmitting notification that the Department intends to assign women to previously closed positions and units across all Services and U.S. Special Operations Command, pursuant to 10 U.S.C. 652(a); Public Law 109-163, Sec. 541(a)(1); (119 Stat. 3251) and 10 U.S.C. 6035(a); Public Law 106-398, Sec. 573(a)(1); (114 Stat. 1654A-136); to the Committee on Armed Services.

3742. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting the Department's semiannual report on the account balance in the Defense Cooperation Account and a listing of personal property contributed, as of September 30, 2015, pursuant to 10 U.S.C. 2608(i); Public Law 101-403, title II, Sec. 202(a)(1) (as amended by Public Law 103-160, Sec. 1105(b)); (107 Stat. 1750); to the Committee on Armed Services.

3743. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting the Department's semiannual report on the account balance in the Defense Cooperation Account and a listing of personal property contributed, as of September 30, 2015, pursuant to 10 U.S.C. 2608(i); Public Law 101-403, title II, Sec. 202(a)(1) (as amended by Public Law 103-160, Sec. 1105(b)); (107 Stat. 1750); to the Committee on Armed Services.

3744. A letter from the Comptroller, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Office's annual report on actions taken to carry out Sec. 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, pursuant to 12 U.S.C. 1463 note; Public Law 111-203, Sec. 367(c); (124 Stat. 1556); to the Committee on Financial Services.

3745. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's 2013 Report to Congress on Outcome Evaluations of Administration for Native Americans (ANA) Projects, pursuant to 42 U.S.C. 2992(e); to the Committee on Education and the Workforce.

3746. A letter from the Secretary, Department of Education, transmitting the Department's FY 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3747. A letter from the Secretary, Department of Labor, transmitting the Department's Semiannual Report to Congress for the period April 1 through September 30, 2015, pursuant to µ5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3748. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's semiannual report to Congress for the period of April 1, 2015, to September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3749. A letter from the Director, Peace Corps, transmitting the Corps' Performance and Accountability Report for Fiscal Year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3750. A letter from the Acting Administrator, United States Agency for International Development, transmitting the Agency's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3751. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled ''Computation of Annual Liability Insurance (Including Self-Insurance) Settlement Recovery Threshold'', pursuant to 42 U.S.C. 1395y(b)(9)(D); Public Law 112-242, Sec. 202(a)(2); (126 Stat. 2379); jointly to the Committees on Ways and Means and Energy and Commerce.

¶152.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 10, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 10, 2015 at 9:15 a.m.:

That the Senate passed with an amendment H.R. 2820.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶152.7 RECESS—12:39 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 39 minutes p.m., subject to the call of the Chair.

¶152.8 AFTER RECESS—2:48 P.M.

The SPEAKER pro tempore, Mr. LOUDERMILK, called the House to order.

¶152.9 SECURING FAIRNESS IN REGULATORY TIMING

Mr. TIBERI moved to suspend the rules and pass the bill (H.R. 3831) to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage; as amended.

The SPEAKER pro tempore, Mr. LOUDERMILK, recognized Mr. TIBERI and Mr. THOMPSON of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LOUDERMILK, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶152.10 SURFACE TRANSPORTATION BOARD REAUTHORIZATION

Mr. SHUSTER moved to suspend the rules and pass the bill of the Senate (S. 808) to establish the Surface Transportation Board as an independent establishment, and for other purposes.

The SPEAKER pro tempore, Mr. LOUDERMILK, recognized Mr. SHUSTER and Mr. CAPUANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LOUDERMILK, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk notify the Senate thereof.

¶152.11 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2250. An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes.

¶152.12 COAST GUARD AUTHORIZATION

Mr. HUNTER moved to suspend the rules and pass the bill (H.R. 4188) to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

The SPEAKER pro tempore, Mr. LOUDERMILK, recognized Mr. HUNTER and Mr. GARAMENDI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LOUDERMILK, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶152.13 DEPARTMENT OF HOMELAND SECURITY CBRNE DEFENSE

Mr. MCCAUL moved to suspend the rules and pass the bill (H.R. 3875) to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LOUDERMILK, recognized Mr. MCCAUL and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LOUDERMILK, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶152.14 DHS SCIENCE AND TECHNOLOGY REFORM AND IMPROVEMENT

Mr. RATCLIFFE moved to suspend the rules and pass the bill (H.R. 3578) to amend the Homeland Security Act of 2002 to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LOUDERMILK, recognized Mr. RATCLIFFE and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LOUDERMILK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. RATCLIFFE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LOUDERMILK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶152.15 STATE AND LOCAL CYBER PROTECTION

Mr. HURD of Texas, moved to suspend the rules and pass the bill (H.R. 3869) to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LOUDERMILK, recognized Mr. HURD of Texas, and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Homeland Security Act of 2002 to assist State and local coordination on cybersecurity with the national

cybersecurity and communications integration center, and for other purposes.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶152.16 FIRST RESPONDER IDENTIFICATION OF EMERGENCY NEEDS IN DISASTER SITUATIONS

Mr. HURD of Texas, moved to suspend the rules and pass the bill (H.R. 2795) to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event; as amended.

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, recognized Mr. HURD of Texas, and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HURD of Texas, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶152.17 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 644 AND THE AMENDMENTS OF THE SENATE TO H.R. 2250

Mr. COLE, by direction of the Committee on Rules, reported (Rept. No. 114–378) the resolution (H. Res. 560) providing for consideration of the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, and providing for consideration of the Senate amendments to the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶152.18 H.R. 3578—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3578) to amend the Homeland Security Act of 2002 to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 416 / Nays ..... 0

¶152.19 [Roll No. 687]

YEAS—416

| | | |
|---|---|---|
| Abraham | Davis, Rodney | Huffman |
| Adams | DeFazio | Huizenga (MI) |
| Aderholt | DeGette | Hultgren |
| Allen | Delaney | Hunter |
| Amash | DeLauro | Hurd (TX) |
| Amodei | DelBene | Hurt (VA) |
| Ashford | Denham | Israel |
| Babin | Dent | Issa |
| Barletta | DeSantis | Jackson Lee |
| Barr | DeSaulnier | Jeffries |
| Barton | DesJarlais | Jenkins (KS) |
| Bass | Deutch | Jenkins (WV) |
| Beatty | Diaz-Balart | Johnson (GA) |
| Becerra | Dingell | Johnson (OH) |
| Benishek | Doggett | Johnson, E. B. |
| Bera | Dold | Jolly |
| Beyer | Donovan | Jones |
| Bilirakis | Doyle, Michael F. | Jordan |
| Bishop (GA) | | Joyce |
| Bishop (MI) | Duckworth | Kaptur |
| Bishop (UT) | Duffy | Katko |
| Black | Duncan (SC) | Keating |
| Blackburn | Duncan (TN) | Kelly (IL) |
| Blum | Edwards | Kelly (MS) |
| Blumenauer | Ellison | Kelly (PA) |
| Bonamici | Ellmers (NC) | Kennedy |
| Bost | Eshoo | Kilmer |
| Boustany | Esty | Kind |
| Brady (PA) | Farenthold | King (IA) |
| Brady (TX) | Farr | King (NY) |
| Brat | Fattah | Kinzinger (IL) |
| Bridenstine | Fincher | Kirkpatrick |
| Brooks (AL) | Fitzpatrick | Kline |
| Brooks (IN) | Fleischmann | Knight |
| Brown (FL) | Fleming | Kuster |
| Brownley (CA) | Flores | Labrador |
| Buchanan | Forbes | LaHood |
| Buck | Fortenberry | LaMalfa |
| Bucshon | Foster | Lamborn |
| Burgess | Foxx | Lance |
| Bustos | Frankel (FL) | Langevin |
| Butterfield | Franks (AZ) | Larsen (WA) |
| Byrne | Frelinghuysen | Larson (CT) |
| Calvert | Fudge | Latta |
| Capps | Gabbard | Lawrence |
| Capuano | Gallego | Lee |
| Cárdenas | Garamendi | Levin |
| Carney | Garrett | Lewis |
| Carson (IN) | Gibbs | Lieu, Ted |
| Carter (GA) | Gibson | Lipinski |
| Carter (TX) | Gohmert | LoBiondo |
| Cartwright | Goodlatte | Loebsack |
| Castor (FL) | Gosar | Lofgren |
| Castro (TX) | Gowdy | Long |
| Chabot | Graham | Loudermilk |
| Chaffetz | Granger | Love |
| Chu, Judy | Graves (GA) | Lowenthal |
| Clark (MA) | Graves (LA) | Lowey |
| Clarke (NY) | Graves (MO) | Lucas |
| Clawson (FL) | Green, Al | Luetkemeyer |
| Clay | Green, Gene | Lujan Grisham (NM) |
| Cleaver | Griffith | |
| Clyburn | Grothman | Luján, Ben Ray (NM) |
| Coffman | Guinta | |
| Cohen | Guthrie | Lummis |
| Cole | Gutiérrez | Lynch |
| Collins (GA) | Hahn | MacArthur |
| Collins (NY) | Hanna | Maloney, Carolyn |
| Comstock | Hardy | |
| Conaway | Harper | Maloney, Sean |
| Connolly | Harris | Marchant |
| Conyers | Hartzler | Marino |
| Cook | Hastings | Massie |
| Cooper | Heck (NV) | Matsui |
| Costa | Heck (WA) | McCarthy |
| Costello (PA) | Hensarling | McCaul |
| Courtney | Herrera Beutler | McClintock |
| Cramer | Hice, Jody B. | McCollum |
| Crawford | Higgins | McDermott |
| Crenshaw | Hill | McHenry |
| Crowley | Himes | McKinley |
| Cuellar | Hinojosa | McMorris Rodgers |
| Culberson | Holding | |
| Cummings | Honda | McNerney |
| Curbelo (FL) | Hoyer | McSally |
| Davis (CA) | Hudson | Meehan |
| Davis, Danny | Huelskamp | Meeks |
| Meng | Rigell | Takai |
| Messer | Roby | Takano |
| Mica | Roe (TN) | Thompson (CA) |
| Miller (FL) | Rogers (AL) | Thompson (MS) |
| Miller (MI) | Rogers (KY) | Thompson (PA) |
| Moolenaar | Rohrabacher | Thornberry |
| Mooney (WV) | Rokita | Tiberi |
| Moore | Rooney (FL) | Tipton |
| Moulton | Ros-Lehtinen | Titus |
| Mullin | Roskam | Tonko |
| Mulvaney | Ross | Torres |
| Murphy (FL) | Rothfus | Trott |
| Murphy (PA) | Rouzer | Tsongas |
| Nadler | Roybal-Allard | Turner |
| Napolitano | Royce | Upton |
| Neal | Ruiz | Valadao |
| Neugebauer | Ruppersberger | Van Hollen |
| Newhouse | Rush | Vargas |
| Noem | Russell | Veasey |
| Norcross | Ryan (OH) | Vela |
| Nugent | Salmon | Velázquez |
| Nunes | Sánchez, Linda T. | Visclosky |
| O'Rourke | | Wagner |
| Olson | Sanchez, Loretta | Walberg |
| Palazzo | Sanford | Walden |
| Pallone | Sarbanes | Walker |
| Palmer | Scalise | Walorski |
| Pascrell | Schakowsky | Walters, Mimi |
| Paulsen | Schiff | Walz |
| Payne | Schrader | Wasserman Schultz |
| Pearce | Schweikert | |
| Pelosi | Scott (VA) | Waters, Maxine |
| Perlmutter | Scott, Austin | Watson Coleman |
| Perry | Scott, David | Weber (TX) |
| Peters | Sensenbrenner | Webster (FL) |
| Peterson | Serrano | Welch |
| Pingree | Sewell (AL) | Wenstrup |
| Pittenger | Sherman | Westerman |
| Pitts | Shimkus | Westmoreland |
| Pocan | Shuster | Whitfield |
| Poe (TX) | Simpson | Williams |
| Poliquin | Sires | Wilson (FL) |
| Pompeo | Slaughter | Wilson (SC) |
| Posey | Smith (MO) | Wittman |
| Price (NC) | Smith (NE) | Womack |
| Price, Tom | Smith (NJ) | Woodall |
| Quigley | Smith (TX) | Yarmuth |
| Ratcliffe | Smith (WA) | Yoder |
| Reed | Speier | Yoho |
| Reichert | Stefanik | Young (AK) |
| Renacci | Stewart | Young (IA) |
| Ribble | Stivers | Young (IN) |
| Rice (SC) | Stutzman | Zeldin |
| Richmond | Swalwell (CA) | Zinke |

NOT VOTING—17

| | | |
|---|---|---|
| Aguilar | Grayson | Nolan |
| Boyle, Brendan F. | Grijalva | Polis |
| | Johnson, Sam | Rangel |
| Cicilline | Kildee | Rice (NY) |
| Emmer (MN) | McGovern | Sessions |
| Engel | Meadows | Sinema |

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

¶152.20 PRIVILEGES OF THE HOUSE

Ms. PELOSI, pursuant to rule IX, rose to a question of the privileges of the House and submitted the following resolution:

Whereas the safety of the American people is urgently at stake;

Whereas the integrity of the legislative process has been seriously undermined by the influence of a powerful lobby, causing the House leadership to prevent the American people's representatives from considering commonsense measures to prevent terrorists from purchasing assault weapons and firearms from any licensed firearms dealer in the United States;

Whereas the first duty of Members of Congress is to protect and defend the American people, and that duty is forsaken by the fail-

ure of the House leadership to withstand the influence of a powerful lobby controlled by the gun industry;

Whereas leaders of terrorist organizations have previously urged sympathizers to exploit the United States' lax gun laws in order to perpetrate domestic terror;

Whereas suspects on the FBI's Terrorist Watchlist can go into a gun store anywhere in America and buy dangerous firearms of their choosing legally;

Whereas since 2004, more than 2,000 suspected terrorists have legally purchased weapons in the United States;

Whereas in that time period, more than 90 percent of all suspected terrorists who tried to buy a gun in a store in America walked away with his or her weapon of choice;

Whereas the House leadership ensures the ability of suspected terrorists to continue to buy guns and refuses to schedule legislation to close the terror list loophole;

Whereas since the mass shooting at Sandy Hook Elementary school nearly 3 years ago, more than 1,000 mass shootings, 90,000 gun deaths, and 210,000 gun injuries have occurred; and

Whereas mass shootings and gun violence are inflicting daily tragedy on communities across America: Now, therefore, be it

*Resolved,* That—

(1) a clear and present danger exists to the American people; and

(2) in order to protect the American people and the integrity of the legislative process, upon the adoption of this resolution, the Speaker shall place H.R. 1076, the ''Denying Firearms and Explosives to Dangerous Terrorists Act'', as introduced by Congressman Peter King (Republican–NY), on the calendar for an immediate vote.

The SPEAKER pro tempore, Mr. WOMACK, spoke and said:

''Does the gentlewoman from California wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?''.

Ms. PELOSI was recognized to speak to the question of the privileges of the House, and said:

''Mr. Speaker, it is shocking to the American people that Congress refuses to keep guns out of the hands of those on the FBI's terrorist watch list. The gun violence epidemic is a public health crisis that we have a responsibility to address. Failing to meet that responsibility brings dishonor to the House of Representatives.

''Public sentiment demands action. Eighty percent of Americans support legislation to close the outrageous loophole that puts guns in the hands of people, again, on the FBI's terrorist watch list. In the last decade, 90 percent of those on the FBI's terrorist watch list who tried to buy guns in America left the store with their weapons of choice.

''In closing, in the people's House, we do nothing. We have not even allowed an up-or-down vote. In just over 1,000 days since Sandy Hook, we have seen 1,000 mass killings, 90,000 gun deaths, and 210,000 gun injuries in communities across America.

''By refusing to act, we disgrace the House, we dishonor the American people, and we erode America's faith in our democracy. We have no right to hold moments of silence without action to end gun violence. Give us an up-or-down vote.''.

The SPEAKER pro tempore, Mr. WOMACK, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

''The gentlewoman from California seeks to offer a resolution raising a question of the privileges of the House under rule IX. The resolution directs the Speaker to schedule a particular measure for an immediate vote.

''One of the fundamental tenets of rule IX, as the Chair most recently ruled on October 8, 2013, is that a resolution expressing a legislative sentiment does not qualify as a question of the privileges of the House.

''By calling for a vote on a particular measure, the resolution expresses a legislative sentiment in violation of the principles documented in sections 702 and 706 of the House Rules and Manual. Accordingly, the resolution does not constitute a question of the privileges of the House.''.

Ms. PELOSI appealed the ruling of the Chair.

The question being stated,

Will the decision of the Chair stand as the judgment of the House?

Mr. MCCARTHY moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. WOMACK, announced that the ayes had it.

Ms. PELOSI demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 242 / Nays ..... 173

¶152.21 [Roll No. 688]

YEAS—242

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

NAYS—173

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

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

NOT VOTING—18

Aguilar
Boyle, Brendan F.
Cicilline
Emmer (MN)
Engel
Grayson
Grijalva
Gutiérrez
Johnson, Sam
Kildee
McGovern
Meadows
Nolan
Rangel
Rice (NY)
Scott (VA)
Sessions
Sinema

So the motion to lay the appeal on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶152.22 H.R. 2795—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of New York, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2795) to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 396 Nays ..... 12

¶152.23 [Roll No. 689]

YEAS—396

Abraham
Adams
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—12

Amash
Collins (GA)
Gohmert
Grothman
Harris
Huelskamp
Jones
Massie
Palazzo
Sanford
Sensenbrenner
Stutzman

NOT VOTING—25

Aguilar
Blackburn
Boyle, Brendan F.
Cicilline
Emmer (MN)
Engel
Grayson
Grijalva
Gutiérrez
Johnson, Sam
Kildee
LaMalfa
Lawrence
Lewis
McGovern
Meadows
Nolan
Pelosi
Price, Tom
Rangel
Rice (NY)
Scott (VA)
Sessions
Sinema
Webster (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

And then,

¶152.24 ADJOURNMENT

On motion of Mr. FORTENBERRY, at 6 o'clock p.m., the House adjourned.

¶152.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2406. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; with an amendment (Rept. 114–377, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 560. Resolution providing for consideration of the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, and providing for consideration of the Senate amendments to the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–378). Referred to the House Calendar.

¶152.26 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Agriculture, Energy and Commerce, Transportation and Infrastructure, and the Judiciary discharged from further consideration. H.R. 2406 referred to the Committee of the Whole House on the state of the Union.

¶152.27 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RIGELL (for himself and Mr. WELCH):

H.R. 4208. A bill to authorize the use of the United States Armed Forces against the Islamic State of Iraq and the Levant; to the Committee on Foreign Affairs.

By Ms. MAXINE WATERS of California (for herself, Mr. GRIJALVA, Ms. LEE, Ms. BORDALLO, Ms. KELLY of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. MEEKS, Ms. NORTON, Mr. BUTTERFIELD, Mrs. BEATTY, Mr. HASTINGS, Mr. SMITH of Washington, Ms. JACKSON LEE, Mr. PAYNE, Mr. AL GREEN of Texas, Ms. MOORE, Ms. VELÁZQUEZ, Mrs. LAWRENCE, Mr. CARSON of Indiana, Ms. BASS, Mr. LEWIS, Ms. JUDY CHU of California, Mr.

FATTAH, Mr. TAKANO, Ms. CLARKE of New York, Ms. BROWN of Florida, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Mr. JOHNSON of Georgia, Ms. PLASKETT, Mr. SARBANES, Ms. SCHAKOWSKY, Ms. EDWARDS, Mr. COHEN, Mr. CÁRDENAS, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Mr. NADLER, Mr. CUMMINGS, Mr. HINOJOSA, Ms. ADAMS, Ms. FUDGE, and Mr. VAN HOLLEN):

H.R. 4209. A bill to amend the Public Health Service Act to authorize grants to provide treatment for diabetes in minority communities; to the Committee on Energy and Commerce.

By Mr. PITTENGER:

H.R. 4210. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require voting members of the Financial Stability Oversight Council to testify before Congress at least twice each year when requested to do so or to otherwise permit certain Members of Congress to attend meetings of the Council whether or not such meetings are open to the public; to the Committee on Financial Services.

By Mr. ROYCE (for himself and Ms. SEWELL of Alabama):

H.R. 4211. A bill to require Fannie Mae and Freddie Mac to establish procedures for considering certain credit scores in making a determination whether to purchase a residential mortgage, and for other purposes; to the Committee on Financial Services.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. MEEHAN, Mr. SCHRADER, and Mr. LANCE):

H.R. 4212. A bill to establish a Community-Based Institutional Special Needs Plan demonstration program to target home and community-based care to eligible Medicare beneficiaries, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself, Mr. PIERLUISI, Mr. RANGEL, Mr. LARSON of Connecticut, and Mr. SERRANO):

H.R. 4213. A bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the earned income tax credit and to provide for equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. PASCRELL):

H.R. 4214. A bill to amend the Internal Revenue Code of 1986 to increase the excise tax and special occupational tax in respect of firearms and to increase the transfer tax on any other weapon, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, the Judiciary, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Ms. BASS, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Ms. CASTOR of Florida, Ms. CLARK of Massachusetts, Mr. CLEAVER, Mr. CONNOLLY, Mr. CUMMINGS, Mr. DEFAZIO, Ms. DELBENE, Mr. DEUTCH, Mr. ELLISON, Mr. FARR, Mr. GRAYSON, Mr. HASTINGS, Mr. HIGGINS, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. KEATING, Mr. BEYER, Ms. BONAMICI, Ms. BROWN of Florida, Mr. CAPUANO, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DESAULNIER, Ms. EDWARDS, Ms. ESHOO, Mr. FATTAH, Mr. GRIJALVA, Mr. HECK of Washington, Mr. HONDA, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Ms. KUSTER, Mr. LARSEN of Washington, Mrs. LAWRENCE, Mr. LEWIS, Mr. LOEBSACK, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Mr. MCDERMOTT, Mr. MEEKS, Mr. MOULTON, Mrs. NAPOLITANO, Mr. NOLAN, Mr. PAYNE, Mr. POCAN, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. KILMER, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MENG, Mr. NADLER, Mr. NEAL, Ms. NORTON, Ms. PINGREE, Mr. POLIS, Mr. QUIGLEY, Miss RICE of New York, Mr. SARBANES, Mr. SCHIFF, Mr. SERRANO, Mr. SIRES, Mr. SMITH of Washington, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKAI, Mr. THOMPSON of California, Ms. TSONGAS, Mr. VARGAS, Ms. MAXINE WATERS of California, Mr. WELCH, and Mr. YARMUTH):

H.R. 4215. A bill to require regulation of wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy under the Solid Waste Disposal Act, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MOORE (for herself and Mr. STIVERS):

H.R. 4216. A bill to protect the investment choices of American investors, and for other purposes; to the Committee on Financial Services.

By Mr. BERA:

H.R. 4217. A bill to amend the Internal Revenue Code of 1986 to determine eligibility for health insurance subsidies without regard to amounts included in income by reason of conversion to a Roth IRA; to the Committee on Ways and Means.

By Mrs. BLACKBURN (for herself, Mr. SMITH of Texas, Mr. BARLETTA, and Mr. DESJARLAIS):

H.R. 4218. A bill to suspend the admission to the United States of refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. BOUSTANY (for himself and Mr. MEEKS):

H.R. 4219. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan; to the Committee on Ways and Means.

By Mr. BUCK (for himself, Mr. GOSAR, Mr. BISHOP of Utah, Mrs. LUMMIS, Mrs. LOVE, and Mr. TIPTON):

H.R. 4220. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4221. A bill to amend the Higher Education Act of 1965 to restore National SMART Grants for a certain number of award years; to the Committee on Education and the Workforce.

By Mr. CARNEY:

H.R. 4222. A bill to direct the Secretary of Education to carry out a pilot program under which higher education savings accounts are established for the benefit of eligible secondary school students; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JUDY CHU of California (for herself, Ms. LEE, Ms. KUSTER, Mr. LOWENTHAL, Mr. HONDA, Mr. TAKANO, Ms. TITUS, Mr. MCDERMOTT, Mr. GARAMENDI, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CAPPS, Mrs. NAPOLITANO, and Mr. DAVID SCOTT of Georgia):

H.R. 4223. A bill to amend the Higher Education Act of 1965 to reinstate the authority of the Secretary of Education to make Federal Direct Stafford Loans to graduate and professional students; to the Committee on Education and the Workforce.

By Mr. COLLINS of Georgia:

H.R. 4224. A bill to designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the ''Sidney Olsin Smith, Jr. Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself, Mr. NADLER, and Mr. JOHNSON of Georgia):

H.R. 4225. A bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; to the Committee on the Judiciary.

By Mr. CURBELO of Florida (for himself and Ms. GRAHAM):

H.R. 4226. A bill to amend the Agricultural Act of 2014 to provide relief for agricultural producers adversely impacted by the Oriental fruit fly; to the Committee on Agriculture.

By Ms. DELAURO:

H.R. 4227. A bill to enhance beneficiary and provider protections and improve transparency in the Medicare Advantage market, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself and Mr. LAMALFA):

H.R. 4228. A bill to amend title 23, United States Code, to establish additional requirements for certain transportation projects with estimated costs of $2,500,000,000 or more, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KATKO (for himself and Mr. CICILLINE):

H.R. 4229. A bill to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances Act relating to controlled substance analogues; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 4230. A bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 4231. A bill to direct the Librarian of Congress to obtain a stained glass panel depicting the seal of the District of Columbia and install the panel among the stained glass panels depicting the seals of States which overlook the Main Reading Room of the Li-

brary of Congress Thomas Jefferson Building; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO:

H.R. 4232. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide for the consideration by State regulatory authorities and nonregulated electric utilities of whether subsidies should be provided for the deployment, construction, maintenance, or operation of a customer-side technology; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER (for himself, Mr. ISSA, Mr. LOWENTHAL, Mr. ROYCE, and Mrs. MIMI WALTERS of California):

H.R. 4233. A bill to eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes; to the Committee on Natural Resources.

By Mr. SARBANES:

H.R. 4234. A bill to establish a demonstration program to facilitate physician reentry into clinical practice to provide primary health services; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Ms. MATSUI, Mrs. CAROLYN B. MALONEY of New York, Ms. FRANKEL of Florida, Ms. DELAURO, Mr. GUTIÉRREZ, Ms. NORTON, Mr. GRIJALVA, Mr. ELLISON, and Mr. VAN HOLLEN):

H.R. 4235. A bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO (for himself, Mr. CROWLEY, Mr. ELLISON, Mr. HINOJOSA, Ms. MENG, Mr. PIERLUISI, Mr. CARTWRIGHT, Mr. NOLAN, Ms. DELAURO, Mr. VARGAS, Ms. ROYBAL-ALLARD, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BEN RAY LUJÁN of New Mexico, Mr. JEFFRIES, Ms. CLARKE of New York, Ms. VELÁZQUEZ, and Mr. HASTINGS):

H.R. 4236. A bill to promote savings by providing a tax credit for eligible taxpayers who contribute to savings products and to facilitate taxpayers receiving this credit and open a designated savings product when they file their Federal income tax returns; to the Committee on Ways and Means.

By Mr. HONDA (for himself, Mr. GRIJALVA, Mr. KENNEDY, Ms. NORTON, Mr. QUIGLEY, Mr. POCAN, Mr. LOWENTHAL, Ms. LEE, Mr. TED LIEU of California, Ms. SPEIER, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Mr. PALLONE, Mr. VAN HOLLEN, Ms. ROS-LEHTINEN, Mr. KEATING, Ms. BONAMICI, Mr. MCDERMOTT, Mr. MCGOVERN, and Mr. TAKANO):

H. Res. 561. A resolution expressing support for support of transgender acceptance; to the Committee on the Judiciary.

By Mr. LOWENTHAL (for himself, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. COSTA, Mr. CROWLEY, Mrs. DAVIS of California, Mrs. DINGELL, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HONDA, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. LEE, Mr. LEVIN, Ms. LOFGREN, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. PETERS, Mr. POCAN, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Mr. SHERMAN, Ms. SPEIER, Mrs. TORRES, Mr. VAN HOLLEN, and Mr. VARGAS):

H. Res. 562. A resolution recognizing the 67th anniversary of the Universal Declaration of Human Rights and the celebration of ''Human Rights Day''; to the Committee on Foreign Affairs.

By Mr. ROHRABACHER (for himself, Mr. MEEKS, and Mr. COHEN):

H. Res. 563. A resolution expressing the sense of the House of Representatives that the United States and the Republic of Belarus should establish full diplomatic relations; to the Committee on Foreign Affairs.

## ¶152.28 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 402: Mr. ZELDIN.
H.R. 465: Mr. COLLINS of New York.
H.R. 563: Mr. MCGOVERN, Mr. KNIGHT, and Ms. LOFGREN.
H.R. 592: Mr. SWALWELL of California.
H.R. 595: Mr. ELLISON.
H.R. 721: Ms. LINDA T. SÁNCHEZ of California.
H.R. 731: Mr. DELANEY and Mr. POLIQUIN.
H.R. 769: Mr. FRANKS of Arizona and Mr. ROHRABACHER.
H.R. 815: Mr. ROSS.
H.R. 835: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 902: Mr. NOLAN.
H.R. 985: Mr. ABRAHAM.
H.R. 1062: Mr. JOYCE.
H.R. 1095: Mr. MEEKS.
H.R. 1116: Mr. POMPEO and Mr. MOOLENAAR.
H.R. 1209: Mr. GALLEGO and Ms. ROYBAL-ALLARD.
H.R. 1221: Mr. KEATING.
H.R. 1247: Mr. YOUNG of Alaska.
H.R. 1282: Ms. EDWARDS.
H.R. 1331: Mr. LATTA.
H.R. 1439: Ms. DUCKWORTH and Mr. KILDEE.
H.R. 1475: Ms. JACKSON LEE.
H.R. 1516: Mr. KEATING and Ms. BONAMICI.
H.R. 1550: Miss RICE of New York.
H.R. 1654: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1655: Mr. GUTHRIE and Mr. HINOJOSA.
H.R. 1671: Mr. ROHRABACHER, Ms. JENKINS of Kansas, and Mr. MESSER.
H.R. 1769: Mr. MASSIE, Ms. JENKINS of Kansas, Ms. CLARK of Massachusetts, and Mr. MEEKS.
H.R. 1786: Mr. LUETKEMEYER, Mr. POE of Texas, and Mr. PAULSEN.
H.R. 1814: Mr. MEEKS and Mr. MURPHY of Pennsylvania.
H.R. 1923: Mr. VISCLOSKY.
H.R. 1940: Mr. JEFFRIES and Mr. MCDERMOTT.
H.R. 2016: Ms. EDWARDS and Mrs. DAVIS of California.
H.R. 2050: Mr. HECK of Nevada, Mr. MEEKS, and Mr. DONOVAN.
H.R. 2058: Mr. GOODLATTE and Mr. HOLDING.
H.R. 2114: Ms. VELÁZQUEZ.
H.R. 2187: Ms. SINEMA.
H.R. 2209: Mr. KIND.
H.R. 2218: Mr. MACARTHUR.
H.R. 2237: Mr. ROTHFUS.
H.R. 2283: Mr. KEATING.
H.R. 2302: Mr. FOSTER, Mr. CONYERS, and Ms. LOFGREN.
H.R. 2315: Mr. ABRAHAM.
H.R. 2366: Mr. CARSON of Indiana.
H.R. 2400: Mr. KINZINGER of Illinois, Mr. THOMPSON of Pennsylvania, and Mr. LAHOOD.
H.R. 2461: Ms. MCCOLLUM.
H.R. 2622: Mr. O'ROURKE.
H.R. 2648: Mr. NADLER.
H.R. 2680: Mr. DANNY K. DAVIS of Illinois.
H.R. 2871: Ms. SPEIER.
H.R. 2872: Mr. WEBSTER of Florida.
H.R. 2880: Mr. BEYER.
H.R. 2902: Mr. LEVIN.
H.R. 2903: Mr. SMITH of New Jersey, Mr. FITZPATRICK, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2978: Mr. DAVID SCOTT of Georgia, Mr. TED LIEU of California, Mr. VARGAS, Ms. FUDGE, Miss RICE of New York, and Mr. LEVIN.
H.R. 2992: Mr. MCGOVERN.
H.R. 3053: Mr. DIAZ-BALART.
H.R. 3067: Mr. SCHIFF.
H.R. 3068: Mr. WELCH.
H.R. 3084: Mrs. CAROLYN B. MALONEY of New York.
H.R. 3156: Mr. LABRADOR.
H.R. 3158: Mr. LABRADOR.
H.R. 3179: Mr. BARLETTA and Mr. RODNEY DAVIS of Illinois.
H.R. 3180: Mr. VEASEY.
H.R. 3226: Ms. MCCOLLUM.
H.R. 3229: Mr. LEWIS, Mr. HUIZENGA of Michigan, and Ms. BROWNLEY of California.
H.R. 3290: Mr. RANGEL.
H.R. 3303: Mr. POLIS and Mr. BEYER.
H.R. 3310: Mr. DUFFY.
H.R. 3321: Mr. GRAVES of Louisiana.
H.R. 3326: Ms. DUCKWORTH.
H.R. 3338: Ms. PINGREE.
H.R. 3339: Ms. JUDY CHU of California, Mr. ROTHFUS, and Mr. KELLY of Pennsylvania.
H.R. 3406: Ms. KAPTUR.
H.R. 3411: Mr. RANGEL.
H.R. 3437: Mr. ROGERS of Alabama.
H.R. 3516: Mr. WILLIAMS.
H.R. 3535: Mr. WELCH.
H.R. 3640: Mr. BOUSTANY.
H.R. 3648: Ms. MCCOLLUM.
H.R. 3660: Mr. GALLEGO.
H.R. 3694: Mr. BISHOP of Michigan.
H.R. 3706: Mr. EMMER of Minnesota and Mr. HUFFMAN.
H.R. 3719: Mr. POLIQUIN.
H.R. 3722: Mr. SCHWEIKERT and Mrs. COMSTOCK.
H.R. 3784: Mr. KILDEE and Ms. VELÁZQUEZ.
H.R. 3799: Mr. DEFAZIO.
H.R. 3832: Mr. BUCSHON.
H.R. 3856: Mr. BUCSHON.
H.R. 3870: Mr. ASHFORD and Mr. KNIGHT.
H.R. 3886: Mr. LARSEN of Washington, Ms. DELAURO, Ms. LEE, Mr. TED LIEU of California, Mr. RUPPERSBERGER, Mr. DANNY K. DAVIS of Illinois, Mr. LOEBSACK, Mr. BLUMENAUER, and Mr. POCAN.
H.R. 3913: Ms. MCCOLLUM, Mr. MCGOVERN, Mr. ASHFORD, Mr. HASTINGS, Ms. SCHAKOWSKY, Ms. NORTON, and Ms. PINGREE.
H.R. 3926: Ms. CLARK of Massachusetts, Mr. VARGAS, Ms. TSONGAS, Mr. LANGEVIN, Ms. HAHN, Mr. DEUTCH, Mr. PERLMUTTER, Mr. CAPUANO, Miss RICE of New York, Mr. JOHNSON of Georgia, Ms. DEGETTE, Mr. COURTNEY, Ms. WILSON of Florida, Mr. TAKAI, Mr. DANNY K. DAVIS of Illinois, Ms. SLAUGHTER, Mr. NADLER, and Mr. BEYER.
H.R. 3929: Mr. FRELINGHUYSEN.
H.R. 3957: Mr. DEUTCH.
H.R. 3964: Mr. WELCH and Mr. HONDA.
H.R. 4018: Mr. AUSTIN SCOTT of Georgia, Mr. CHABOT, Mr. WENSTRUP, and Mr. KELLY of Mississippi.
H.R. 4040: Mr. LARSON of Connecticut.
H.R. 4042: Mr. GENE GREEN of Texas and Mr. VEASEY.
H.R. 4057: Mrs. BROOKS of Indiana.
H.R. 4080: Mr. DELANEY.

H.R. 4086: Mr. MEEKS.
H.R. 4087: Mr. KING of New York, Mr. HUNTER, and Ms. MCSALLY.
H.R. 4117: Mr. MEEKS.
H.R. 4124: Mr. ASHFORD, Mr. HONDA, Mr. BRIDENSTINE, and Mr. MCGOVERN.
H.R. 4135: Mr. MEEKS.
H.R. 4140: Mr. FINCHER and Mr. WEBSTER of Florida.
H.R. 4144: Ms. PINGREE, Mr. RUPPERSBERGER, and Mr. LARSON of Connecticut.
H.R. 4162: Mr. HONDA.
H.R. 4177: Mr. LABRADOR.
H.R. 4179: Mrs. DAVIS of California.
H.R. 4185: Mr. THOMPSON of Pennsylvania, Mr. WESTERMAN, Mr. HARRIS, Mr. GIBBS, Mr. COOK, Mr. BYRNE, Mr. LUETKEMEYER, Mr. ADERHOLT, Mr. PALMER, Mr. GOHMERT, Mr. LAMBORN, Mr. MASSIE, and Mr. LONG.
H.R. 4197: Mr. MICA, Mr. MARCHANT, and Mr. RATCLIFFE.
H. Con. Res. 26: Mr. WESTMORELAND.
H. Con. Res. 75: Mr. GOWDY and Mr. COURTNEY.
H. Con. Res. 100: Mr. LANCE, Mr. AUSTIN SCOTT of Georgia, Mr. COSTELLO of Pennsylvania, Mr. LAMBORN, Mr. MILLER of Florida, Mr. DOLD, Mr. JOYCE, Mr. CHABOT, Mr. STEWART, Mr. TIBERI, Mr. CURBELO of Florida, Mrs. LOWEY, Mrs. WALORSKI, Mrs. WAGNER, Mr. LATTA, Mrs. BROOKS of Indiana, Mr. WEBER of Texas, Mr. BOUSTANY, Mrs. LOVE, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mr. ASHFORD, and Mr. POLIQUIN.
H. Res. 14: Mr. MCGOVERN, Mr. AMASH, and Mr. CLAY.
H. Res. 145: Ms. MCCOLLUM.
H. Res. 220: Ms. CLARK of Massachusetts.
H. Res. 346: Mrs. MCMORRIS RODGERS and Mr. BRENDAN F. BOYLE of Pennsylvania.
H. Res. 364: Ms. MCCOLLUM.
H. Res. 383: Ms. MCCOLLUM.
H. Res. 386: Ms. MCCOLLUM and Mr. LOWENTHAL.
H. Res. 469: Mr. MACARTHUR.
H. Res. 523: Mr. PETERS and Mr. BUCHANAN.
H. Res. 528: Ms. LEE, Ms. BROWN of Florida, and Mr. THOMPSON of Mississippi.
H. Res. 541: Mr. VAN HOLLEN, Mr. MEEKS, and Mrs. LOWEY.
H. Res. 552: Mr. PERLMUTTER and Mr. TAKAI.
H. Res. 553: Mrs. COMSTOCK and Mr. HECK of Nevada.
H. Res. 554: Mr. KILMER, Mr. HONDA, Mr. BEN RAY LUJÁN of New Mexico, Mr. CÁRDENAS, and Mrs. MIMI WALTERS of California.
H. Res. 559: Mr. WILSON of South Carolina and Mr. MOOLENAAR.

¶152.29 PETITIONS

Under clause 3 of rule XII,

38. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would clarify that a declaration of martial law, or a suspension of the writ of habeas corpus, does not immunize the President of the United States from any process of involuntary removal from the office of President that is contained within the Constitution; which was referred to the Committee on the Judiciary.

¶152.30 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3094: Mr. MICA.

**FRIDAY, DECEMBER 11, 2015 (153)**

The House was called to order by the SPEAKER.

¶153.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, December 10, 2015.

Mr. WILSON of South Carolina, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. WILSON of South Carolina, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶153.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3752. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a letter in response to the Senate Report 113-174, page 13, focusing on military properties made available as a result of Base Realignment and Closure; to the Committee on Armed Services.

3753. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Azoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2014-0822; FRL-9939-52) received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3754. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Name Change from the Office of Solid Waste and Emergency Response (OSWER) to the Office of Land and Emergency Management (OLEM) [FRL-9936-38-OSWER] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3755. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Maryland's Negative Declaration for the Automobile and Light-Duty Truck Assembly Coatings Control Techniques Guidelines [EPA-R03-OAR-2015-0530; FRL-9939-99-Region 3] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3756. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; El Paso Particulate Matter Contingency Measures [EPA-R06-OAR-2012-0205; FRL-9940-03-Region 6] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3757. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Naphthalene Acetates; Pesticide Tolerances [EPA-HQ-OPP-2014-0769; FRL-9937-22] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3758. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus amyloliquefaciens MBI600 (antecedent Bacillus subtilis MBI600); Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0762; FRL-9939-54] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3759. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Choline Chloride; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0023; FRL-9935-81] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3760. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington: Interstate Transport of Ozone [EPA-R10-OAR-2015-0334; FRL-9940-05-Region 10] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3761. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Harrisburg, PA and Scranton-Wilkes-Barre, PA, Appropriated Fund Federal Wage System Wage Areas (RIN: 3206-AN18) received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3762. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Human Resources Management Reporting Requirements (RIN: 3206-AM69) received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3763. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the Eagle Foothills Viticultural Area [Docket No.: TTB-2015-0006; T.D. TTB-131; Ref: Notice No.: 150] (RIN: 1513-AC18) received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶153.3 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 644 AND THE AMENDMENTS OF THE SENATE TO H.R. 2250

Mr. COLE, by direction of the Committee on Rules, called up the following resolution (H. Res. 560):

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as

read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 2. Upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order, a single motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

When said resolution was considered.

After debate,

Mr. COLE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. WOMACK, announced that the ayes had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 236 Nays ..... 177

¶153.4 [Roll No. 690]

YEAS—236

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

NAYS—177

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

NOT VOTING—20

Aguilar
Boyle, Brendan F.
DeFazio
Fincher
Green, Gene
Harper
Jenkins (KS)
Johnson, Sam
Kildee
Kuster
Meadows
Nolan
Payne
Pompeo
Reichert
Sanchez, Loretta
Schrader
Schweikert
Sessions
Westmoreland

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. WOMACK, announced that the ayes had it.

Mr. POLIS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 236 Noes ..... 174

¶153.5 [Roll No. 691]

AYES—236

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford

| | | |
|---|---|---|
| Scalise | Thornberry | Wenstrup |
| Scott, Austin | Tiberi | Westerman |
| Sensenbrenner | Tipton | Whitfield |
| Shimkus | Trott | Williams |
| Shuster | Turner | Wilson (SC) |
| Simpson | Upton | Wittman |
| Sinema | Valadao | Womack |
| Smith (MO) | Wagner | Woodall |
| Smith (NE) | Walberg | Yoder |
| Smith (NJ) | Walden | Yoho |
| Stefanik | Walker | Young (AK) |
| Stewart | Walorski | Young (IA) |
| Stivers | Walters, Mimi | Young (IN) |
| Stutzman | Weber (TX) | Zeldin |
| Thompson (PA) | Webster (FL) | Zinke |

NOES—174

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

NOT VOTING—23

| | | |
|---|---|---|
| Aguilar | Harper | Payne |
| Boyle, Brendan F. | Jenkins (KS) | Pompeo |
| DeFazio | Johnson, Sam | Sanchez, Loretta |
| DeSantis | Kildee | Schrader |
| Fincher | Kuster | Schweikert |
| Frelinghuysen | Loebsack | Sessions |
| Green, Gene | Meadows | Smith (TX) |
| | Nolan | Westmoreland |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶153.6 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, without amendment, a bill of the House of the following title:

H.R. 2693. An Act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

The message also announced that the Senate has passed bills of the following titles, in which the concurrence of the House is requested:

S. 142. An Act to require special packaging for liquid nicotine containers, and for other purposes.

S. 209. An Act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes.

S. 993. An Act to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 2308. An Act to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes.

S. 2393. An Act to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

¶153.7 ORDER OF BUSINESS—ON A MOTION TO RECOMMIT ON THE CONFERENCE REPORT TO H.R. 644

On motion of Mr. BRADY of Texas, by unanimous consent,

*Ordered*, That it may be in order that the question of adopting a motion to recommit on the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, may be subject to postponement as though under clause 8 of rule XX.

¶153.8 TRADE FACILITATION AND TRADE ENFORCEMENT

Mr. BRADY of Texas, pursuant to House Resolution 560, called up the following conference report (Rept. No. 114–376):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 644), to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Trade Facilitation and Trade Enforcement Act of 2015''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is follows:*

***SEC. 2. DEFINITIONS.***

*In this Act:*

*(1) AUTOMATED COMMERCIAL ENVIRONMENT.—The term ''Automated Commercial Environment'' means the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)).*

*(2) COMMERCIAL OPERATIONS OF U.S. CUSTOMS AND BORDER PROTECTION.—The term ''commercial operations of U.S. Customs and Border Protection'' includes—*

*(A) administering any customs revenue function (as defined in section 415 of the Homeland Security Act of 2002 (6 U.S.C. 215));*

*(B) coordinating efforts of the Department of Homeland Security with respect to trade facilitation and trade enforcement;*

*(C) coordinating with the Director of U.S. Immigration and Customs Enforcement with respect to—*

*(i) investigations relating to trade enforcement; and*

*(ii) the development and implementation of the joint strategic plan required by section 105;*

*(D) coordinating, on behalf of the Department of Homeland Security, efforts among Federal agencies to facilitate legitimate trade and to enforce the customs and trade laws of the United States, including representing the Department of Homeland Security in interagency fora addressing such efforts;*

*(E) coordinating with customs authorities of foreign countries to facilitate legitimate international trade and enforce the customs and trade laws of the United States and the customs and trade laws of foreign countries;*

*(F) collecting, assessing, and disseminating information as appropriate and in accordance with any law regarding cargo destined for the United States—*

*(i) to ensure that such cargo complies with the customs and trade laws of the United States; and*

*(ii) to facilitate the legitimate international trade of such cargo;*

*(G) soliciting and considering on a regular basis input from private sector entities, including the Commercial Customs Operations Advisory Committee established by section 109 and the Trade Support Network, with respect to, as appropriate—*

*(i) the implementation of changes to the customs and trade laws of the United States; and*

*(ii) the development, implementation, or revision of policies or regulations administered by U.S. Customs and Border Protection; and*

*(H) otherwise advising the Secretary of Homeland Security with respect to the development of policies associated with facilitating legitimate trade and enforcing the customs and trade laws of the United States.*

*(3) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection, as described in section 411(b) of the Homeland Security Act of 2002, as amended by section 802(a) of this Act.*

*(4) CUSTOMS AND TRADE LAWS OF THE UNITED STATES.—The term ''customs and trade laws of the United States'' includes the following:*

*(A) The Tariff Act of 1930 (19 U.S.C. 1202 et seq.).*

*(B) Section 249 of the Revised Statutes (19 U.S.C. 3).*

*(C) Section 2 of the Act of March 4, 1923 (42 Stat. 1453, chapter 251; 19 U.S.C. 6).*

*(D) The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.).*

*(E) Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c).*

*(F) Section 251 of the Revised Statutes (19 U.S.C. 66).*

*(G) Section 1 of the Act of June 26, 1930 (46 Stat. 817, chapter 617; 19 U.S.C. 68).*

*(H) The Act of June 18, 1934 (48 Stat. 998, chapter 590; 19 U.S.C. 81a et seq.; commonly known as the ''Foreign Trade Zones Act'').*

*(I) Section 1 of the Act of March 2, 1911 (36 Stat. 965, chapter 191; 19 U.S.C. 198).*

*(J) The Trade Act of 1974 (19 U.S.C. 2101 et seq.).*

*(K) The Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.).*

*(L) The North American Free Trade Agreement Implementation Act (19 U.S.C. 3301 et seq.).*

*(M) The Uruguay Round Agreements Act (19 U.S.C. 3501 et seq.).*

*(N) The Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.).*

*(O) The Andean Trade Preference Act (19 U.S.C. 3201 et seq.).*

*(P) The African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).*

*(Q) The Customs Enforcement Act of 1986 (Public Law 99–570; 100 Stat. 3207–79).*

*(R) The Customs and Trade Act of 1990 (Public Law 101–382; 104 Stat. 629).*

*(S) The Customs Procedural Reform and Simplification Act of 1978 (Public Law 95–410; 92 Stat. 888).*

*(T) The Trade Act of 2002 (Public Law 107–210; 116 Stat. 933).*

*(U) The Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.).*

*(V) The Act of March 28, 1928 (45 Stat. 374, chapter 266; 19 U.S.C. 2077 et seq.).*

*(W) The Act of August 7, 1939 (53 Stat. 1262, chapter 566).*

*(X) The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4201 et seq.).*

*(Y) The Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 362).*

*(Z) Any other provision of law implementing a trade agreement.*

*(AA) Any other provision of law vesting customs revenue functions in the Secretary of the Treasury.*

*(BB) Any other provision of law relating to trade facilitation or trade enforcement that is administered by U.S. Customs and Border Protection on behalf of any Federal agency that is required to participate in the International Trade Data System established under section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)).*

*(CC) Any other provision of customs or trade law administered by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.*

*(5) PRIVATE SECTOR ENTITY.—The term ''private sector entity'' means—*

*(A) an importer;*

*(B) an exporter;*

*(C) a forwarder;*

*(D) an air, sea, or land carrier or shipper;*

*(E) a contract logistics provider;*

*(F) a customs broker; or*

*(G) any other person (other than an employee of a government) affected by the implementation of the customs and trade laws of the United States.*

*(6) TRADE ENFORCEMENT.—The term ''trade enforcement'' means the enforcement of the customs and trade laws of the United States.*

*(7) TRADE FACILITATION.—The term ''trade facilitation'' refers to policies and activities of U.S. Customs and Border Protection with respect to facilitating the movement of merchandise into and out of the United States in a manner that complies with the customs and trade laws of the United States.*

## *TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT*

### *SEC. 101. IMPROVING PARTNERSHIP PROGRAMS.*

*(a) IN GENERAL.—In order to advance the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, the Commissioner shall ensure that partnership programs of U.S. Customs and Border Protection established before the date of the enactment of this Act, such as the Customs–Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), and partnership programs of U.S. Customs and Border Protection established on or after such date of enactment, provide trade benefits to private sector entities that meet the requirements for participation in those programs established by the Commissioner under this section.*

*(b) ELEMENTS.—In developing and operating partnership programs under subsection (a), the Commissioner shall—*

*(1) consult with private sector entities, the public, and other Federal agencies when appropriate, to ensure that participants in those programs receive commercially significant and measurable trade benefits, including providing preclearance of merchandise for qualified persons that demonstrate the highest levels of compliance with the customs and trade laws of the United States, regulations of U.S. Customs and Border Protection, and other requirements the Commissioner determines to be necessary;*

*(2) ensure an integrated and transparent system of trade benefits and compliance requirements for all partnership programs of U.S. Customs and Border Protection;*

*(3) consider consolidating partnership programs in situations in which doing so would support the objectives of such programs, increase participation in such programs, enhance the trade benefits provided to participants in such programs, and enhance the allocation of the resources of U.S. Customs and Border Protection;*

*(4) coordinate with the Director of U.S. Immigration and Customs Enforcement, and other Federal agencies with authority to detain and release merchandise entering the United States—*

*(A) to ensure coordination in the release of such merchandise through the Automated Commercial Environment, or its predecessor, and the International Trade Data System established under section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d));*

*(B) to ensure that the partnership programs of those agencies are compatible with the partnership programs of U.S. Customs and Border Protection;*

*(C) to develop criteria for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States; and*

*(D) to create pathways, within and among the appropriate Federal agencies, for qualified persons that demonstrate the highest levels of compliance with the customs and trade laws of the United States to receive immediate clearance absent information that a transaction may pose a national security or compliance threat; and*

*(5) ensure that trade benefits are provided to participants in partnership programs.*

*(c) REPORT REQUIRED.—Not later than the date that is 180 days after the date of the enactment of this Act, and not later than December 31 of each calendar year thereafter, the Commissioner shall submit to the appropriate congressional committees a report that—*

*(1) identifies each partnership program referred to in subsection (a);*

*(2) for each such program, identifies—*

*(A) the requirements for participants in the program;*

*(B) the commercially significant and measurable trade benefits provided to participants in the program;*

*(C) the number of participants in the program; and*

*(D) in the case of a program that provides for participation at multiple tiers, the number of participants at each such tier;*

*(3) identifies the number of participants enrolled in more than one such partnership program;*

*(4) assesses the effectiveness of each such partnership program in advancing the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, based on historical developments, the level of participation in the program, and the evolution of benefits provided to participants in the program;*

*(5) summarizes the efforts of U.S. Customs and Border Protection to work with other Federal agencies with authority to detain and release merchandise entering the United States to ensure that partnership programs of those agencies are compatible with partnership programs of U.S. Customs and Border Protection;*

*(6) summarizes criteria developed with those agencies for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States;*

*(7) summarizes the efforts of U.S. Customs and Border Protection to work with private sector entities and the public to develop and improve such partnership programs;*

*(8) describes measures taken by U.S. Customs and Border Protection to make private sector entities aware of the trade benefits available to participants in such partnership programs; and*

*(9) summarizes the plans, targets, and goals of U.S. Customs and Border Protection with respect to such partnership programs for the 2 years following the submission of the report.*

### *SEC. 102. REPORT ON EFFECTIVENESS OF TRADE ENFORCEMENT ACTIVITIES.*

*(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the effectiveness of trade enforcement activities of U.S. Customs and Border Protection.*

*(b) CONTENTS.—The report required by subsection (a) shall include—*

*(1) a description of the use of resources, results of audits and verifications, targeting, organization, and training of personnel of U.S. Customs and Border Protection;*

*(2) a description of trade enforcement activities to address undervaluation, transshipment, legitimacy of entities making entry, protection of revenues, fraud prevention and detection, and penalties, including intentional misclassification, inadequate bonding, and other misrepresentations; and*

*(3) a description of trade enforcement activities with respect to the priority trade issues described in section 117, including—*

*(A) methodologies used in such enforcement activities, such as targeting;*

*(B) recommendations for improving such enforcement activities; and*

*(C) a description of the implementation of previous recommendations for improving such enforcement activities.*

*(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.*

### *SEC. 103. PRIORITIES AND PERFORMANCE STANDARDS FOR CUSTOMS MODERNIZATION, TRADE FACILITATION, AND TRADE ENFORCEMENT FUNCTIONS AND PROGRAMS.*

*(a) PRIORITIES AND PERFORMANCE STANDARDS.—*

*(1) IN GENERAL.—The Commissioner, in consultation with the appropriate congressional committees, shall establish priorities and performance standards to measure the development and levels of achievement of the customs modernization, trade facilitation, and trade enforcement functions and programs described in subsection (b).*

*(2) MINIMUM PRIORITIES AND STANDARDS.—Such priorities and performance standards shall, at a minimum, include priorities and standards relating to efficiency, outcome, output, and other types of applicable measures.*

*(b) FUNCTIONS AND PROGRAMS DESCRIBED.—The functions and programs referred to in subsection (a) are the following:*

*(1) The Automated Commercial Environment.*

*(2) Each of the priority trade issues described in section 117.*

*(3) The Centers of Excellence and Expertise described in section 110.*

*(4) Drawback for exported merchandise under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313), as amended by section 906 of this Act.*

*(5) Transactions relating to imported merchandise in bond.*

*(6) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).*

*(7) The expedited clearance of cargo.*

*(8) The issuance of regulations and rulings.*

*(9) The issuance of Regulatory Audit Reports.*

*(c) CONSULTATIONS AND NOTIFICATION.—*

*(1) CONSULTATIONS.—The consultations required by subsection (a)(1) shall occur, at a minimum, on an annual basis.*

*(2) NOTIFICATION.—The Commissioner shall notify the appropriate congressional committees of any changes to the priorities or performance standards referred to in subsection (a) not later than 30 days before such changes are to take effect.*

### *SEC. 104. EDUCATIONAL SEMINARS TO IMPROVE EFFORTS TO CLASSIFY AND APPRAISE IMPORTED ARTICLES, TO IMPROVE TRADE ENFORCEMENT EFFORTS, AND TO OTHERWISE FACILITATE LEGITIMATE INTERNATIONAL TRADE.*

*(a) ESTABLISHMENT.—The Commissioner and the Director shall establish and carry out on a fiscal year basis educational seminars to—*

*(1) improve the ability of personnel of U.S. Customs and Border Protection to classify and appraise articles imported into the United States in accordance with the customs and trade laws of the United States;*

*(2) improve the trade enforcement efforts of personnel of U.S. Customs and Border Protection and personnel of U.S. Immigration and Customs Enforcement; and*

*(3) otherwise improve the ability and effectiveness of personnel of U.S. Customs and Border Protection and personnel of U.S. Immigration and Customs Enforcement to facilitate legitimate international trade.*

*(b) CONTENT.—*

*(1) CLASSIFYING AND APPRAISING IMPORTED ARTICLES.—In carrying out subsection (a)(1), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar carried out under this section to personnel of U.S. Customs and Border Protection and, as appropriate, to personnel of U.S. Immigration and Customs Enforcement on the following:*

*(A) Conducting a physical inspection of an article imported into the United States, including testing of samples of the article, to determine if the article is mislabeled in the manifest or other accompanying documentation.*

*(B) Reviewing the manifest and other accompanying documentation of an article imported into the United States to determine if the country of origin of the article listed in the manifest or other accompanying documentation is accurate.*

*(C) Customs valuation.*

*(D) Industry supply chains and other related matters as determined to be appropriate by the Commissioner.*

*(2) TRADE ENFORCEMENT EFFORTS.—In carrying out subsection (a)(2), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar carried out under this section to personnel of U.S. Customs and Border Protection and, as appropriate, to personnel of U.S. Immigration and Customs Enforcement to identify opportunities to enhance enforcement of the following:*

*(A) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).*

*(B) Addressing evasion of duties on imports of textiles.*

*(C) Protection of intellectual property rights.*

*(D) Enforcement of child labor laws.*

*(3) APPROVAL OF COMMISSIONER AND DIRECTOR.—The instruction and related instructional materials at each educational seminar carried out under this section shall be subject to the approval of the Commissioner and the Director.*

*(c) SELECTION PROCESS.—*

*(1) IN GENERAL.—The Commissioner shall establish a process to solicit, evaluate, and select interested parties in the private sector for purposes of assisting in providing instruction and related instructional materials described in subsection (b) at each educational seminar carried out under this section.*

*(2) CRITERIA.—The Commissioner shall evaluate and select interested parties in the private sector under the process established under paragraph (1) based on—*

*(A) availability and usefulness;*

*(B) the volume, value, and incidence of mislabeling or misidentification of origin of imported articles; and*

*(C) other appropriate criteria established by the Commissioner.*

*(3) PUBLIC AVAILABILITY.—The Commissioner and the Director shall publish in the Federal Register a detailed description of the process established under paragraph (1) and the criteria established under paragraph (2).*

*(d) SPECIAL RULE FOR ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.—*

*(1) IN GENERAL.—The Commissioner shall give due consideration to carrying out an educational seminar under this section in whole or in part to improve the ability of personnel of U.S. Customs and Border Protection to enforce a countervailing or antidumping duty order issued under section 706 or 736 of the Tariff Act of 1930 (19 U.S.C. 1671e or 1673e) upon the request of a petitioner in an action underlying such countervailing or antidumping duty order.*

*(2) INTERESTED PARTY.—A petitioner described in paragraph (1) shall be treated as an interested party in the private sector for purposes of the requirements of this section.*

*(e) PERFORMANCE STANDARDS.—The Commissioner and the Director shall establish performance standards to measure the development and level of achievement of educational seminars carried out under this section.*

*(f) REPORTING.—Not later than September 30, 2016, and annually thereafter, the Commissioner and the Director shall submit to the appropriate congressional committees a report on the effectiveness of educational seminars carried out under this section.*

*(g) DEFINITIONS.—In this section:*

*(1) DIRECTOR.—The term ''Director'' means the Director of U.S. Immigration and Customs Enforcement.*

*(2) UNITED STATES.—The term ''United States'' means the customs territory of the United States, as defined in General Note 2 to the Harmonized Tariff Schedule of the United States.*

*(3) U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.—The term ''U.S. Customs and Border Protection personnel'' means import specialists, auditors, and other appropriate employees of the U.S. Customs and Border Protection.*

*(4) U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT PERSONNEL.—The term ''U.S. Immigration and Customs Enforcement personnel'' means Homeland Security Investigations Directorate personnel and other appropriate employees of U.S. Immigration and Customs Enforcement.*

***SEC. 105. JOINT STRATEGIC PLAN.***

*(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and every 2 years thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly develop and submit to the appropriate congressional committees a joint strategic plan.*

*(b) CONTENTS.—The joint strategic plan required under this section shall be comprised of a comprehensive multiyear plan for trade enforcement and trade facilitation, and shall include—*

*(1) a summary of actions taken during the 2-year period preceding the submission of the plan to improve trade enforcement and trade facilitation, including a description and analysis of specific performance measures to evaluate the progress of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement in meeting each such responsibility;*

*(2) a statement of objectives and plans for further improving trade enforcement and trade facilitation;*

*(3) a specific identification of the priority trade issues described in section 117 that can be addressed in order to enhance trade enforcement and trade facilitation, and a description of strategies and plans for addressing each such issue, including—*

*(A) a description of the targeting methodologies used for enforcement activities with respect to each such issue;*

*(B) recommendations for improving such enforcement activities; and*

*(C) a description of the implementation of previous recommendations for improving such enforcement activities;*

*(4) a description of efforts made to improve consultation and coordination among and within Federal agencies, and in particular between U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, regarding trade enforcement and trade facilitation;*

*(5) a description of the training that has occurred to date within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve trade enforcement and trade facilitation, including training at educational seminars carried out under section 104;*

*(6) a description of efforts to work with the World Customs Organization and other international organizations, in consultation with other Federal agencies as appropriate, with respect to enhancing trade enforcement and trade facilitation;*

*(7) a description of U.S. Custom and Border Protection organizational benchmarks for optimizing staffing and wait times at ports of entry;*

*(8) a specific identification of any domestic or international best practices that may further improve trade enforcement and trade facilitation;*

*(9) any legislative recommendations to further improve trade enforcement and trade facilitation; and*

*(10) a description of efforts made to improve consultation and coordination with the private sector to enhance trade enforcement and trade facilitation.*

*(c) CONSULTATIONS.—*

*(1) IN GENERAL.—In developing the joint strategic plan required under this section, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall consult with—*

*(A) appropriate officials from relevant Federal agencies, including—*

*(i) the Department of the Treasury;*

*(ii) the Department of Agriculture;*

*(iii) the Department of Commerce;*

*(iv) the Department of Justice;*

*(v) the Department of the Interior;*

*(vi) the Department of Health and Human Services;*

*(vii) the Food and Drug Administration;*

*(viii) the Consumer Product Safety Commission; and*

*(ix) the Office of the United States Trade Representative; and*

*(B) the Commercial Customs Operations Advisory Committee established by section 109.*

*(2) OTHER CONSULTATIONS.—In developing the joint strategic plan required under this section, the Commissioner and the Director shall seek to consult with—*

*(A) appropriate officials from relevant foreign law enforcement agencies and international organizations, including the World Customs Organization; and*

*(B) interested parties in the private sector.*

*(d) FORM OF PLAN.—The joint strategic plan required under this section shall be submitted in unclassified form, but may include a classified annex.*

***SEC. 106. AUTOMATED COMMERCIAL ENVIRONMENT.***

*(a) FUNDING.—Section 13031(f)(4)(B) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)(B)) is amended—*

*(1) by striking ''2003 through 2005'' and inserting ''2016 through 2018'';*

*(2) by striking ''such amounts as are available in that Account'' and inserting ''not less than $153,736,000''; and*

*(3) by striking ''for the development'' and inserting ''to complete the development and implementation''.*

*(b) REPORT.—*

*(1) IN GENERAL.—Not later than December 31, 2016, the Commissioner shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report detailing—*

*(A) U.S. Customs and Border Protection's incorporation of all core trade processing capabilities, including cargo release, entry summary, cargo manifest, cargo financial data, and export data elements, into the Automated Commercial Environment not later than September 30, 2016, to conform with the admissibility criteria of agencies participating in the International Trade Data System identified pursuant to paragraph (4)(A)(iii) of section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)), as added by section 107 of this Act;*

*(B) U.S. Customs and Border Protection's remaining priorities for processing entry summary data elements, cargo manifest data elements, cargo financial data elements, and export elements in the Automated Commercial Environment, and the objectives and plans for implementing these remaining priorities;*

*(C) the components of the National Customs Automation Program specified in section 411(a)(2) of the Tariff Act of 1930 that have not been implemented; and*

*(D) any additional components of the National Customs Automation Program initiated by the Commissioner to complete the development, establishment, and implementation of the Automated Commercial Environment.*

*(2) UPDATE OF REPORTS.—Not later than September 30, 2017, the Commissioner shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives an updated report addressing each of the matters referred to in paragraph (1), and—*

*(A) evaluating the effectiveness of the implementation of the Automated Commercial Environment; and*

*(B) detailing the percentage of trade processed in the Automated Commercial Environment every month since September 30, 2016.*

*(3) REPEAL.—Section 311(b) of the Customs Border Security Act of 2002 (19 U.S.C. 2075 note) is amended by striking paragraph (3).*

*(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than December 31, 2017, the Comptroller General of the United States shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report—*

*(1) assessing the progress of other Federal agencies in accessing and utilizing the Automated Commercial Environment; and*

*(2) assessing the potential cost savings to the United States Government and importers and exporters and the potential benefits to enforcement of the customs and trade laws of the United States if the elements identified in subparagraphs (A) through (D) of subsection (b)(1) are implemented.*

***SEC. 107. INTERNATIONAL TRADE DATA SYSTEM.***

*Section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)) is amended—*

*(1) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;*

*(2) by inserting after paragraph (3) the following:*

*''(4) INFORMATION TECHNOLOGY INFRASTRUCTURE.—*

*''(A) IN GENERAL.—The Secretary shall work with the head of each agency participating in the ITDS and the Interagency Steering Committee to ensure that each agency—*

*''(i) develops and maintains the necessary information technology infrastructure to support the operation of the ITDS and to submit all data to the ITDS electronically;*

*''(ii) enters into a memorandum of understanding, or takes such other action as is necessary, to provide for the information sharing between the agency and U.S. Customs and Border Protection necessary for the operation and maintenance of the ITDS;*

*''(iii) not later than June 30, 2016, identifies and transmits to the Commissioner of U.S. Customs and Border Protection the admissibility criteria and data elements required by the agency to authorize the release of cargo by U.S. Customs and Border Protection for incorporation into the operational functionality of the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)); and*

*''(iv) not later than December 31, 2016, utilizes the ITDS as the primary means of receiving from users the standard set of data and other relevant documentation, exclusive of applications for permits, licenses, or certifications required for the release of imported cargo and clearance of cargo for export.*

*''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require any action to be taken that would compromise an ongoing law enforcement investigation or would compromise national security.''; and*

*(3) in paragraph (8), as redesignated, by striking ''section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note)'' and inserting ''section 109 of the Trade Facilitation and Trade Enforcement Act of 2015''.*

***SEC. 108. CONSULTATIONS WITH RESPECT TO MUTUAL RECOGNITION ARRANGEMENTS.***

*(a) CONSULTATIONS.—The Secretary of Homeland Security, with respect to any proposed mutual recognition arrangement or similar agreement between the United States and a foreign government providing for mutual recognition of supply chain security programs and customs revenue functions, shall consult with the appropriate congressional committees—*

*(1) not later than 30 days before initiating negotiations to enter into any such arrangement or similar agreement; and*

*(2) not later than 30 days before entering into any such arrangement or similar agreement.*

*(b) NEGOTIATING OBJECTIVE.—It shall be a negotiating objective of the United States in any negotiation for a mutual recognition arrangement or similar agreement with a foreign country on partnership programs, such as the Customs–Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), to seek to ensure the compatibility of the partnership programs of that country with the partnership programs of U.S. Customs and Border Protection to enhance security, trade facilitation, and trade enforcement.*

***SEC. 109. COMMERCIAL CUSTOMS OPERATIONS ADVISORY COMMITTEE.***

*(a) ESTABLISHMENT.—Not later than the date that is 60 days after the date of the enactment of this Act, the Secretary of the Treasury and the Secretary of Homeland Security shall jointly establish a Commercial Customs Operations Advisory Committee (in this section referred to as the ''Advisory Committee'').*

*(b) MEMBERSHIP.—*

*(1) IN GENERAL.—The Advisory Committee shall be comprised of—*

*(A) 20 individuals appointed under paragraph (2);*

*(B) the Assistant Secretary for Tax Policy of the Department of the Treasury and the Commissioner, who shall jointly co-chair meetings of the Advisory Committee; and*

*(C) the Assistant Secretary for Policy and the Director of U.S. Immigration and Customs Enforcement, who shall serve as deputy co-chairs of meetings of the Advisory Committee.*

*(2) APPOINTMENT.—*

*(A) IN GENERAL.—The Secretary of the Treasury and the Secretary of Homeland Security shall jointly appoint 20 individuals from the private sector to the Advisory Committee.*

*(B) REQUIREMENTS.—In making appointments under subparagraph (A), the Secretary of the Treasury and the Secretary of Homeland Security shall appoint members—*

*(i) to ensure that the membership of the Advisory Committee is representative of the individuals and firms affected by the commercial operations of U.S. Customs and Border Protection; and*

*(ii) without regard to political affiliation.*

*(C) TERMS.—Each individual appointed to the Advisory Committee under this paragraph shall be appointed for a term of not more than 3 years, and may be reappointed to subsequent terms, but may not serve more than 2 terms sequentially.*

*(3) TRANSFER OF MEMBERSHIP.—The Secretary of the Treasury and the Secretary of Homeland Security may transfer members serving on the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) on the day before the date of the enactment of this Act to the Advisory Committee established under subsection (a).*

*(c) DUTIES.—The Advisory Committee established under subsection (a) shall—*

*(1) advise the Secretary of the Treasury and the Secretary of Homeland Security on all matters involving the commercial operations of U.S. Customs and Border Protection, including advising with respect to significant changes that are proposed with respect to regulations, policies, or practices of U.S. Customs and Border Protection;*

*(2) provide recommendations to the Secretary of the Treasury and the Secretary of Homeland Security on improvements to the commercial operations of U.S. Customs and Border Protection;*

*(3) collaborate in developing the agenda for Advisory Committee meetings; and*

*(4) perform such other functions relating to the commercial operations of U.S. Customs and Border Protection as prescribed by law or as the Secretary of the Treasury and the Secretary of Homeland Security jointly direct.*

*(d) MEETINGS.—Notwithstanding section 10(f) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall meet at the call of the Secretary of the Treasury and the Secretary of Homeland Security, or at the call of not less than ⅔ of the membership of the Advisory Committee. The Advisory Committee shall meet at least 4 times each calendar year.*

*(e) ANNUAL REPORT.—Not later than December 31, 2016, and annually thereafter, the Advisory Committee shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that—*

*(1) describes the activities of the Advisory Committee during the preceding fiscal year; and*

*(2) sets forth any recommendations of the Advisory Committee regarding the commercial operations of U.S. Customs and Border Protection.*

*(f) TERMINATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees) shall not apply to the Advisory Committee.*

*(g) CONFORMING AMENDMENT.—*

*(1) IN GENERAL.—Effective on the date on which the Advisory Committee is established under subsection (a), section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) is repealed.*

*(2) REFERENCE.—Any reference in law to the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) made on or after the date on which the Advisory Committee is established under subsection (a), shall be deemed a reference to the Commercial Customs Operations Advisory Committee established under subsection (a).*

***SEC. 110. CENTERS OF EXCELLENCE AND EXPERTISE.***

*(a) IN GENERAL.—The Commissioner shall, in consultation with the appropriate congressional committees and the Commercial Customs Operations Advisory Committee established under section 109, develop and implement Centers of Excellence and Expertise throughout U.S. Customs and Border Protection that—*

*(1) enhance the economic competitiveness of the United States by consistently enforcing the laws and regulations of the United States at all ports of entry of the United States and by facilitating the flow of legitimate trade through increasing industry-based knowledge;*

*(2) improve enforcement efforts, including enforcement of priority trade issues described in section 117, in specific industry sectors through the application of targeting information from the National Targeting Center under section 111 and from other means of verification;*

*(3) build upon the expertise of U.S. Customs and Border Protection in particular industry operations, supply chains, and compliance requirements;*

*(4) promote the uniform implementation at each port of entry of the United States of policies and regulations relating to imports;*

*(5) centralize the trade enforcement and trade facilitation efforts of U.S. Customs and Border Protection;*

*(6) formalize an account-based approach to apply, as the Commissioner determines appropriate, to the importation of merchandise into the United States;*

*(7) foster partnerships though the expansion of trade programs and other trusted partner programs;*

*(8) develop applicable performance measurements to meet internal efficiency and effectiveness goals; and*

*(9) whenever feasible, facilitate a more efficient flow of information between Federal agencies.*

*(b) REPORT.—Not later than December 31, 2016, the Commissioner shall submit to the appropriate congressional committees a report describing—*

*(1) the scope, functions, and structure of each Center of Excellence and Expertise developed and implemented under subsection (a);*

*(2) the effectiveness of each such Center of Excellence and Expertise in improving enforcement efforts, including enforcement of priority trade issues described in section 117, and facilitating legitimate trade;*

*(3) the quantitative and qualitative benefits of each such Center of Excellence and Expertise to the trade community, including through fostering partnerships through the expansion of trade programs such as the Importer Self Assessment program and other trusted partner programs;*

*(4) all applicable performance measurements with respect to each such Center of Excellence and Expertise, including performance measures with respect to meeting internal efficiency and effectiveness goals;*

*(5) the performance of each such Center of Excellence and Expertise in increasing the accuracy and completeness of data with respect to international trade and facilitating a more efficient flow of information between Federal agencies; and*

*(6) any planned changes in the number, scope, functions, or any other aspect of the Centers of Excellence and Expertise developed and implemented under subsection (a).*

***SEC. 111. COMMERCIAL RISK ASSESSMENT TARGETING AND TRADE ALERTS.***

*(a) COMMERCIAL RISK ASSESSMENT TARGETING.—In carrying out its duties under section 411(g)(4) of the Homeland Security Act of 2002, as added by section 802(a) of this Act, the National Targeting Center, in coordination with the Office of Trade established under section 4 of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), as added by section 802(h) of this Act, as appropriate, shall—*

*(1) establish targeted risk assessment methodologies and standards—*

*(A) for evaluating the risk that cargo destined for the United States may violate the customs and trade laws of the United States, particularly those laws applicable to merchandise subject to the priority trade issues described in section 117; and*

*(B) for issuing, as appropriate, Trade Alerts described in subsection (b);*

*(2) to the extent practicable and otherwise authorized by law, use, to administer the methodologies and standards established under paragraph (1)—*

*(A) publicly available information;*

*(B) information available from the Automated Commercial System, the Automated Commercial Environment, the Automated Targeting System, the Automated Export System, the International Trade Data System established under section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)), the TECS (formerly known as the ''Treasury Enforcement Communications System''), the case management system of U.S. Immigration and Customs Enforcement, and any successor systems; and*

*(C) information made available to the National Targeting Center, including information provided by private sector entities;*

*(3) provide for the receipt and transmission to the appropriate U.S. Customs and Border Protection offices of allegations from interested parties in the private sector of violations of customs and trade laws of the United States with respect to merchandise relating to the priority trade issues described in section 117; and*

*(4) notify, on a timely basis, each interested party in the private sector that has submitted an allegation of any violation of the customs and trade laws of the United States of any civil or criminal actions taken by U.S. Customs and Border Protection or any other Federal agency resulting from the allegation.*

*(b) TRADE ALERTS.—*

*(1) ISSUANCE.—In carrying out its duties under section 411(g)(4) of the Homeland Security Act of 2002, as added by section 802(a) of this Act, and based upon the application of the targeted risk assessment methodologies and standards established under subsection (a), the Executive Director of the National Targeting Center may issue Trade Alerts to directors of United States ports of entry directing further inspection, or physical examination or testing, of specific merchandise to ensure compliance with all applicable customs and trade laws of the United States and regulations administered by U.S. Customs and Border Protection.*

*(2) DETERMINATIONS NOT TO IMPLEMENT TRADE ALERTS.—The director of a United States port of entry may determine not to conduct further inspections, or physical examination or testing, pursuant to a Trade Alert issued under paragraph (1) if the director—*

*(A) finds that such a determination is justified by port security interests; and*

*(B) not later than 48 hours after making the determination, notifies the Assistant Commissioner of the Office of Field Operations of U.S. Customs and Border Protection of the determination and the reasons for the determination.*

*(3) SUMMARY OF DETERMINATIONS NOT TO IMPLEMENT.—The Assistant Commissioner of the Office of Field Operations of U.S. Customs and Border Protection shall—*

*(A) compile an annual summary of all determinations by directors of United States ports of entry under paragraph (2) and the reasons for those determinations;*

*(B) conduct an evaluation of the utilization of Trade Alerts issued under paragraph (1); and*

*(C) not later than December 31 of each calendar year, submit the summary to the appropriate congressional committees.*

*(4) INSPECTION DEFINED.—In this subsection, the term ''inspection'' means the comprehensive evaluation process used by U.S. Customs and Border Protection, other than physical examination or testing, to permit the entry of merchandise into the United States, or the clearance of merchandise for transportation in bond through the United States, for purposes of—*

*(A) assessing duties;*

*(B) identifying restricted or prohibited items; and*

*(C) ensuring compliance with all applicable customs and trade laws of the United States and regulations administered by U.S. Customs and Border Protection.*

*(c) USE OF TRADE DATA FOR COMMERCIAL ENFORCEMENT PURPOSES.—Section 343(a)(3)(F) of the Trade Act of 2002 (19 U.S.C. 2071 note) is amended to read as follows:*

*''(F) The information collected pursuant to the regulations shall be used exclusively for ensuring cargo safety and security, preventing smuggling, and commercial risk assessment targeting, and shall not be used for any commercial enforcement purposes, including for determining merchandise entry. Notwithstanding the preceding sentence, nothing in this section shall be treated as amending, repealing, or otherwise modifying title IV of the Tariff Act of 1930 or regulations promulgated thereunder.''.*

***SEC. 112. REPORT ON OVERSIGHT OF REVENUE PROTECTION AND ENFORCEMENT MEASURES.***

*(a) IN GENERAL.—Not later than June 30, 2016, and not later than March 31 of each second year thereafter, the Inspector General of the Department of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report assessing, with respect to the period covered by the report, as specified in subsection (b), the following:*

*(1) The effectiveness of the measures taken by U.S. Customs and Border Protection with respect to protection of revenue, including—*

*(A) the collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.);*

*(B) the assessment, collection, and mitigation of commercial fines and penalties;*

*(C) the use of bonds, including continuous and single transaction bonds, to secure that revenue; and*

*(D) the adequacy of the policies of U.S. Customs and Border Protection with respect to the monitoring and tracking of merchandise transported in bond and collecting duties, as appropriate.*

*(2) The effectiveness of actions taken by U.S. Customs and Border Protection to measure accountability and performance with respect to protection of revenue.*

*(3) The number and outcome of investigations instituted by U.S. Customs and Border Protection with respect to the underpayment of duties.*

*(4) The effectiveness of training with respect to the collection of duties provided for personnel of U.S. Customs and Border Protection.*

*(b) PERIOD COVERED BY REPORT.—Each report required by subsection (a) shall cover the period of 2 fiscal years ending on September 30 of the calendar year preceding the submission of the report.*

***SEC. 113. REPORT ON SECURITY AND REVENUE MEASURES WITH RESPECT TO MERCHANDISE TRANSPORTED IN BOND.***

*(a) IN GENERAL.—Not later than December 31 of 2016, 2017, and 2018, the Secretary of Homeland Security and the Secretary of the Treasury shall jointly submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on efforts undertaken by U.S. Customs and Border Protection to ensure the secure transportation of merchandise in bond through the United States and the collection of revenue owed upon the entry of such merchandise into the United States for consumption.*

*(b) ELEMENTS.—Each report required by subsection (a) shall include, for the fiscal year preceding the submission of the report, information on—*

*(1) the overall number of entries of merchandise for transportation in bond through the United States;*

*(2) the ports at which merchandise arrives in the United States for transportation in bond and at which records of the arrival of such merchandise are generated;*

*(3) the average time taken to reconcile such records with the records at the final destination of the merchandise in the United States to demonstrate that the merchandise reaches its final destination or is re-exported;*

*(4) the average time taken to transport merchandise in bond from the port at which the merchandise arrives in the United States to its final destination in the United States;*

*(5) the total amount of duties, taxes, and fees owed with respect to shipments of merchandise transported in bond and the total amount of such duties, taxes, and fees paid;*

*(6) the total number of notifications by carriers of merchandise being transported in bond that the destination of the merchandise has changed; and*

*(7) the number of entries that remain unreconciled.*

***SEC. 114. IMPORTER OF RECORD PROGRAM.***

*(a) ESTABLISHMENT.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish an importer of record program to assign and maintain importer of record numbers.*

*(b) REQUIREMENTS.—The Secretary shall ensure that, as part of the importer of record program, U.S. Customs and Border Protection—*

*(1) develops criteria that importers must meet in order to obtain an importer of record number, including—*

*(A) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to verify the existence of the importer requesting the importer of record number;*

*(B) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify linkages or other affiliations between importers that are requesting or have been assigned importer of record numbers; and*

*(C) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify changes in address and corporate structure of importers;*

*(2) provides a process by which importers are assigned importer of record numbers;*

*(3) maintains a centralized database of importer of record numbers, including a history of importer of record numbers associated with each importer, and the information described in subparagraphs (A), (B), and (C) of paragraph (1);*

*(4) evaluates and maintains the accuracy of the database if such information changes; and*

*(5) takes measures to ensure that duplicate importer of record numbers are not issued.*

*(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the importer of record program established under subsection (a).*

*(d) NUMBER DEFINED.—In this section, the term ''number'', with respect to an importer of record, means a filing identification number described in section 24.5 of title 19, Code of Federal Regulations (or any corresponding similar regulation) that fully supports the requirements of subsection (b) with respect to the collection and maintenance of information.*

***SEC. 115. ESTABLISHMENT OF IMPORTER RISK ASSESSMENT PROGRAM.***

*(a) IN GENERAL.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall establish a program that directs U.S. Customs and Border Protection to adjust bond amounts for importers, including new importers and nonresident importers, based on risk assessments of such importers conducted by U.S. Customs and Border Protection, in order to protect the revenue of the Federal Government.*

*(b) REQUIREMENTS.—The Commissioner shall ensure that, as part of the program established under subsection (a), U.S. Customs and Border Protection—*

*(1) develops risk assessment guidelines for importers, including new importers and nonresident importers, to determine if and to what extent—*

*(A) to adjust bond amounts of imported products of such importers; and*

*(B) to increase screening of imported products of such importers;*

*(2) develops procedures to ensure increased oversight of imported products of new importers, including nonresident importers, relating to the enforcement of the priority trade issues described in section 117;*

*(3) develops procedures to ensure increased oversight of imported products of new importers, including new nonresident importers, by Centers of Excellence and Expertise established under section 110; and*

*(4) establishes a centralized database of new importers, including new nonresident importers, to ensure accuracy of information that is required to be provided by such importers to U.S. Customs and Border Protection.*

*(c) EXCLUSION OF CERTAIN IMPORTERS.—This section shall not apply to an importer that is a validated Tier 2 or Tier 3 participant in the Customs–Trade Partnership Against Terrorism program established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.).*

*(d) REPORT.—Not later than the date that is 2 years after the date of the enactment of this Act, the Inspector General of the Department of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report detailing—*

*(1) the risk assessment guidelines developed under subsection (b)(1);*

*(2) the procedures developed under subsection (b)(2) to ensure increased oversight of imported products of new importers, including new nonresident importers, relating to the enforcement of priority trade issues described in section 117;*

*(3) the procedures developed under subsection (b)(3) to ensure increased oversight of imported products of new importers, including new nonresident importers, by Centers of Excellence and Expertise established under section 110; and*

*(4) the number of bonds adjusted based on the risk assessment guidelines developed under subsection (b)(1).*

*(e) DEFINITIONS.—In this section:*

*(1) IMPORTER.—The term ''importer'' means one of the parties qualifying as an importer of record under section 484(a)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1484(a)(2)(B)).*

*(2) NONRESIDENT IMPORTER.—The term ''nonresident importer'' means an importer who is—*

*(A) an individual who is not a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; or*

*(B) a partnership, corporation, or other commercial entity that is not organized under the laws of a jurisdiction within the customs territory of the United States (as such term is defined in General Note 2 of the Harmonized Tariff Schedule of the United States) or in the Virgin Islands of the United States.*

***SEC. 116. CUSTOMS BROKER IDENTIFICATION OF IMPORTERS.***

*(a) IN GENERAL.—Section 641 of the Tariff Act of 1930 (19 U.S.C. 1641) is amended by adding at the end the following:*

*''(i) IDENTIFICATION OF IMPORTERS.—*

*''(1) IN GENERAL.—The Secretary shall prescribe regulations setting forth the minimum standards for customs brokers and importers, including nonresident importers, regarding the identity of the importer that shall apply in connection with the importation of merchandise into the United States.*

*''(2) MINIMUM REQUIREMENTS.—The regulations required under paragraph (1) shall, at a minimum—*

*''(A) identify the information that an importer, including a nonresident importer, is required to submit to a broker and that a broker is required to collect in order to verify the identity of the importer;*

*''(B) identify reasonable procedures that a broker is required to follow in order to verify the authenticity of information collected from an importer; and*

*''(C) require a broker to maintain records of the information collected by the broker to verify the identity of an importer.*

*''(3) PENALTIES.—Any customs broker who fails to collect information required under the regulations prescribed under this subsection shall be liable to the United States, at the discretion of the Secretary, for a monetary penalty not to exceed $10,000 for each violation of those regulations and shall be subject to revocation or suspension of a license or permit of the customs broker pursuant to the procedures set forth in subsection (d). This penalty shall be assessed in the same manner and under the same procedures as the monetary penalties provided for in subsection (d)(2)(A).*

*''(4) DEFINITIONS.—In this subsection:*

*''(A) IMPORTER.—The term 'importer' means one of the parties qualifying as an importer of record under section 484(a)(2)(B).*

*''(B) NONRESIDENT IMPORTER.—The term 'nonresident importer' means an importer who is—*

*''(i) an individual who is not a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; or*

*''(ii) a partnership, corporation, or other commercial entity that is not organized under the laws of a jurisdiction within the customs territory of the United States (as such term is defined in General Note 2 of the Harmonized Tariff Schedule of the United States) or in the Virgin Islands of the United States.''.*

*(b) STUDY AND REPORT REQUIRED.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report containing recommendations for—*

*(1) determining the most timely and effective way to require foreign nationals to provide customs brokers with appropriate and accurate information, comparable to that which is required of United States nationals, concerning the identity, address, and other related information relating to such foreign nationals necessary to enable customs brokers to comply with the requirements of section 641(i) of the Tariff Act of 1930 (as added by subsection (a) of this section); and*

*(2) establishing a system for customs brokers to review information maintained by relevant Federal agencies for purposes of verifying the identities of importers, including nonresident importers, seeking to import merchandise into the United States.*

***SEC. 117. PRIORITY TRADE ISSUES.***

*(a) IN GENERAL.—The Commissioner shall establish the following as priority trade issues:*

*(1) Agriculture programs.*

*(2) Antidumping and countervailing duties.*

*(3) Import safety.*

*(4) Intellectual property rights.*

*(5) Revenue.*

*(6) Textiles and wearing apparel.*

*(7) Trade agreements and preference programs.*

*(b) MODIFICATION.—The Commissioner is authorized to establish new priority trade issues and eliminate, consolidate, or otherwise modify the priority trade issues described in subsection (a) if the Commissioner—*

*(1) determines it necessary and appropriate to do so; and*

*(2)(A) in the case of new priority trade issues, submits to the appropriate congressional committees a summary of proposals to establish such new priority trade issues not later than 30 days after such new priority trade issues are to take effect; and*

*(B) in the case of existing priority trade issues, submits to the appropriate congressional committees a summary of proposals to eliminate, consolidate, or otherwise modify such existing priority trade issues not later than 60 days before such changes are to take effect.*

***SEC. 118. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.***

*In this title, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and*

*(2) the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives.*

***TITLE II—IMPORT HEALTH AND SAFETY***

***SEC. 201. INTERAGENCY IMPORT SAFETY WORKING GROUP.***

*(a) ESTABLISHMENT.—There is established an interagency Import Safety Working Group.*

*(b) MEMBERSHIP.—The interagency Import Safety Working Group shall consist of the following officials or their designees:*

*(1) The Secretary of Homeland Security, who shall serve as the Chair.*

*(2) The Secretary of Health and Human Services, who shall serve as the Vice Chair.*

*(3) The Secretary of the Treasury.*

*(4) The Secretary of Commerce.*

*(5) The Secretary of Agriculture.*

*(6) The United States Trade Representative.*

*(7) The Director of the Office of Management and Budget.*

*(8) The Commissioner of Food and Drugs.*

*(9) The Commissioner of U.S. Customs and Border Protection.*

*(10) The Chairman of the Consumer Product Safety Commission.*

*(11) The Director of U.S. Immigration and Customs Enforcement.*

*(12) The head of any other Federal agency designated by the President to participate in the interagency Import Safety Working Group, as appropriate.*

*(c) DUTIES.—The duties of the interagency Import Safety Working Group shall include—*

*(1) consulting on the development of the joint import safety rapid response plan required by section 202;*

*(2) periodically evaluating the adequacy of the plans, practices, and resources of the Federal Government dedicated to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise, including—*

*(A) minimizing the duplication of efforts among Federal agencies the heads of which are members of the interagency Import Safety Working Group and ensuring the compatibility of the policies and regulations of those agencies; and*

*(B) recommending additional administrative actions, as appropriate, designed to ensure the safety of merchandise imported into the United States and the expeditious entry of such merchandise and considering the impact of those actions on private sector entities;*

*(3) reviewing the engagement and cooperation of foreign governments and foreign manufacturers in facilitating the inspection and certification, as appropriate, of such merchandise to be imported into the United States and the facilities producing such merchandise to ensure the safety of the merchandise and the expeditious entry of the merchandise into the United States;*

*(4) identifying best practices, in consultation with private sector entities as appropriate, to assist United States importers in taking all appropriate steps to ensure the safety of merchandise imported into the United States, including with respect to—*

*(A) the inspection of manufacturing facilities in foreign countries;*

*(B) the inspection of merchandise destined for the United States before exportation from a foreign country or before distribution in the United States; and*

*(C) the protection of the international supply chain (as defined in section 2 of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 901));*

*(5) identifying best practices to assist Federal, State, and local governments and agencies, and port authorities, to improve communication and coordination among such agencies and authorities with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise; and*

*(6) otherwise identifying appropriate steps to increase the accountability of United States importers and the engagement of foreign government agencies with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.*

***SEC. 202. JOINT IMPORT SAFETY RAPID RESPONSE PLAN.***

*(a) IN GENERAL.—Not later than December 31, 2016, the Secretary of Homeland Security, in consultation with the interagency Import Safety Working Group established under section 201, shall develop a plan (to be known as the ''joint import safety rapid response plan'') that sets forth protocols and defines practices for U.S. Customs and Border Protection to use—*

*(1) in taking action in response to, and coordinating Federal responses to, an incident in which cargo destined for or merchandise entering the United States has been identified as posing a threat to the health or safety of consumers in the United States; and*

*(2) in recovering from or mitigating the effects of actions and responses to an incident described in paragraph (1).*

*(b) CONTENTS.—The joint import safety rapid response plan shall address—*

*(1) the statutory and regulatory authorities and responsibilities of U.S. Customs and Border Protection and other Federal agencies in responding to an incident described in subsection (a)(1);*

*(2) the protocols and practices to be used by U.S. Customs and Border Protection when taking action in response to, and coordinating Federal responses to, such an incident;*

*(3) the measures to be taken by U.S. Customs and Border Protection and other Federal agencies in recovering from or mitigating the effects of actions taken in response to such an incident after the incident to ensure the resumption of the entry of merchandise into the United States; and*

*(4) exercises that U.S. Customs and Border Protection may conduct in conjunction with Federal, State, and local agencies, and private sector entities, to simulate responses to such an incident.*

*(c) UPDATES OF PLAN.—The Secretary of Homeland Security shall review and update the joint import safety rapid response plan, as appropriate, after conducting exercises under subsection (d).*

*(d) IMPORT HEALTH AND SAFETY EXERCISES.—*

*(1) IN GENERAL.—The Secretary of Homeland Security and the Commissioner shall periodically engage in the exercises referred to in subsection (b)(4), in conjunction with Federal, State, and local agencies and private sector entities, as appropriate, to test and evaluate the protocols and practices identified in the joint import safety rapid response plan at United States ports of entry.*

*(2) REQUIREMENTS FOR EXERCISES.—In conducting exercises under paragraph (1), the Secretary and the Commissioner shall—*

*(A) make allowance for the resources, needs, and constraints of United States ports of entry of different sizes in representative geographic locations across the United States;*

*(B) base evaluations on current risk assessments of merchandise entering the United States at representative United States ports of entry located across the United States;*

*(C) ensure that such exercises are conducted in a manner consistent with the National Incident Management System, the National Response Plan, the National Infrastructure Protection Plan, the National Preparedness Guidelines, the Maritime Transportation System Security Plan, and other such national initiatives of the Department of Homeland Security, as appropriate; and*

*(D) develop metrics with respect to the resumption of the entry of merchandise into the United States after an incident described in subsection (a)(1).*

*(3) REQUIREMENTS FOR TESTING AND EVALUATION.—The Secretary and the Commissioner shall ensure that the testing and evaluation carried out in conducting exercises under paragraph (1)—*

*(A) are performed using clear and objective performance measures; and*

*(B) result in the identification of specific recommendations or best practices for responding to an incident described in subsection (a)(1).*

*(4) DISSEMINATION OF RECOMMENDATIONS AND BEST PRACTICES.—The Secretary and the Commissioner shall—*

*(A) share the recommendations or best practices identified under paragraph (3)(B) among the members of the interagency Import Safety Working Group established under section 201 and with, as appropriate—*

*(i) State, local, and tribal governments;*

*(ii) foreign governments; and*

*(iii) private sector entities; and*

*(B) use such recommendations and best practices to update the joint import safety rapid response plan.*

***SEC. 203. TRAINING.***

*The Commissioner shall ensure that personnel of U.S. Customs and Border Protection assigned to United States ports of entry are trained to effectively administer the provisions of this title and to otherwise assist in ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.*

***TITLE III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS***

***SEC. 301. DEFINITION OF INTELLECTUAL PROPERTY RIGHTS.***

*In this title, the term ''intellectual property rights'' refers to copyrights, trademarks, and other forms of intellectual property rights that are enforced by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.*

***SEC. 302. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.***

*(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 628 (19 U.S.C. 1628) the following new section:*

***''SEC. 628A. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.***

*''(a) IN GENERAL.—Subject to subsections (c) and (d), if the Commissioner of U.S. Customs and Border Protection suspects that merchandise is being imported into the United States in violation of section 526 of this Act or section 602, 1201(a)(2), or 1201(b)(1) of title 17, United States Code, and determines that the examination or testing of the merchandise by a person described in subsection (b) would assist the Commissioner in determining if the merchandise is being imported in violation of that section, the Commissioner, to permit the person to conduct the examination and testing—*

*''(1) shall provide to the person information that appears on the merchandise and its packaging and labels, including unredacted images of the merchandise and its packaging and labels; and*

*''(2) may, subject to any applicable bonding requirements, provide to the person unredacted samples of the merchandise.*

*''(b) PERSON DESCRIBED.—A person described in this subsection is—*

*''(1) in the case of merchandise suspected of being imported in violation of section 526, the owner of the trademark suspected of being copied or simulated by the merchandise;*

*''(2) in the case of merchandise suspected of being imported in violation of section 602 of title 17, United States Code, the owner of the copyright suspected of being infringed by the merchandise;*

*''(3) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing a technological measure that effectively controls access to a work protected under that title, and being imported in violation of section 1201(a)(2) of that title, the owner of a copyright in the work; and*

*''(4) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing protection afforded by a technological measure that effectively protects a right of an owner of a copyright in a work or*

*a portion of a work, and being imported in violation of section 1201(b)(1) of that title, the owner of the copyright.*

*''(c) LIMITATION.—Subsection (a) applies only with respect to merchandise suspected of infringing a trademark or copyright that is recorded with U.S. Customs and Border Protection.*

*''(d) EXCEPTION.—The Commissioner may not provide under subsection (a) information, photographs, or samples to a person described in subsection (b) if providing such information, photographs, or samples would compromise an ongoing law enforcement investigation or national security.''.*

*(b) TERMINATION OF PREVIOUS AUTHORITY.—Notwithstanding paragraph (2) of section 818(g) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1496; 10 U.S.C. 2302 note), paragraph (1) of that section shall have no force or effect on or after the date of the enactment of this Act.*

***SEC. 303. SEIZURE OF CIRCUMVENTION DEVICES.***

*(a) IN GENERAL.—Section 596(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)(2)) is amended—*

*(1) in subparagraph (E), by striking ''or'';*

*(2) in subparagraph (F), by striking the period at the end and inserting ''; or''; and*

*(3) by adding at the end the following:*

*''(G) U.S. Customs and Border Protection determines it is a technology, product, service, device, component, or part thereof the importation of which is prohibited under subsection (a)(2) or (b)(1) of section 1201 of title 17, United States Code.''.*

*(b) NOTIFICATION OF PERSONS INJURED.—*

*(1) IN GENERAL.—Not later than the date that is 30 business days after seizing merchandise pursuant to subparagraph (G) of section 596(c)(2) of the Tariff Act of 1930, as added by subsection (a), the Commissioner shall provide to any person identified under paragraph (2) information regarding the merchandise seized that is equivalent to information provided to copyright owners under regulations of U.S. Customs and Border Protection for merchandise seized for violation of the copyright laws.*

*(2) PERSONS TO BE PROVIDED INFORMATION.—Any person injured by the violation of subsection (a)(2) or (b)(1) of section 1201 of title 17, United States Code, that resulted in the seizure of the merchandise shall be provided information under paragraph (1), if that person is included on a list to be established and maintained by the Commissioner. The Commissioner shall publish notice of the establishment of and revisions to the list in the Federal Register.*

*(3) REGULATIONS.—Not later than the date that is one year after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations establishing procedures that implement this subsection.*

***SEC. 304. ENFORCEMENT BY U.S. CUSTOMS AND BORDER PROTECTION OF WORKS FOR WHICH COPYRIGHT REGISTRATION IS PENDING.***

*Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall authorize a process pursuant to which the Commissioner shall enforce a copyright for which the owner has submitted an application for registration under title 17, United States Code, with the United States Copyright Office, to the same extent and in the same manner as if the copyright were registered with the Copyright Office, including by sharing information, images, and samples of merchandise suspected of infringing the copyright under section 628A of the Tariff Act of 1930, as added by section 302.*

***SEC. 305. NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.***

*(a) ESTABLISHMENT.—The Secretary of Homeland Security shall—*

*(1) establish within U.S. Immigration and Customs Enforcement a National Intellectual Property Rights Coordination Center; and*

*(2) appoint an Assistant Director to head the National Intellectual Property Rights Coordination Center.*

*(b) DUTIES.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall—*

*(1) coordinate the investigation of sources of merchandise that infringe intellectual property rights to identify organizations and individuals that produce, smuggle, or distribute such merchandise;*

*(2) conduct and coordinate training with other domestic and international law enforcement agencies on investigative best practices—*

*(A) to develop and expand the capability of such agencies to enforce intellectual property rights; and*

*(B) to develop metrics to assess whether the training improved enforcement of intellectual property rights;*

*(3) coordinate, with U.S. Customs and Border Protection, activities conducted by the United States to prevent the importation or exportation of merchandise that infringes intellectual property rights;*

*(4) support the international interdiction of merchandise destined for the United States that infringes intellectual property rights;*

*(5) collect and integrate information regarding infringement of intellectual property rights from domestic and international law enforcement agencies and other non-Federal sources;*

*(6) develop a means to receive and organize information regarding infringement of intellectual property rights from such agencies and other sources;*

*(7) disseminate information regarding infringement of intellectual property rights to other Federal agencies, as appropriate;*

*(8) develop and implement risk-based alert systems, in coordination with U.S. Customs and Border Protection, to improve the targeting of persons that repeatedly infringe intellectual property rights;*

*(9) coordinate with the offices of United States attorneys in order to develop expertise in, and assist with the investigation and prosecution of, crimes relating to the infringement of intellectual property rights; and*

*(10) carry out such other duties as the Secretary of Homeland Security may assign.*

*(c) COORDINATION WITH OTHER AGENCIES.—In carrying out the duties described in subsection (b), the Assistant Director of the National Intellectual Property Rights Coordination Center shall coordinate with—*

*(1) U.S. Customs and Border Protection;*

*(2) the Food and Drug Administration;*

*(3) the Department of Justice;*

*(4) the Department of Commerce, including the United States Patent and Trademark Office;*

*(5) the United States Postal Inspection Service;*

*(6) the Office of the United States Trade Representative;*

*(7) any Federal, State, local, or international law enforcement agencies that the Director of U.S. Immigration and Customs Enforcement considers appropriate; and*

*(8) any other entities that the Director considers appropriate.*

*(d) PRIVATE SECTOR OUTREACH.—*

*(1) IN GENERAL.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall work with U.S. Customs and Border Protection and other Federal agencies to conduct outreach to private sector entities in order to determine trends in and methods of infringing intellectual property rights.*

*(2) INFORMATION SHARING.—The Assistant Director shall share information and best practices with respect to the enforcement of intellectual property rights with private sector entities, as appropriate, in order to coordinate public and private sector efforts to combat the infringement of intellectual property rights.*

***SEC. 306. JOINT STRATEGIC PLAN FOR THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.***

*The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall include in the joint strategic plan required by section 105—*

*(1) a description of the efforts of the Department of Homeland Security to enforce intellectual property rights;*

*(2) a list of the 10 United States ports of entry at which U.S. Customs and Border Protection has seized the most merchandise, both by volume and by value, that infringes intellectual property rights during the most recent 2-year period for which data are available; and*

*(3) a recommendation for the optimal allocation of personnel, resources, and technology to ensure that U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement are adequately enforcing intellectual property rights.*

***SEC. 307. PERSONNEL DEDICATED TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.***

*(a) PERSONNEL OF U.S. CUSTOMS AND BORDER PROTECTION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that sufficient personnel are assigned throughout U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, who have responsibility for preventing the importation into the United States of merchandise that infringes intellectual property rights.*

*(b) STAFFING OF NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.—The Commissioner shall—*

*(1) assign not fewer than 3 full-time employees of U.S. Customs and Border Protection to the National Intellectual Property Rights Coordination Center established under section 305; and*

*(2) ensure that sufficient personnel are assigned to United States ports of entry to carry out the directives of the Center.*

***SEC. 308. TRAINING WITH RESPECT TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.***

*(a) TRAINING.—The Commissioner shall ensure that officers of U.S. Customs and Border Protection are trained to effectively detect and identify merchandise destined for the United States that infringes intellectual property rights, including through the use of technologies identified under subsection (c).*

*(b) CONSULTATION WITH PRIVATE SECTOR.—The Commissioner shall consult with private sector entities to better identify opportunities for collaboration between U.S. Customs and Border Protection and such entities with respect to training for officers of U.S. Customs and Border Protection in enforcing intellectual property rights.*

*(c) IDENTIFICATION OF NEW TECHNOLOGIES.—In consultation with private sector entities, the Commissioner shall identify—*

*(1) technologies with the cost-effective capability to detect and identify merchandise at United States ports of entry that infringes intellectual property rights; and*

*(2) cost-effective programs for training officers of U.S. Customs and Border Protection to use such technologies.*

*(d) DONATIONS OF TECHNOLOGY.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall prescribe regulations to enable U.S. Customs and Border Protection to receive donations of hardware, software, equipment, and similar technologies, and to accept training and other support services, from private sector entities, for the purpose of enforcing intellectual property rights.*

***SEC. 309. INTERNATIONAL COOPERATION AND INFORMATION SHARING.***

*(a) COOPERATION.—The Secretary of Homeland Security shall coordinate with the competent law enforcement and customs authorities of foreign countries, including by sharing information relevant to enforcement actions, to enhance the efforts of the United States and such authorities to enforce intellectual property rights.*

(b) TECHNICAL ASSISTANCE.—The Secretary of Homeland Security shall provide technical assistance to competent law enforcement and customs authorities of foreign countries to enhance the ability of such authorities to enforce intellectual property rights.

(c) INTERAGENCY COLLABORATION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall lead interagency efforts to collaborate with law enforcement and customs authorities of foreign countries to enforce intellectual property rights.

***SEC. 310. REPORT ON INTELLECTUAL PROPERTY RIGHTS ENFORCEMENT.***

Not later than September 30, 2016, and annually thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly submit to the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report that contains the following:

(1) With respect to the enforcement of intellectual property rights, the following:

(A) The number of referrals, during the preceding year, from U.S. Customs and Border Protection to U.S. Immigration and Customs Enforcement relating to infringement of intellectual property rights.

(B) The number of investigations relating to the infringement of intellectual property rights referred by U.S. Immigration and Customs Enforcement to a United States attorney for prosecution and the United States attorneys to which those investigations were referred.

(C) The number of such investigations accepted by each such United States attorney and the status or outcome of each such investigation.

(D) The number of such investigations that resulted in the imposition of civil or criminal penalties.

(E) A description of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve the success rates of investigations and prosecutions relating to the infringement of intellectual property rights.

(2) An estimate of the average time required by the Office of Trade established under section 4 of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), as added by section 802(h) of this Act, to respond to a request from port personnel for advice with respect to whether merchandise detained by U.S. Customs and Border Protection infringed intellectual property rights, distinguished by types of intellectual property rights infringed.

(3) A summary of the outreach efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement with respect to—

(A) the interdiction and investigation of, and the sharing of information between those agencies and other Federal agencies to prevent, the infringement of intellectual property rights;

(B) collaboration with private sector entities—

(i) to identify trends in the infringement of, and technologies that infringe, intellectual property rights;

(ii) to identify opportunities for enhanced training of officers of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

(iii) to develop best practices to enforce intellectual property rights; and

(C) coordination with foreign governments and international organizations with respect to the enforcement of intellectual property rights.

(4) A summary of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to address the challenges with respect to the enforcement of intellectual property rights presented by Internet commerce and the transit of small packages and an identification of the volume, value, and type of merchandise seized for infringing intellectual property rights as a result of such efforts.

(5) A summary of training relating to the enforcement of intellectual property rights conducted under section 308 and expenditures for such training.

***SEC. 311. INFORMATION FOR TRAVELERS REGARDING VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.***

(a) IN GENERAL.—The Secretary of Homeland Security shall develop and carry out an educational campaign to inform travelers entering or leaving the United States about the legal, economic, and public health and safety implications of acquiring merchandise that infringes intellectual property rights outside the United States and importing such merchandise into the United States in violation of United States law.

(b) DECLARATION FORMS.—The Commissioner shall ensure that all versions of Declaration Form 6059B of U.S. Customs and Border Protection, or a successor form, including any electronic equivalent of Declaration Form 6059B or a successor form, printed or displayed on or after the date that is 30 days after the date of the enactment of this Act include a written warning to inform travelers arriving in the United States that importation of merchandise into the United States that infringes intellectual property rights may subject travelers to civil or criminal penalties and may pose serious risks to safety or health.

## *TITLE IV—PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS*

***SEC. 401. SHORT TITLE.***

This title may be cited as the ''Enforce and Protect Act of 2015''.

***SEC. 402. DEFINITIONS.***

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Finance and the Committee on Appropriations of the Senate; and

(B) the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives.

(2) COVERED MERCHANDISE.—The term ''covered merchandise'' means merchandise that is subject to—

(A) a countervailing duty order issued under section 706 of the Tariff Act of 1930 (19 U.S.C. 1671e); or

(B) an antidumping duty order issued under section 736 of the Tariff Act of 1930 (19 U.S.C. 1673e).

(3) ELIGIBLE SMALL BUSINESS.—

(A) IN GENERAL.—The term ''eligible small business'' means any business concern that, in the judgment of the Commissioner, due to its small size, has neither adequate internal resources nor financial ability to obtain qualified outside assistance in preparing and submitting for consideration allegations of evasion.

(B) NONREVIEWABILITY.—Any agency decision regarding whether a business concern is an eligible small business for purposes of section 411(b)(4)(E) is not reviewable by any other agency or by any court.

(4) ENTER; ENTRY.—The terms ''enter'' and ''entry'' refer to the entry, or withdrawal from warehouse for consumption, of merchandise in the customs territory of the United States.

(5) EVADE; EVASION.—The terms ''evade'' and ''evasion'' refer to entering covered merchandise into the customs territory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(7) TRADE REMEDY LAWS.—The term ''trade remedy laws'' means title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.).

***SEC. 403. APPLICATION TO CANADA AND MEXICO.***

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), this title and the amendments made by this title shall apply with respect to goods from Canada and Mexico.

### *Subtitle A—Actions Relating to Enforcement of Trade Remedy Laws*

***SEC. 411. TRADE REMEDY LAW ENFORCEMENT DIVISION.***

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall establish and maintain within the Office of Trade established under section 4 of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), as added by section 802(h) of this Act, a Trade Remedy Law Enforcement Division.

(2) COMPOSITION.—The Trade Remedy Law Enforcement Division shall be composed of—

(A) headquarters personnel led by a Director, who shall report to the Executive Assistant Commissioner of the Office of Trade; and

(B) a National Targeting and Analysis Group dedicated to preventing and countering evasion.

(3) DUTIES.—The Trade Remedy Law Enforcement Division shall be dedicated—

(A) to the development and administration of policies to prevent and counter evasion, including policies relating to the implementation of section 517 of the Tariff Act of 1930, as added by section 421 of this Act;

(B) to direct enforcement and compliance assessment activities concerning evasion;

(C) to the development and conduct of commercial risk assessment targeting with respect to cargo destined for the United States in accordance with subsection (c);

(D) to issuing Trade Alerts described in subsection (d); and

(E) to the development of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk of noncollection.

(b) DUTIES OF DIRECTOR.—The duties of the Director of the Trade Remedy Law Enforcement Division shall include—

(1) directing the trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that concern evasion;

(2) facilitating, promoting, and coordinating cooperation and the exchange of information between U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and other relevant Federal agencies regarding evasion;

(3) notifying on a timely basis the administering authority (as defined in section 771(1) of the Tariff Act of 1930 (19 U.S.C. 1677(1))) and the Commission (as defined in section 771(2) of the Tariff Act of 1930 (19 U.S.C. 1677(2))) of any finding, determination, civil action, or criminal action taken by U.S. Customs and Border Protection or other Federal agency regarding evasion;

(4) serving as the primary liaison between U.S. Customs and Border Protection and the public regarding activities concerning evasion, including activities relating to investigations conducted under section 517 of the Tariff Act of 1930, as added by section 421 of this Act, which include—

(A) receiving allegations of evasion from parties, including allegations described in section 517(b)(2) of the Tariff Act of 1930, as so added;

(B) upon request by the party or parties that submitted such an allegation of evasion, providing information to such party or parties on the status of U.S. Customs and Border Protection's consideration of the allegation and decision to pursue or not pursue any administrative inquiries or other actions, such as changes in policies, procedures, or resource allocation as a result of the allegation;

(C) as needed, requesting from the party or parties that submitted such an allegation of eva-

*sion any additional information that may be relevant for U.S. Customs and Border Protection determining whether to initiate an administrative inquiry or take any other action regarding the allegation;*

*(D) notifying on a timely basis the party or parties that submitted such an allegation of the results of any administrative, civil, or criminal actions taken by U.S. Customs and Border Protection or other Federal agency regarding evasion as a direct or indirect result of the allegation;*

*(E) upon request, providing technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit such an allegation of evasion, except that the Director may deny technical assistance if the Director concludes that the allegation, if submitted, would not lead to the initiation of an administrative inquiry or any other action to address the allegation;*

*(F) in cooperation with the public, the Commercial Customs Operations Advisory Committee established under section 109, the Trade Support Network, and any other relevant parties and organizations, developing guidelines on the types and nature of information that may be provided in such an allegation of evasion; and*

*(G) consulting regularly with the public, the Commercial Customs Operations Advisory Committee, the Trade Support Network, and any other relevant parties and organizations regarding the development and implementation of regulations, interpretations, and policies related to countering evasion.*

*(c) PREVENTING AND COUNTERING EVASION OF THE TRADE REMEDY LAWS.—In carrying out its duties with respect to preventing and countering evasion, the National Targeting and Analysis Group dedicated to preventing and countering evasion shall—*

*(1) establish targeted risk assessment methodologies and standards—*

*(A) for evaluating the risk that cargo destined for the United States may constitute evading covered merchandise; and*

*(B) for issuing, as appropriate, Trade Alerts described in subsection (d); and*

*(2) to the extent practicable and otherwise authorized by law, use information available from the Automated Commercial System, the Automated Commercial Environment, the Automated Targeting System, the Automated Export System, the International Trade Data System established under section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)), and the TECS (formerly known as the ''Treasury Enforcement Communications System''), and any similar and successor systems, to administer the methodologies and standards established under paragraph (1).*

*(d) TRADE ALERTS.—Based upon the application of the targeted risk assessment methodologies and standards established under subsection (c), the Director of the Trade Remedy Law Enforcement Division shall issue Trade Alerts or other such means of notification to directors of United States ports of entry directing further inspection, physical examination, or testing of merchandise to ensure compliance with the trade remedy laws and to require additional bonds, cash deposits, or other security to ensure collection of any duties, taxes, and fees owed.*

***SEC. 412. COLLECTION OF INFORMATION ON EVASION OF TRADE REMEDY LAWS.***

*(a) AUTHORITY TO COLLECT INFORMATION.—To determine whether covered merchandise is being entered into the customs territory of the United States through evasion, the Secretary, acting through the Commissioner—*

*(1) shall exercise all existing authorities to collect information needed to make the determination; and*

*(2) may collect such additional information as is necessary to make the determination through such methods as the Commissioner considers appropriate, including by issuing questionnaires with respect to the entry or entries at issue to—*

*(A) a person who filed an allegation with respect to the covered merchandise;*

*(B) a person who is alleged to have entered the covered merchandise into the customs territory of the United States through evasion; or*

*(C) any other person who is determined to have information relevant to the allegation of entry of covered merchandise into the customs territory of the United States through evasion.*

*(b) ADVERSE INFERENCE.—*

*(1) USE OF ADVERSE INFERENCE.—*

*(A) IN GENERAL.—If the Secretary finds that a person described in subparagraph (B) has failed to cooperate by not acting to the best of the person's ability to comply with a request for information under subsection (a), the Secretary may, in making a determination whether an entry or entries of covered merchandise may constitute merchandise that is entered into the customs territory of the United States through evasion, use an inference that is adverse to the interests of that person in selecting from among the facts otherwise available to determine whether evasion has occurred.*

*(B) PERSON DESCRIBED.—A person described in this subparagraph is—*

*(i) a person who filed an allegation with respect to covered merchandise;*

*(ii) a person alleged to have entered covered merchandise into the customs territory of the United States through evasion; or*

*(iii) a foreign producer or exporter of covered merchandise that is alleged to have entered into the customs territory of the United States through evasion.*

*(C) APPLICATION.—An inference described in subparagraph (A) may be used under that subparagraph with respect to a person described in clause (ii) or (iii) of subparagraph (B) without regard to whether another person involved in the same transaction or transactions under examination has provided the information sought by the Secretary, such as import or export documentation.*

*(2) ADVERSE INFERENCE DESCRIBED.—An adverse inference used under paragraph (1)(A) may include reliance on information derived from—*

*(A) the allegation of evasion of the trade remedy laws, if any, submitted to U.S. Customs and Border Protection;*

*(B) a determination by the Commissioner in another investigation, proceeding, or other action regarding evasion of the unfair trade laws; or*

*(C) any other available information.*

***SEC. 413. ACCESS TO INFORMATION.***

*(a) IN GENERAL.—Section 777(b)(1)(A)(ii) of the Tariff Act of 1930 (19 U.S.C. 1677f(b)(1)(A)(ii)) is amended by inserting ''negligence, gross negligence, or'' after ''regarding''.*

*(b) ADDITIONAL INFORMATION.—Notwithstanding any other provision of law, the Secretary is authorized to provide to the Secretary of Commerce or the United States International Trade Commission any information that is necessary to enable the Secretary of Commerce or the United States International Trade Commission to assist the Secretary to identify, through risk assessment targeting or otherwise, covered merchandise that is entered into the customs territory of the United States through evasion.*

***SEC. 414. COOPERATION WITH FOREIGN COUNTRIES ON PREVENTING EVASION OF TRADE REMEDY LAWS.***

*(a) BILATERAL AGREEMENTS.—*

*(1) IN GENERAL.—The Secretary shall seek to negotiate and enter into bilateral agreements with the customs authorities or other appropriate authorities of foreign countries for purposes of cooperation on preventing evasion of the trade remedy laws of the United States and the trade remedy laws of the other country.*

*(2) PROVISIONS AND AUTHORITIES.—The Secretary shall seek to include in each such bilateral agreement the following provisions and authorities:*

*(A) On the request of the importing country, the exporting country shall provide, consistent with its laws, regulations, and procedures, production, trade, and transit documents and other information necessary to determine whether an entry or entries exported from the exporting country are subject to the importing country's trade remedy laws.*

*(B) On the written request of the importing country, the exporting country shall conduct a verification for purposes of enabling the importing country to make a determination described in subparagraph (A).*

*(C) The exporting country may allow the importing country to participate in a verification described in subparagraph (B), including through a site visit.*

*(D) If the exporting country does not allow participation of the importing country in a verification described in subparagraph (B), the importing country may take this fact into consideration in its trade enforcement and compliance assessment activities regarding the compliance of the exporting country's exports with the importing country's trade remedy laws.*

*(b) CONSIDERATION.—The Commissioner is authorized to take into consideration whether a country is a signatory to a bilateral agreement described in subsection (a) and the extent to which the country is cooperating under the bilateral agreement for purposes of trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that concern evasion by such country's exports.*

*(c) REPORT.—Not later than December 31 of each calendar year beginning after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report summarizing—*

*(1) the status of any ongoing negotiations of bilateral agreements described in subsection (a), including the identities of the countries involved in such negotiations;*

*(2) the terms of any completed bilateral agreements described in subsection (a); and*

*(3) bilateral cooperation and other activities conducted pursuant to or enabled by any completed bilateral agreements described in subsection (a).*

***SEC. 415. TRADE NEGOTIATING OBJECTIVES.***

*The principal negotiating objectives of the United States shall include obtaining the objectives of the bilateral agreements described under section 414(a) for any trade agreements under negotiation as of the date of the enactment of this Act or future trade agreement negotiations.*

***Subtitle B—Investigation of Evasion of Trade Remedy Laws***

***SEC. 421. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTI-DUMPING AND COUNTERVAILING DUTY ORDERS.***

*(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 516A (19 U.S.C. 1516a) the following:*

***''SEC. 517. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTI-DUMPING AND COUNTERVAILING DUTY ORDERS.***

*''(a) DEFINITIONS.—In this section:*

*''(1) ADMINISTERING AUTHORITY.—The term 'administering authority' has the meaning given that term in section 771(1).*

*''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner of U.S. Customs and Border Protection.*

*''(3) COVERED MERCHANDISE.—The term 'covered merchandise' means merchandise that is subject to—*

*''(A) an antidumping duty order issued under section 736; or*

*''(B) a countervailing duty order issued under section 706.*

*''(4) ENTER; ENTRY.—The terms 'enter' and 'entry' refer to the entry, or withdrawal from warehouse for consumption, of merchandise into the customs territory of the United States.*

*''(5) EVASION.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evasion' refers to entering covered merchandise into the customs ter-*

*ritory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.*

*''(B) EXCEPTION FOR CLERICAL ERROR.—*

*''(i) IN GENERAL.—Except as provided in clause (ii), the term 'evasion' does not include entering covered merchandise into the customs territory of the United States by means of—*

*''(I) a document or electronically transmitted data or information, written or oral statement, or act that is false as a result of a clerical error; or*

*''(II) an omission that results from a clerical error.*

*''(ii) PATTERNS OF NEGLIGENT CONDUCT.—If the Commissioner determines that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) and that the clerical error is part of a pattern of negligent conduct on the part of that person, the Commissioner may determine, notwithstanding clause (i), that the person has entered such covered merchandise into the customs territory of the United States through evasion.*

*''(iii) ELECTRONIC REPETITION OF ERRORS.—For purposes of clause (ii), the mere nonintentional repetition by an electronic system of an initial clerical error does not constitute a pattern of negligent conduct.*

*''(iv) RULE OF CONSTRUCTION.—A determination by the Commissioner that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) rather than through evasion shall not be construed to excuse that person from the payment of any duties applicable to the merchandise.*

*''(6) INTERESTED PARTY.—*

*''(A) IN GENERAL.—The term 'interested party' means—*

*''(i) a foreign manufacturer, producer, or exporter, or the United States importer, of covered merchandise or a trade or business association a majority of the members of which are producers, exporters, or importers of such merchandise;*

*''(ii) a manufacturer, producer, or wholesaler in the United States of a domestic like product;*

*''(iii) a certified union or recognized union or group of workers that is representative of an industry engaged in the manufacture, production, or wholesale in the United States of a domestic like product;*

*''(iv) a trade or business association a majority of the members of which manufacture, produce, or wholesale a domestic like product in the United States;*

*''(v) an association a majority of the members of which is composed of interested parties described in clause (ii), (iii), or (iv) with respect to a domestic like product; and*

*''(vi) if the covered merchandise is a processed agricultural product, as defined in section 771(4)(E), a coalition or trade association that is representative of either—*

*''(I) processors;*

*''(II) processors and producers; or*

*''(III) processors and growers.*

*''(B) DOMESTIC LIKE PRODUCT.—For purposes of subparagraph (A), the term 'domestic like product' means a product that is like, or in the absence of like, most similar in characteristics and uses with, covered merchandise.*

*''(b) INVESTIGATIONS.—*

*''(1) IN GENERAL.—Not later than 15 business days after receiving an allegation described in paragraph (2) or a referral described in paragraph (3), the Commissioner shall initiate an investigation if the Commissioner determines that the information provided in the allegation or the referral, as the case may be, reasonably suggests that covered merchandise has been entered into the customs territory of the United States through evasion.*

*''(2) ALLEGATION DESCRIBED.—An allegation described in this paragraph is an allegation that a person has entered covered merchandise into the customs territory of the United States through evasion that is—*

*''(A) filed with the Commissioner by an interested party; and*

*''(B) accompanied by information reasonably available to the party that filed the allegation.*

*''(3) REFERRAL DESCRIBED.—A referral described in this paragraph is information submitted to the Commissioner by any other Federal agency, including the Department of Commerce or the United States International Trade Commission, that reasonably suggests that a person has entered covered merchandise into the customs territory of the United States through evasion.*

*''(4) CONSIDERATION BY ADMINISTERING AUTHORITY.—*

*''(A) IN GENERAL.—If the Commissioner receives an allegation under paragraph (2) and is unable to determine whether the merchandise at issue is covered merchandise, the Commissioner shall—*

*''(i) refer the matter to the administering authority to determine whether the merchandise is covered merchandise pursuant to the authority of the administering authority under title VII; and*

*''(ii) notify the party that filed the allegation, and any other interested party participating in the investigation, of the referral.*

*''(B) DETERMINATION; TRANSMISSION TO COMMISSIONER.—After receiving a referral under subparagraph (A)(i) with respect to merchandise, the administering authority shall determine whether the merchandise is covered merchandise and promptly transmit that determination to the Commissioner.*

*''(C) STAY OF DEADLINES.—The period required for any referral and determination under this paragraph shall not be counted in calculating any deadline under this section.*

*''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to affect the authority of an interested party to commence an action in the United States Court of International Trade under section 516A(a)(2) with respect to a determination of the administering authority under this paragraph.*

*''(5) CONSOLIDATION OF ALLEGATIONS AND REFERRALS.—*

*''(A) IN GENERAL.—The Commissioner may consolidate multiple allegations described in paragraph (2) and referrals described in paragraph (3) into a single investigation if the Commissioner determines it is appropriate to do so.*

*''(B) EFFECT ON TIMING REQUIREMENTS.—If the Commissioner consolidates multiple allegations or referrals into a single investigation under subparagraph (A), the date on which the Commissioner receives the first such allegation or referral shall be used for purposes of the requirement under paragraph (1) with respect to the timing of the initiation of the investigation.*

*''(6) INFORMATION-SHARING TO PROTECT HEALTH AND SAFETY.—If, during the course of conducting an investigation under paragraph (1) with respect to covered merchandise, the Commissioner has reason to suspect that such covered merchandise may pose a health or safety risk to consumers, the Commissioner shall provide, as appropriate, information to the appropriate Federal agencies for purposes of mitigating the risk.*

*''(7) TECHNICAL ASSISTANCE AND ADVICE.—*

*''(A) IN GENERAL.—Upon request, the Commissioner shall provide technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit allegations described in paragraph (2), except that the Commissioner may deny technical assistance if the Commissioner concludes that the allegation, if submitted, would not lead to the initiation of an investigation under this subsection or any other action to address the allegation.*

*''(B) ELIGIBLE SMALL BUSINESS DEFINED.—*

*''(i) IN GENERAL.—In this paragraph, the term 'eligible small business' means any business concern that the Commissioner determines, due to its small size, has neither adequate internal resources nor the financial ability to obtain qualified outside assistance in preparing and filing allegations described in paragraph (2).*

*''(ii) NON-REVIEWABILITY.—The determination of the Commissioner regarding whether a business concern is an eligible small business for purposes of this paragraph is not reviewable by any other agency or by any court.*

*''(c) DETERMINATIONS.—*

*''(1) DETERMINATION OF EVASION.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 300 calendar days after the date on which the Commissioner initiates an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall make a determination, based on substantial evidence, with respect to whether such covered merchandise was entered into the customs territory of the United States through evasion.*

*''(B) ADDITIONAL TIME.—The Commissioner may extend the time to make a determination under subparagraph (A) by not more than 60 calendar days if the Commissioner determines that—*

*''(i) the investigation is extraordinarily complicated because of—*

*''(I) the number and complexity of the transactions to be investigated;*

*''(II) the novelty of the issues presented; or*

*''(III) the number of entities to be investigated; and*

*''(ii) additional time is necessary to make the determination under subparagraph (A).*

*''(2) AUTHORITY TO COLLECT AND VERIFY ADDITIONAL INFORMATION.—In making a determination under paragraph (1) with respect to covered merchandise, the Commissioner may collect such additional information as is necessary to make the determination through such methods as the Commissioner considers appropriate, including by—*

*''(A) issuing a questionnaire with respect to such covered merchandise to—*

*''(i) an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise;*

*''(ii) a person alleged to have entered such covered merchandise into the customs territory of the United States through evasion;*

*''(iii) a person that is a foreign producer or exporter of such covered merchandise; or*

*''(iv) the government of a country from which such covered merchandise was exported; and*

*''(B) conducting verifications, including on-site verifications, of any relevant information.*

*''(3) ADVERSE INFERENCE.—*

*''(A) IN GENERAL.—If the Commissioner finds that a party or person described in clause (i), (ii), or (iii) of paragraph (2)(A) has failed to cooperate by not acting to the best of the party or person's ability to comply with a request for information, the Commissioner may, in making a determination under paragraph (1), use an inference that is adverse to the interests of that party or person in selecting from among the facts otherwise available to make the determination.*

*''(B) APPLICATION.—An inference described in subparagraph (A) may be used under that subparagraph with respect to a person described in clause (ii) or (iii) of paragraph (2)(A) without regard to whether another person involved in the same transaction or transactions under examination has provided the information sought by the Commissioner, such as import or export documentation.*

*''(C) ADVERSE INFERENCE DESCRIBED.—An adverse inference used under subparagraph (A) may include reliance on information derived from—*

*''(i) the allegation of evasion of the trade remedy laws, if any, submitted to U.S. Customs and Border Protection;*

''(ii) a determination by the Commissioner in another investigation, proceeding, or other action regarding evasion of the unfair trade laws; or

''(iii) any other available information.

''(4) NOTIFICATION.—Not later than 5 business days after making a determination under paragraph (1) with respect to covered merchandise, the Commissioner—

''(A) shall provide to each interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise a notification of the determination and may, in addition, include an explanation of the basis for the determination; and

''(B) may provide to importers, in such manner as the Commissioner determines appropriate, information discovered in the investigation that the Commissioner determines will help educate importers with respect to importing merchandise into the customs territory of the United States in accordance with all applicable laws and regulations.

''(d) EFFECT OF DETERMINATIONS.—

''(1) IN GENERAL.—If the Commissioner makes a determination under subsection (c) that covered merchandise was entered into the customs territory of the United States through evasion, the Commissioner shall—

''(A)(i) suspend the liquidation of unliquidated entries of such covered merchandise that are subject to the determination and that enter on or after the date of the initiation of the investigation under subsection (b) with respect to such covered merchandise and on or before the date of the determination; or

''(ii) if the Commissioner has already suspended the liquidation of such entries pursuant to subsection (e)(1), continue to suspend the liquidation of such entries;

''(B) pursuant to the Commissioner's authority under section 504(b)—

''(i) extend the period for liquidating unliquidated entries of such covered merchandise that are subject to the determination and that entered before the date of the initiation of the investigation; or

''(ii) if the Commissioner has already extended the period for liquidating such entries pursuant to subsection (e)(1), continue to extend the period for liquidating such entries;

''(C) notify the administering authority of the determination and request that the administering authority—

''(i) identify the applicable antidumping or countervailing duty assessment rates for entries described in subparagraphs (A) and (B); or

''(ii) if no such assessment rate for such an entry is available at the time, identify the applicable cash deposit rate to be applied to the entry, with the applicable antidumping or countervailing duty assessment rate to be provided as soon as that rate becomes available;

''(D) require the posting of cash deposits and assess duties on entries described in subparagraphs (A) and (B) in accordance with the instructions received from the administering authority under paragraph (2); and

''(E) take such additional enforcement measures as the Commissioner determines appropriate, such as—

''(i) initiating proceedings under section 592 or 596;

''(ii) implementing, in consultation with the relevant Federal agencies, rule sets or modifications to rule sets for identifying, particularly through the Automated Targeting System and the Automated Commercial Environment authorized under section 13031(f)(4) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)), importers, other parties, and merchandise that may be associated with evasion;

''(iii) requiring, with respect to merchandise for which the importer has repeatedly provided incomplete or erroneous entry summary information in connection with determinations of evasion, the importer to deposit estimated duties at the time of entry; and

''(iv) referring the record in whole or in part to U.S. Immigration and Customs Enforcement for civil or criminal investigation.

''(2) COOPERATION OF ADMINISTERING AUTHORITY.—

''(A) IN GENERAL.—Upon receiving a notification from the Commissioner under paragraph (1)(C), the administering authority shall promptly provide to the Commissioner the applicable cash deposit rates and antidumping or countervailing duty assessment rates and any necessary liquidation instructions.

''(B) SPECIAL RULE FOR CASES IN WHICH THE PRODUCER OR EXPORTER IS UNKNOWN.—If the Commissioner and the administering authority are unable to determine the producer or exporter of the merchandise with respect to which a notification is made under paragraph (1)(C), the administering authority shall identify, as the applicable cash deposit rate or antidumping or countervailing duty assessment rate, the cash deposit or duty (as the case may be) in the highest amount applicable to any producer or exporter, including the 'all-others' rate of the merchandise subject to an antidumping order or countervailing duty order under section 736 or 706, respectively, or a finding issued under the Antidumping Act, 1921, or any administrative review conducted under section 751.

''(e) INTERIM MEASURES.—Not later than 90 calendar days after initiating an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall decide based on the investigation if there is a reasonable suspicion that such covered merchandise was entered into the customs territory of the United States through evasion and, if the Commissioner decides there is such a reasonable suspicion, the Commissioner shall—

''(1) suspend the liquidation of each unliquidated entry of such covered merchandise that entered on or after the date of the initiation of the investigation;

''(2) pursuant to the Commissioner's authority under section 504(b), extend the period for liquidating each unliquidated entry of such covered merchandise that entered before the date of the initiation of the investigation; and

''(3) pursuant to the Commissioner's authority under section 623, take such additional measures as the Commissioner determines necessary to protect the revenue of the United States, including requiring a single transaction bond or additional security or the posting of a cash deposit with respect to such covered merchandise.

''(f) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner makes a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may file an appeal with the Commissioner for de novo review of the determination.

''(2) TIMELINE FOR REVIEW.—Not later than 60 business days after an appeal of a determination is filed under paragraph (1), the Commissioner shall complete the review of the determination.

''(g) JUDICIAL REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner completes a review under subsection (f) of a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may seek judicial review of the determination under subsection (c) and the review under subsection (f) in the United States Court of International Trade to determine whether the determination and review is conducted in accordance with subsections (c) and (f).

''(2) STANDARD OF REVIEW.—In determining whether a determination under subsection (c) or review under subsection (f) is conducted in accordance with those subsections, the United States Court of International Trade shall examine—

''(A) whether the Commissioner fully complied with all procedures under subsections (c) and (f); and

''(B) whether any determination, finding, or conclusion is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall affect the availability of judicial review to an interested party under any other provision of law.

''(h) RULE OF CONSTRUCTION WITH RESPECT TO OTHER CIVIL AND CRIMINAL PROCEEDINGS AND INVESTIGATIONS.—No determination under subsection (c), review under subsection (f), or action taken by the Commissioner pursuant to this section shall preclude any individual or entity from proceeding, or otherwise affect or limit the authority of any individual or entity to proceed, with any civil, criminal, or administrative investigation or proceeding pursuant to any other provision of Federal or State law, including sections 592 and 596.''.

(b) CONFORMING AMENDMENT.—Section 1581(c) of title 28, United States Code, is amended by inserting ''or 517'' after ''516A''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary shall prescribe such regulations as may be necessary to implement the amendments made by this section.

### *Subtitle C—Other Matters*

#### *SEC. 431. ALLOCATION AND TRAINING OF PERSONNEL.*

The Commissioner shall, to the maximum extent possible, ensure that U.S. Customs and Border Protection—

(1) employs sufficient personnel who have expertise in, and responsibility for, preventing and investigating the entry of covered merchandise into the customs territory of the United States through evasion;

(2) on the basis of risk assessment metrics, assigns sufficient personnel with primary responsibility for preventing the entry of covered merchandise into the customs territory of the United States through evasion to the ports of entry in the United States at which the Commissioner determines potential evasion presents the most substantial threats to the revenue of the United States; and

(3) provides adequate training to relevant personnel to increase expertise and effectiveness in the prevention and identification of entries of covered merchandise into the customs territory of the United States through evasion.

#### *SEC. 432. ANNUAL REPORT ON PREVENTION AND INVESTIGATION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.*

(a) IN GENERAL.—Not later than January 15 of each calendar year that begins on or after the date that is 270 days after the date of the enactment of this Act, the Commissioner, in consultation with the Secretary of Commerce and the Director of U.S. Immigration and Customs Enforcement, shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the efforts being taken to prevent and investigate the entry of covered merchandise

*into the customs territory of the United States through evasion.*

*(b) CONTENTS.—Each report required under subsection (a) shall include—*

*(1) for the calendar year preceding the submission of the report—*

*(A) a summary of the efforts of U.S. Customs and Border Protection to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion;*

*(B) the number of allegations of evasion received, including allegations received under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 421 of this Act, and the number of such allegations resulting in investigations by U.S. Customs and Border Protection or any other Federal agency;*

*(C) a summary of investigations initiated, including investigations initiated under subsection (b) of such section 517, including—*

*(i) the number and nature of the investigations initiated, conducted, or completed; and*

*(ii) the resolution of each completed investigation;*

*(D) the amount of additional duties that were determined to be owed as a result of such investigations, the amount of such duties that were collected, and, for any such duties not collected, a description of the reasons those duties were not collected;*

*(E) with respect to each such investigation that led to the imposition of a penalty, the amount of the penalty;*

*(F) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion;*

*(G) the amount of antidumping and countervailing duties collected as a result of any investigations or other actions by U.S. Customs and Border Protection or any other Federal agency;*

*(H) a description of the allocation of personnel and other resources of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to prevent and investigate evasion, including any assessments conducted regarding the allocation of such personnel and resources; and*

*(I) a description of training conducted to increase expertise and effectiveness in the prevention and investigation of evasion; and*

*(2) a description of processes and procedures of U.S. Customs and Border Protection to prevent and investigate evasion, including—*

*(A) the specific guidelines, policies, and practices used by U.S. Customs and Border Protection to ensure that allegations of evasion are promptly evaluated and acted upon in a timely manner;*

*(B) an evaluation of the efficacy of those guidelines, policies, and practices;*

*(C) an identification of any changes since the last report required by this section, if any, that have materially improved or reduced the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion;*

*(D) a description of the development and implementation of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk of not collecting those duties;*

*(E) a description of the processes and procedures for increased cooperation and information sharing with the Department of Commerce, U.S. Immigration and Customs Enforcement, and any other relevant Federal agencies to prevent and investigate evasion; and*

*(F) an identification of any recommended policy changes for other Federal agencies or legislative changes to improve the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion.*

*(c) PUBLIC SUMMARY.—The Commissioner shall make available to the public a summary of the report required by subsection (a) that includes, at a minimum—*

*(1) a description of the type of merchandise with respect to which investigations were initiated under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 421 of this Act;*

*(2) the amount of additional duties determined to be owed as a result of such investigations and the amount of such duties that were collected;*

*(3) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion; and*

*(4) a description of the types of measures used by U.S. Customs and Border Protection to prevent and investigate evasion.*

***SEC. 433. ADDRESSING CIRCUMVENTION BY NEW SHIPPERS.***

*Section 751(a)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(2)(B)) is amended—*

*(1) by striking clause (iii);*

*(2) by redesignating clause (iv) as clause (iii); and*

*(3) by inserting after clause (iii), as redesignated by paragraph (2) of this section, the following:*

*''(iv) DETERMINATIONS BASED ON BONA FIDE SALES.—Any weighted average dumping margin or individual countervailing duty rate determined for an exporter or producer in a review conducted under clause (i) shall be based solely on the bona fide United States sales of an exporter or producer, as the case may be, made during the period covered by the review. In determining whether the United States sales of an exporter or producer made during the period covered by the review were bona fide, the administering authority shall consider, depending on the circumstances surrounding such sales—*

*''(I) the prices of such sales;*

*''(II) whether such sales were made in commercial quantities;*

*''(III) the timing of such sales;*

*''(IV) the expenses arising from such sales;*

*''(V) whether the subject merchandise involved in such sales was resold in the United States at a profit;*

*''(VI) whether such sales were made on an arms-length basis; and*

*''(VII) any other factor the administering authority determines to be relevant as to whether such sales are, or are not, likely to be typical of those the exporter or producer will make after completion of the review.''.*

***TITLE V—SMALL BUSINESS TRADE ISSUES AND STATE TRADE COORDINATION***

***SECTION 501. SHORT TITLE.***

*This title may be cited as the ''Small Business Trade Enhancement Act of 2015'' or the ''State Trade Coordination Act''.*

***SEC. 502. OUTREACH AND INPUT FROM SMALL BUSINESSES TO TRADE PROMOTION AUTHORITY.***

*Section 203 of Public Law 94–305 (15 U.S.C. 634c) is amended—*

*(1) in the matter preceding paragraph (1), by striking ''The Office of Advocacy'' and inserting the following:*

*''(a) IN GENERAL.—The Office of Advocacy''; and*

*(2) by adding at the end the following:*

*''(b) OUTREACH AND INPUT FROM SMALL BUSINESSES ON TRADE PROMOTION AUTHORITY.—*

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

*''(A) the term 'agency' has the meaning given the term in section 551 of title 5, United States Code;*

*''(B) the term 'Chief Counsel for Advocacy' means the Chief Counsel for Advocacy of the Small Business Administration;*

*''(C) the term 'covered trade agreement' means a trade agreement being negotiated pursuant to section 103(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4202(b)); and*

*''(D) the term 'Working Group' means the Interagency Working Group convened under paragraph (2)(A).*

*''(2) WORKING GROUP.—*

*''(A) IN GENERAL.—Not later than 30 days after the date on which the President submits the notification required under section 105(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4204(a)), the Chief Counsel for Advocacy shall convene an Interagency Working Group, which shall consist of an employee from each of the following agencies, as selected by the head of the agency or an official delegated by the head of the agency:*

*''(i) The Office of the United States Trade Representative.*

*''(ii) The Department of Commerce.*

*''(iii) The Department of Agriculture.*

*''(iv) Any other agency that the Chief Counsel for Advocacy, in consultation with the United States Trade Representative, determines to be relevant with respect to the subject of the covered trade agreement.*

*''(B) VIEWS OF SMALL BUSINESSES.—Not later than 30 days after the date on which the Chief Counsel for Advocacy convenes the Working Group under subparagraph (A), the Chief Counsel for Advocacy shall identify a diverse group of small businesses, representatives of small businesses, or a combination thereof, to provide to the Working Group the views of small businesses in the manufacturing, services, and agriculture industries on the potential economic effects of the covered trade agreement.*

*''(3) REPORT.—*

*''(A) IN GENERAL.—Not later than 180 days after the date on which the Chief Counsel for Advocacy convenes the Working Group under paragraph (2)(A), the Chief Counsel for Advocacy shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Finance of the Senate and the Committee on Small Business and the Committee on Ways and Means of the House of Representatives a report on the economic impacts of the covered trade agreement on small businesses, which shall—*

*''(i) identify the most important priorities, opportunities, and challenges to various industries from the covered trade agreement;*

*''(ii) assess the impact for new small businesses to start exporting, or increase their exports, to markets in countries that are parties to the covered trade agreement;*

*''(iii) analyze the competitive position of industries likely to be significantly affected by the covered trade agreement;*

*''(iv) identify—*

*''(I) any State-owned enterprises in each country participating in negotiations for the covered trade agreement that could pose a threat to small businesses; and*

*''(II) any steps to take to create a level playing field for those small businesses;*

*''(v) identify any rule of an agency that should be modified to become compliant with the covered trade agreement; and*

*''(vi) include an overview of the methodology used to develop the report, including the number of small business participants by industry, how those small businesses were selected, and any other factors that the Chief Counsel for Advocacy may determine appropriate.*

*''(B) DELAYED SUBMISSION.—To ensure that negotiations for the covered trade agreement are not disrupted, the President may require that the Chief Counsel for Advocacy delay submission of the report under subparagraph (A) until after the negotiations for the covered trade agreement are concluded, provided that the delay allows the Chief Counsel for Advocacy to submit the report to Congress not later than 45 days before the Senate or the House of Representatives acts to approve or disapprove the covered trade agreement.*

*''(C) AVOIDANCE OF DUPLICATION.—The Chief Counsel for Advocacy shall, to the extent practicable, coordinate the submission of the report under this paragraph with the United States International Trade Commission, the United States Trade Representative, other agencies,*

*and trade advisory committees to avoid unnecessary duplication of reporting requirements.''.*

***SEC. 503. STATE TRADE EXPANSION PROGRAM.***

*Section 22 of the Small Business Act (15 U.S.C. 649) is amended—*

*(1) by redesignating subsection (l) as subsection (m); and*

*(2) by inserting after subsection (k) the following:*

*''(l) STATE TRADE EXPANSION PROGRAM.—*

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

*''(A) the term 'eligible small business concern' means a business concern that—*

*''(i) is organized or incorporated in the United States;*

*''(ii) is operating in the United States;*

*''(iii) meets—*

*''(I) the applicable industry-based small business size standard established under section 3; or*

*''(II) the alternate size standard applicable to the program under section 7(a) of this Act and the loan programs under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.);*

*''(iv) has been in business for not less than 1 year, as of the date on which assistance using a grant under this subsection commences; and*

*''(v) has access to sufficient resources to bear the costs associated with trade, including the costs of packing, shipping, freight forwarding, and customs brokers;*

*''(B) the term 'program' means the State Trade Expansion Program established under paragraph (2);*

*''(C) the term 'rural small business concern' means an eligible small business concern located in a rural area, as that term is defined in section 1393(a)(2) of the Internal Revenue Code of 1986;*

*''(D) the term 'socially and economically disadvantaged small business concern' has the meaning given that term in section 8(a)(4)(A) of the Small Business Act (15 U.S.C. 637(a)(4)(A)); and*

*''(E) the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.*

*''(2) ESTABLISHMENT OF PROGRAM.—The Associate Administrator shall establish a trade expansion program, to be known as the 'State Trade Expansion Program', to make grants to States to carry out programs that assist eligible small business concerns in—*

*''(A) participation in foreign trade missions;*

*''(B) a subscription to services provided by the Department of Commerce;*

*''(C) the payment of website fees;*

*''(D) the design of marketing media;*

*''(E) a trade show exhibition;*

*''(F) participation in training workshops;*

*''(G) a reverse trade mission;*

*''(H) procurement of consultancy services (after consultation with the Department of Commerce to avoid duplication); or*

*''(I) any other initiative determined appropriate by the Associate Administrator.*

*''(3) GRANTS.—*

*''(A) JOINT REVIEW.—In carrying out the program, the Associate Administrator may make a grant to a State to increase the number of eligible small business concerns in the State exploring significant new trade opportunities.*

*''(B) CONSIDERATIONS.—In making grants under this subsection, the Associate Administrator may give priority to an application by a State that proposes a program that—*

*''(i) focuses on eligible small business concerns as part of a trade expansion program;*

*''(ii) demonstrates intent to promote trade expansion by—*

*''(I) socially and economically disadvantaged small business concerns;*

*''(II) small business concerns owned or controlled by women; and*

*''(III) rural small business concerns;*

*''(iii) promotes trade facilitation from a State that is not 1 of the 10 States with the highest percentage of eligible small business concerns that are engaged in international trade, based upon the most recent data from the Department of Commerce; and*

*''(iv) includes—*

*''(I) activities which have resulted in the highest return on investment based on the most recent year; and*

*''(II) the adoption of shared best practices included in the annual report of the Administration.*

*''(C) LIMITATIONS.—*

*''(i) SINGLE APPLICATION.—A State may not submit more than 1 application for a grant under the program in any 1 fiscal year.*

*''(ii) PROPORTION OF AMOUNTS.—The total value of grants made under the program during a fiscal year to the 10 States with the highest percentage of eligible small business concerns, based upon the most recent data available from the Department of Commerce, shall be not more than 40 percent of the amounts appropriated for the program for that fiscal year.*

*''(iii) DURATION.—The Associate Administrator shall award a grant under this program for a period of not more than 2 years.*

*''(D) APPLICATION.—*

*''(i) IN GENERAL.—A State desiring a grant under the program shall submit an application at such time, in such manner, and accompanied by such information as the Associate Administrator may establish.*

*''(ii) CONSULTATION TO REDUCE DUPLICATION.—A State desiring a grant under the program shall—*

*''(I) before submitting an application under clause (i), consult with applicable trade agencies of the Federal Government on the scope and mission of the activities the State proposes to carry out using the grant, to ensure proper coordination and reduce duplication in services; and*

*''(II) document the consultation conducted under subclause (I) in the application submitted under clause (i).*

*''(4) COMPETITIVE BASIS.—The Associate Administrator shall award grants under the program on a competitive basis.*

*''(5) FEDERAL SHARE.—The Federal share of the cost of a trade expansion program carried out using a grant under the program shall be—*

*''(A) for a State that has a high trade volume, as determined by the Associate Administrator, not more than 65 percent; and*

*''(B) for a State that does not have a high trade volume, as determined by the Associate Administrator, not more than 75 percent.*

*''(6) NON-FEDERAL SHARE.—The non-Federal share of the cost of a trade expansion program carried out using a grant under the program shall be comprised of not less than 50 percent cash and not more than 50 percent of indirect costs and in-kind contributions, except that no such costs or contributions may be derived from funds from any other Federal program.*

*''(7) REPORTS.—*

*''(A) INITIAL REPORT.—Not later than 120 days after the date of enactment of this subsection, the Associate Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report, which shall include—*

*''(i) a description of the structure of and procedures for the program;*

*''(ii) a management plan for the program; and*

*''(iii) a description of the merit-based review process to be used in the program.*

*''(B) ANNUAL REPORTS.—*

*''(i) IN GENERAL.—The Associate Administrator shall publish on the website of the Administration an annual report regarding the program, which shall include—*

*''(I) the number and amount of grants made under the program during the preceding year;*

*''(II) a list of the States receiving a grant under the program during the preceding year, including the activities being performed with each grant;*

*''(III) the effect of each grant on the eligible small business concerns in the State receiving the grant;*

*''(IV) the total return on investment for each State; and*

*''(V) a description of best practices by States that showed high returns on investment and significant progress in helping more eligible small business concerns.*

*''(ii) NOTICE TO CONGRESS.—On the date on which the Associate Administrator publishes a report under clause (i), the Associate Administrator shall notify the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that the report has been published.*

*''(8) REVIEWS BY INSPECTOR GENERAL.—*

*''(A) IN GENERAL.—The Inspector General of the Administration shall conduct a review of—*

*''(i) the extent to which recipients of grants under the program are measuring the performance of the activities being conducted and the results of the measurements; and*

*''(ii) the overall management and effectiveness of the program.*

*''(B) REPORTS.—*

*''(i) PILOT PROGRAM.—Not later than 6 months after the date of enactment of this subsection, the Inspector General of the Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the use of amounts made available under the State Trade and Export Promotion Grant Program under section 1207 of the Small Business Jobs Act of 2010 (15 U.S.C. 649b note).*

*''(ii) NEW STEP PROGRAM.—Not later than 18 months after the date on which the first grant is awarded under this subsection, the Inspector General of the Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the review conducted under subparagraph (A).*

*''(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $30,000,000 for each of fiscal years 2016 through 2020.''.*

***SEC. 504. STATE AND FEDERAL EXPORT PROMOTION COORDINATION.***

*(a) STATE AND FEDERAL EXPORT PROMOTION COORDINATION WORKING GROUP.—Subtitle C of the Export Enhancement Act of 1988 (15 U.S.C. 4721 et seq.) is amended by inserting after section 2313 the following:*

***''SEC. 2313A. STATE AND FEDERAL EXPORT PROMOTION COORDINATION WORKING GROUP.***

*''(a) STATEMENT OF POLICY.—It is the policy of the United States to promote exports as an opportunity for small businesses. In exercising their powers and functions in order to advance that policy, all Federal agencies shall work constructively with State and local agencies engaged in export promotion and export financing activities.*

*''(b) ESTABLISHMENT.—The President shall establish a State and Federal Export Promotion Coordination Working Group (in this section referred to as the 'Working Group') as a subcommittee of the Trade Promotion Coordination Committee (in this section referred to as the 'TPCC').*

*''(c) PURPOSES.—The purposes of the Working Group are—*

*''(1) to identify issues related to the coordination of Federal resources relating to export promotion and export financing with such resources provided by State and local governments;*

*''(2) to identify ways to improve coordination with respect to export promotion and export financing activities through the strategic plan developed under section 2312(c);*

''(3) to develop a strategy for improving coordination of Federal and State resources relating to export promotion and export financing, including methods to eliminate duplication of effort and overlapping functions; and

''(4) to develop a strategic plan for considering and implementing the suggestions of the Working Group as part of the strategic plan developed under section 2312(c).

''(d) MEMBERSHIP.—The Secretary of Commerce shall select the members of the Working Group, who shall include—

''(1) representatives from State trade agencies representing regionally diverse areas; and

''(2) representatives of the departments and agencies that are represented on the TPCC, who are designated by the heads of their respective departments or agencies to advise the head on ways of promoting the exportation of United States goods and services.''.

(b) REPORT ON IMPROVEMENTS TO EXPORT.GOV AS A SINGLE WINDOW FOR EXPORT INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Associate Administrator for International Trade of the Small Business Administration shall, after consultation with the entities specified in paragraph (2), submit to the appropriate congressional committees a report that includes the recommendations of the Associate Administrator for improving the experience provided by the Internet website Export.gov (or a successor website) as—

(A) a comprehensive resource for information about exporting articles from the United States; and

(B) a single website for exporters to submit all information required by the Federal Government with respect to the exportation of articles from the United States.

(2) ENTITIES SPECIFIED.—The entities specified in this paragraph are—

(A) small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) that are exporters; and

(B) the President's Export Council, State agencies with responsibility for export promotion or export financing, district export councils, and trade associations.

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

(A) the Committee on Small Business and Entrepreneurship and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Small Business and the Committee on Foreign Affairs of the House of Representatives.

(c) AVAILABILITY OF STATE RESOURCES GUIDES ON EXPORT.GOV.—The Secretary of Commerce shall make available on the Internet website Export.gov (or a successor website) information on the resources relating to export promotion and export financing available in each State—

(1) organized by State; and

(2) including information on State agencies with responsibility for export promotion or export financing and district export councils and trade associations located in the State.

**SEC. 505. STATE TRADE COORDINATION.**

(a) MEMBERSHIP OF REPRESENTATIVES OF STATE TRADE PROMOTION AGENCIES ON TRADE PROMOTION COORDINATING COMMITTEE.—Section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727) is amended—

(1) in subsection (d)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

''(2) REPRESENTATIVES FROM STATE TRADE PROMOTION AGENCIES.—The TPCC shall also include 1 or more members appointed by the President who are representatives of State trade promotion agencies.''; and

(2) in subsection (e), in the first sentence, by inserting ''(other than members described in subsection (d)(2))'' after ''Members of the TPCC''.

(b) FEDERAL AND STATE EXPORT PROMOTION COORDINATION PLAN.—

(1) IN GENERAL.—The Secretary of Commerce, acting through the Trade Promotion Coordinating Committee and in coordination with representatives of State trade promotion agencies, shall develop a comprehensive plan to integrate the resources and strategies of State trade promotion agencies into the overall Federal trade promotion program.

(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include the following:

(A) A description of the role of State trade promotion agencies in assisting exporters.

(B) An outline of the role of State trade promotion agencies and how it is different from Federal agencies located within or providing services within the State.

(C) A plan on how to utilize State trade promotion agencies in the Federal trade promotion program.

(D) An explanation of how Federal and State agencies will share information and resources.

(E) A description of how Federal and State agencies will coordinate education and trade events in the United States and abroad.

(F) A description of the efforts to increase efficiency and reduce duplication.

(G) A clear identification of where businesses can receive appropriate international trade information under the plan.

(3) DEADLINE.—The plan required under paragraph (1) shall be finalized and submitted to Congress not later than 12 months after the date of the enactment of this Act.

(c) ANNUAL FEDERAL-STATE EXPORT STRATEGY.—

(1) IN GENERAL.—The Secretary of Commerce, acting through the head of the United States Foreign and Commercial Service, shall develop an annual Federal-State export strategy for each State that submits to the Secretary of Commerce its export strategy for the upcoming calendar year. In developing an annual Federal-State export strategy under this paragraph, the Secretary of Commerce shall take into account the Federal and State export promotion coordination plan developed under subsection (b).

(2) MATTERS TO BE INCLUDED.—The Federal-State export strategy required under paragraph (1) shall include the following:

(A) The State's export strategy and economic goals.

(B) The State's key sectors and industries of focus.

(C) Possible foreign and domestic trade events.

(D) Efforts to increase efficiencies and reduce duplication.

(3) REPORT.—The Federal-State export strategy required under paragraph (1) shall be submitted to the Trade Promotion Coordinating Committee not later than February 1, 2017, and February 1 of each year thereafter.

(d) COORDINATED METRICS AND INFORMATION SHARING.—

(1) IN GENERAL.—The Secretary of Commerce, in coordination with representatives of State trade promotion agencies, shall develop a framework to share export success information, and develop a coordinated set of reporting metrics.

(2) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary of Commerce shall submit to Congress a report that contains the framework and reporting metrics required under paragraph (1).

(e) ANNUAL SURVEY AND ANALYSIS AND REPORT UNDER NATIONAL EXPORT STRATEGY.—Section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727) is amended—

(1) in subsection (c)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(7) in coordination with State trade promotion agencies, include a survey and analysis regarding the overall effectiveness of Federal-State coordination and export promotion goals on an annual basis, to further include best practices, recommendations to better assist small businesses, and other relevant matters.''; and

(2) in subsection (f)(1), by inserting ''(including implementation of the survey and analysis described in paragraph (7) of that subsection)'' after ''the implementation of such plan''.

***TITLE VI—ADDITIONAL ENFORCEMENT PROVISIONS***

***SEC. 601. TRADE ENFORCEMENT PRIORITIES.***

(a) IN GENERAL.—Section 310 of the Trade Act of 1974 (19 U.S.C. 2420) is amended to read as follows:

**''SEC. 310. TRADE ENFORCEMENT PRIORITIES.**

''(a) TRADE ENFORCEMENT PRIORITIES, CONSULTATIONS, AND REPORT.—

''(1) TRADE ENFORCEMENT PRIORITIES CONSULTATIONS.—Not later than May 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the United States Trade Representative (in this section referred to as the 'Trade Representative') shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the prioritization of acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain barriers to United States goods, services, or investment.

''(2) IDENTIFICATION OF TRADE ENFORCEMENT PRIORITIES.—In identifying acts, policies, or practices of foreign governments as trade enforcement priorities under this subsection, the Trade Representative shall focus on those acts, policies, and practices the elimination of which is likely to have the most significant potential to increase United States economic growth, and take into account all relevant factors, including—

''(A) the economic significance of any potential inconsistency between an obligation assumed by a foreign government pursuant to a trade agreement to which both the foreign government and the United States are parties and the acts, policies, or practices of that government;

''(B) the impact of the acts, policies, or practices of a foreign government on maintaining and creating United States jobs and productive capacity;

''(C) the major barriers and trade distorting practices described in the most recent National Trade Estimate required under section 181(b);

''(D) the major barriers and trade distorting practices described in other relevant reports addressing international trade and investment barriers prepared by a Federal agency or congressional commission during the 12 months preceding the date of the most recent report under paragraph (3);

''(E) a foreign government's compliance with its obligations under any trade agreements to which both the foreign government and the United States are parties;

''(F) the implications of a foreign government's procurement plans and policies; and

''(G) the international competitive position and export potential of United States products and services.

''(3) REPORT ON TRADE ENFORCEMENT PRIORITIES AND ACTIONS TAKEN TO ADDRESS.—

''(A) IN GENERAL.—Not later than July 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Trade Representative shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on acts, policies, or practices of foreign governments identified as trade enforcement priorities based on the consultations under paragraph (1) and the criteria set forth in paragraph (2).

''(B) REPORT IN SUBSEQUENT YEARS.—The Trade Representative shall include, when reporting under subparagraph (A) in any calendar year after the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, a description of actions taken to address any acts, policies, or practices of foreign governments identified as trade enforcement priorities under this subsection in the calendar year preceding that report and, as relevant, any calendar year before that calendar year.

''(b) SEMIANNUAL ENFORCEMENT CONSULTATIONS.—

''(1) IN GENERAL.—At the same time as the reporting under subsection (a)(3), and not later than January 31 of each following year, the Trade Representative shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the identification, prioritization, investigation, and resolution of acts, policies, or practices of foreign governments of concern with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or that otherwise create or maintain trade barriers.

''(2) ACTS, POLICIES, OR PRACTICES OF CONCERN.—The semiannual enforcement consultations required by paragraph (1) shall address acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain trade barriers, including—

''(A) engagement with relevant trading partners;

''(B) strategies for addressing such concerns;

''(C) availability and deployment of resources to be used in the investigation or resolution of such concerns;

''(D) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party relating to such concerns; and

''(E) any other aspects of such concerns.

''(3) ACTIVE INVESTIGATIONS.—The semiannual enforcement consultations required by paragraph (1) shall address acts, policies, or practices that the Trade Representative is actively investigating with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) strategies for addressing concerns raised by such acts, policies, or practices;

''(B) any relevant timeline with respect to investigation of such acts, policies, or practices;

''(C) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices;

''(D) barriers to the advancement of the investigation of such acts, policies, or practices; and

''(E) any other matters relating to the investigation of such acts, policies, or practices.

''(4) ONGOING ENFORCEMENT ACTIONS.—The semiannual enforcement consultations required by paragraph (1) shall address all ongoing enforcement actions taken by or against the United States with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) any relevant timeline with respect to such actions;

''(B) the merits of such actions;

''(C) any prospective implementation actions;

''(D) potential implications for any law or regulation of the United States;

''(E) potential implications for United States stakeholders, domestic competitors, and exporters; and

''(F) other issues relating to such actions.

''(5) ENFORCEMENT RESOURCES.—The semiannual enforcement consultations required by paragraph (1) shall address the availability and deployment of enforcement resources, resource constraints on monitoring and enforcement activities, and strategies to address those constraints, including the use of available resources of other Federal agencies to enhance monitoring and enforcement capabilities.

''(c) INVESTIGATION AND RESOLUTION.—In the case of any acts, policies, or practices of a foreign government identified as a trade enforcement priority under subsection (a), the Trade Representative shall, not later than the date of the first semiannual enforcement consultations held under subsection (b) after the identification of the priority, take appropriate action to address that priority, including—

''(1) engagement with the foreign government to resolve concerns raised by such acts, policies, or practices;

''(2) initiation of an investigation under section 302(b)(1) with respect to such acts, policies, or practices;

''(3) initiation of negotiations for a bilateral agreement that provides for resolution of concerns raised by such acts, policies, or practices; or

''(4) initiation of dispute settlement proceedings under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices.

''(d) ENFORCEMENT NOTIFICATIONS AND CONSULTATION.—

''(1) INITIATION OF ENFORCEMENT ACTION.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of the initiation of any formal trade dispute by or against the United States taken in regard to an obligation under the WTO Agreements or any other trade agreement to which the United States is a party. With respect to a formal trade dispute against the United States, if advance notification and consultation are not possible, the Trade Representative shall notify and consult at the earliest practicable opportunity after initiation of the dispute.

''(2) CIRCULATION OF REPORTS.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of the announced or anticipated circulation of any report of a dispute settlement panel or the Appellate Body of the World Trade Organization or of a dispute settlement panel under any other trade agreement to which the United States is a party with respect to a formal trade dispute by or against the United States.

''(e) DEFINITIONS.—In this section:

''(1) WTO.—The term 'WTO' means the World Trade Organization.

''(2) WTO AGREEMENT.—The term 'WTO Agreement' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

''(3) WTO AGREEMENTS.—The term 'WTO Agreements' means the WTO Agreement and agreements annexed to that Agreement.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to section 310 and inserting the following:

''Sec. 310. Trade enforcement priorities.''.

**SEC. 602. EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS UNDER TRADE AGREEMENTS.**

(a) IN GENERAL.—Section 306 of the Trade Act of 1974 (19 U.S.C. 2416) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c) EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS.—If—

''(1) action has terminated pursuant to section 307(c),

''(2) the petitioner or any representative of the domestic industry that would benefit from reinstatement of action has submitted to the Trade Representative a written request for reinstatement of action, and

''(3) the Trade Representatives has completed the requirements of subsection (d) and section 307(c)(3),

the Trade Representative may at any time determine to take action under section 301(c) to exercise an authorization to suspend concessions or other obligations under Article 22 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16))).''.

(b) CONFORMING AMENDMENTS.—Chapter 1 of title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) is amended—

(1) in section 301(c)(1) (19 U.S.C. 2411(c)(1)), in the matter preceding subparagraph (A), by inserting ''or section 306(c)'' after ''subsection (a) or (b)'';

(2) in section 306(b) (19 U.S.C. 2416(b)), in the subsection heading, by striking ''FURTHER ACTION'' and inserting ''ACTION ON THE BASIS OF MONITORING'';

(3) in section 306(d) (19 U.S.C. 2416(d)), as redesignated by subsection (a)(1), by inserting ''or (c)'' after ''subsection (b)''; and

(4) in section 307(c)(3) (19 U.S.C. 2417(c)(3)), by inserting ''or if a request is submitted to the Trade Representative under section 306(c)(2) to reinstate action,'' after ''under section 301,''.

**SEC. 603. TRADE MONITORING.**

(a) IN GENERAL.—Chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.) is amended by adding at the end the following:

**''SEC. 205. TRADE MONITORING.**

''(a) MONITORING TOOL FOR IMPORTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Commission shall make available on a website of the Commission an import monitoring tool to allow the public access to data on the volume and value of goods imported to the United States for the purpose of assessing whether such data has changed with respect to such goods over a period of time.

''(2) DATA DESCRIBED.—For purposes of the monitoring tool under paragraph (1), the Commission shall use data compiled by the Department of Commerce and such other government data as the Commission considers appropriate.

''(3) PERIODS OF TIME.—The Commission shall ensure that data accessed through the monitoring tool under paragraph (1) includes data for the most recent quarter for which such data are available and previous quarters as the Commission considers practicable.

''(b) MONITORING REPORTS.—

''(1) IN GENERAL.—Not later than 270 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and not less frequently than quarterly thereafter, the Secretary of Commerce shall publish on a website of the Department of Commerce, and notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of the availability of, a monitoring report on changes in the volume and value of trade with respect to imports and exports of goods categorized based on the 6-digit subheading number of the goods under the Harmonized Tariff Schedule of the United States during the most recent quarter for which such data are available and previous quarters as the Secretary considers practicable.

''(2) REQUESTS FOR COMMENT.—Not later than one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Secretary of Commerce shall solicit through the Federal Register public comment on the monitoring reports described in paragraph (1).

''(c) SUNSET.—The requirements under this section terminate on the date that is seven years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by inserting after the item relating to section 204 the following:

''Sec. 205. Trade monitoring.''.

**SEC. 604. ESTABLISHMENT OF INTERAGENCY CENTER ON TRADE IMPLEMENTATION, MONITORING, AND ENFORCEMENT.**

(a) IN GENERAL.—Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) is amended by adding at the end the following:

''(h) INTERAGENCY CENTER ON TRADE IMPLEMENTATION, MONITORING, AND ENFORCEMENT.—

''(1) ESTABLISHMENT OF CENTER.—There is established in the Office of the United States Trade Representative an Interagency Center on Trade Implementation, Monitoring, and Enforcement (in this section referred to as the 'Center').

''(2) FUNCTIONS OF CENTER.—The Center shall support the activities of the United States Trade Representative in—

''(A) investigating potential disputes under the auspices of the World Trade Organization;

''(B) investigating potential disputes pursuant to bilateral and regional trade agreements to which the United States is a party;

''(C) carrying out the functions of the United States Trade Representative under this section with respect to the monitoring and enforcement of trade agreements to which the United States is a party; and

''(D) monitoring measures taken by parties to implement provisions of trade agreements to which the United States is a party.

''(3) PERSONNEL.—

''(A) DIRECTOR.—The head of the Center shall be a Director, who shall be appointed by the United States Trade Representative.

''(B) ADDITIONAL EMPLOYEES.—A Federal agency may, in consultation with and with the approval of the United States Trade Representative, detail or assign one or more employees to the Center without any reimbursement from the Center to support the functions of the Center.''.

(b) INTERAGENCY RESOURCES.—Section 141(d)(1)(A) of the Trade Act of 1974 (19 U.S.C. 2171(d)(1)(A)) is amended by inserting '', including resources of the Interagency Center on Trade Implementation, Monitoring, and Enforcement established under subsection (h),'' after ''interagency resources''.

(c) REPORTS.—Section 163 of the Trade Act of 1974 (19 U.S.C. 2213) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (J), by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(L) the operation of the Interagency Center on Trade Implementation, Monitoring, and Enforcement established under section 141(h), including—

''(i) information relating to the personnel of the Center, including a description of any employees detailed or assigned to the Center by a Federal agency under paragraph (3)(B) of such section;

''(ii) information relating to the functions of the Center; and

''(iii) an assessment of the operating costs of the Center.''; and

(2) by adding at the end the following:

''(d) QUADRENNIAL PLAN AND REPORT.—

''(1) QUADRENNIAL PLAN.—Pursuant to the goals and objectives of the strategic plan of the Office of the United States Trade Representative as required under section 306 of title 5, United States Code, the Trade Representative shall, every 4 years, develop a plan—

''(A) to analyze internal quality controls and record management of the Office;

''(B) to identify existing staff of the Office and new staff that will be necessary to support the trade negotiation and enforcement functions and powers of the Office (including those functions and powers of the Trade Policy Staff Committee) as described in section 141 and section 301;

''(C) to identify existing staff of the Office and staff in other Federal agencies who will be required to be detailed or assigned to support interagency programs led by the Trade Representative, including any associated expenses;

''(D) to provide an outline of budget justifications, including salaries and expenses as well as nonpersonnel administrative expenses, for the fiscal years required under the strategic plan; and

''(E) to provide an outline of budget justifications, including salaries and expenses as well as nonpersonnel administrative expenses, for interagency programs led by the Trade Representative for the fiscal years required under the strategic plan.

''(2) REPORT.—

''(A) IN GENERAL.—The Trade Representative shall submit to the appropriate congressional committees a report that contains the plan required under paragraph (1). Except as provided in subparagraph (B), the report required under this subparagraph shall be submitted in conjunction with the strategic plan of the Office as required under section 306 of title 5, United States Code.

''(B) EXCEPTION.—The Trade Representative shall submit to the appropriate congressional committees an initial report that contains the plan required under paragraph (1) not later than June 1, 2016.

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

''(i) the Committee on Finance and the Committee on Appropriations of the Senate; and

''(ii) the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives.''.

**SEC. 605. INCLUSION OF INTEREST IN CERTAIN DISTRIBUTIONS OF ANTIDUMPING DUTIES AND COUNTERVAILING DUTIES.**

(a) IN GENERAL.—The Secretary of Homeland Security shall deposit all interest described in subsection (c) into the special account established under section 754(e) of the Tariff Act of 1930 (19 U.S.C. 1675c(e)) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)) for inclusion in distributions described in subsection (b) made on or after the date of the enactment of this Act.

(b) DISTRIBUTIONS DESCRIBED.—Distributions described in this subsection are distributions of antidumping duties and countervailing duties assessed on or after October 1, 2000, that are made under section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)), with respect to entries of merchandise that—

(1) were made on or before September 30, 2007; and

(2) were, in accordance with section 822 of the Claims Resolution Act of 2010 (19 U.S.C. 1675c note), unliquidated, not in litigation, and not under an order of liquidation from the Department of Commerce on December 8, 2010.

(c) INTEREST DESCRIBED.—

(1) INTEREST REALIZED.—Interest described in this subsection is interest earned on antidumping duties or countervailing duties described in subsection (b) that is realized through application of a payment received on or after October 1, 2014, by U.S. Customs and Border Protection under, or in connection with—

(A) a customs bond pursuant to a court order or judgment; or

(B) a settlement with respect to a customs bond, including any payment made to U.S. Customs and Border Protection with respect to that bond by a surety.

(2) TYPES OF INTEREST.—Interest described in paragraph (1) includes the following:

(A) Interest accrued under section 778 of the Tariff Act of 1930 (19 U.S.C. 1677g).

(B) Interest accrued under section 505(d) of the Tariff Act of 1930 (19 U.S.C. 1505(d)).

(C) Equitable interest under common law and interest under section 963 of the Revised Statutes (19 U.S.C. 580) awarded by a court against a surety under its bond for late payment of antidumping duties, countervailing duties, or interest described in subparagraph (A) or (B).

(d) DEFINITIONS.—In this section:

(1) ANTIDUMPING DUTIES.—The term ''antidumping duties'' means antidumping duties imposed under section 731 of the Tariff Act of 1930 (19 U.S.C. 1673) or under the Antidumping Act, 1921 (title II of the Act of May 27, 1921; 42 Stat. 11, chapter 14).

(2) COUNTERVAILING DUTIES.—The term ''countervailing duties'' means countervailing duties imposed under section 701 of the Tariff Act of 1930 (19 U.S.C. 1671).

**SEC. 606. ILLICITLY IMPORTED, EXPORTED, OR TRAFFICKED CULTURAL PROPERTY, ARCHAEOLOGICAL OR ETHNOLOGICAL MATERIALS, AND FISH, WILDLIFE, AND PLANTS.**

(a) IN GENERAL.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that appropriate personnel of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, as the case may be, are trained in the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, and fish, wildlife, and plants, the importation, exportation, or trafficking of which violates the laws of the United States.

(b) TRAINING.—The Commissioner and the Director are authorized to accept training and other support services from experts outside of the Federal Government with respect to the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, or fish, wildlife, and plants described in subsection (a).

**SEC. 607. ENFORCEMENT UNDER TITLE III OF THE TRADE ACT OF 1974 WITH RESPECT TO CERTAIN ACTS, POLICIES, AND PRACTICES.**

Section 301(d)(3)(B) of the Trade Act of 1974 (19 U.S.C. 2411(d)(3)(B)) is amended—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii)(V), by striking the period at the end and inserting '', or''; and

(3) by adding at the end the following:

''(iv) constitutes a persistent pattern of conduct by the government of a foreign country under which that government fails to effectively enforce commitments under agreements to which the foreign country and the United States are parties, including with respect to trade in goods, trade in services, trade in agriculture, foreign investment, intellectual property, digital trade in goods and services and cross-border data flows, regulatory practices, state-owned and state-controlled enterprises, localization barriers to trade, labor and the environment, anticorruption, trade remedy laws, textiles, and commercial partnerships.''.

**SEC. 608. HONEY TRANSSHIPMENT.**

(a) IN GENERAL.—The Commissioner shall direct appropriate personnel and the use of resources of U.S. Customs and Border Protection to address concerns that honey is being imported into the United States in violation of the customs and trade laws of the United States.

(b) COUNTRY OF ORIGIN.—

(1) IN GENERAL.—The Commissioner shall compile a database of the individual characteristics of honey produced in foreign countries to facilitate the verification of country of origin markings of imported honey.

(2) ENGAGEMENT WITH FOREIGN GOVERNMENTS.—The Commissioner shall seek to engage the customs agencies of foreign governments for assistance in compiling the database described in paragraph (1).

*(3) CONSULTATION WITH INDUSTRY.—In compiling the database described in paragraph (1), the Commissioner shall consult with entities in the honey industry regarding the development of industry standards for honey identification.*

*(4) CONSULTATION WITH FOOD AND DRUG ADMINISTRATION.—In compiling the database described in paragraph (1), the Commissioner shall consult with the Commissioner of Food and Drugs.*

*(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall submit to Congress a report that—*

*(1) describes and assesses the limitations in the existing analysis capabilities of laboratories with respect to determining the country of origin of honey samples or the percentage of honey contained in a sample; and*

*(2) includes any recommendations of the Commissioner for improving such capabilities.*

*(d) SENSE OF CONGRESS.—It is the sense of Congress that the Commissioner of Food and Drugs should promptly establish a national standard of identity for honey for the Commissioner of U.S. Customs and Border Protection to use to ensure that imports of honey are—*

*(1) classified accurately for purposes of assessing duties; and*

*(2) denied entry into the United States if such imports pose a threat to the health or safety of consumers in the United States.*

***SEC. 609. ESTABLISHMENT OF CHIEF INNOVATION AND INTELLECTUAL PROPERTY NEGOTIATOR.***

*(a) IN GENERAL.—Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) is amended—*

*(1) in subsection (b)(2)—*

*(A) by striking ''and one Chief Agricultural Negotiator'' and inserting '', one Chief Agricultural Negotiator, and one Chief Innovation and Intellectual Property Negotiator,'';*

*(B) by striking ''or the Chief Agricultural Negotiator'' and inserting '', the Chief Agricultural Negotiator, or the Chief Innovation and Intellectual Property Negotiator''; and*

*(C) by striking ''and the Chief Agricultural Negotiator'' and inserting '', the Chief Agricultural Negotiator, and the Chief Innovation and Intellectual Property Negotiator''; and*

*(2) in subsection (c)—*

*(A) by moving paragraph (5) 2 ems to the left; and*

*(B) by adding at the end the following:*

*''(6) The principal functions of the Chief Innovation and Intellectual Property Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to United States intellectual property and to take appropriate actions to address acts, policies, and practices of foreign governments that have a significant adverse impact on the value of United States innovation. The Chief Innovation and Intellectual Property Negotiator shall be a vigorous advocate on behalf of United States innovation and intellectual property interests. The Chief Innovation and Intellectual Property Negotiator shall perform such other functions as the United States Trade Representative may direct.''.*

*(b) COMPENSATION.—Section 5314 of title 5, United States Code is amended by striking ''Chief Agricultural Negotiator.'' and inserting the following:*

*''Chief Agricultural Negotiator, Office of the United States Trade Representative.*

*''Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative.''.*

*(c) REPORT REQUIRED.—Not later than one year after the appointment of the first Chief Innovation and Intellectual Property Negotiator pursuant to paragraph (2) of section 141(b) of the Trade Act of 1974, as amended by subsection (a), and annually thereafter, the United States Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report describing in detail—*

*(1) enforcement actions taken by the Trade Representative during the one-year period preceding the submission of the report to ensure the protection of United States innovation and intellectual property interests; and*

*(2) other actions taken by the Trade Representative to advance United States innovation and intellectual property interests.*

***SEC. 610. MEASURES RELATING TO COUNTRIES THAT DENY ADEQUATE PROTECTION FOR INTELLECTUAL PROPERTY RIGHTS.***

*(a) INCLUSION OF COUNTRIES THAT DENY ADEQUATE PROTECTION OF TRADE SECRETS.—Section 182(d)(2) of the Trade Act of 1974 (19 U.S.C. 2242(d)(2)) is amended by inserting '', trade secrets,'' after ''copyrights''.*

*(b) SPECIAL RULES FOR COUNTRIES ON THE PRIORITY WATCH LIST OF THE UNITED STATES TRADE REPRESENTATIVE.—*

*(1) IN GENERAL.—Section 182 of the Trade Act of 1974 (19 U.S.C. 2242) is amended by striking subsection (g) and inserting the following:*

*''(g) SPECIAL RULES FOR FOREIGN COUNTRIES ON THE PRIORITY WATCH LIST.—*

*''(1) ACTION PLANS.—*

*''(A) IN GENERAL.—Not later than 90 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall develop an action plan described in subparagraph (C) with respect to each foreign country described in subparagraph (B).*

*''(B) FOREIGN COUNTRY DESCRIBED.—The Trade Representative shall develop an action plan under subparagraph (A) with respect to each foreign country that—*

*''(i) the Trade Representative has identified for placement on the priority watch list; and*

*''(ii) has remained on such list for at least one year.*

*''(C) ACTION PLAN DESCRIBED.—An action plan developed under subparagraph (A) shall contain the benchmarks described in subparagraph (D) and be designed to assist the foreign country—*

*''(i) to achieve—*

*''(I) adequate and effective protection of intellectual property rights; and*

*''(II) fair and equitable market access for United States persons that rely upon intellectual property protection; or*

*''(ii) to make significant progress toward achieving the goals described in clause (i).*

*''(D) BENCHMARKS DESCRIBED.—The benchmarks contained in an action plan developed pursuant to subparagraph (A) are such legislative, institutional, enforcement, or other actions as the Trade Representative determines to be necessary for the foreign country to achieve the goals described in clause (i) or (ii) of subparagraph (C).*

*''(2) FAILURE TO MEET ACTION PLAN BENCHMARKS.—If, as of one year after the date on which an action plan is developed under paragraph (1)(A), the President, in consultation with the Trade Representative, determines that the foreign country to which the action plan applies has not substantially complied with the benchmarks described in paragraph (1)(D), the President may take appropriate action with respect to the foreign country.*

*''(3) PRIORITY WATCH LIST DEFINED.—In this subsection, the term 'priority watch list' means the priority watch list established by the Trade Representative pursuant to subsection (a).*

*''(h) ANNUAL REPORT.—Not later than 30 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on actions taken under this section during the 12 months preceding such report, and the reasons for such actions, including—*

*''(1) a list of any foreign countries identified under subsection (a);*

*''(2) a description of progress made in achieving improved intellectual property protection and market access for persons relying on intellectual property rights; and*

*''(3) a description of the action plans developed under subsection (g) and any actions taken by foreign countries under such plans.''.*

*(2) FUNDING.—*

*(A) IN GENERAL.—Amounts from the Trade Enforcement Trust Fund established under section 611 may be expended by the United States Trade Representative, only as provided by appropriations Acts, to provide assistance to any developing country to which an action plan applies under section 182(g) of the Trade Act of 1974, as amended by paragraph (1), to facilitate the efforts of the developing country to comply with the benchmarks contained in the action plan. Such assistance may include capacity building, activities designed to increase awareness of intellectual property rights, and training for officials responsible for enforcing intellectual property rights in the developing country.*

*(B) DEVELOPING COUNTRY DEFINED.—In this paragraph, the term ''developing country'' means a country classified by the World Bank as having a low-income or lower-middle-income economy.*

*(3) RULE OF CONSTRUCTION.—Nothing in this subsection or the amendment made by this subsection shall be construed as limiting the authority of the President or the United States Trade Representative to develop action plans other than action plans described in section 182(g) of the Trade Act of 1974, as amended by paragraph (1), or to take any action otherwise authorized by law in response to the failure of a foreign country to provide adequate and effective protection and enforcement of intellectual property rights.*

***SEC. 611. TRADE ENFORCEMENT TRUST FUND.***

*(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Trade Enforcement Trust Fund (in this section referred to as the ''Trust Fund''), consisting of amounts transferred to the Trust Fund under subsection (b) and any amounts that may be credited to the Trust Fund under subsection (c).*

*(b) TRANSFER OF AMOUNTS.—*

*(1) IN GENERAL.—The Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, for each fiscal year that begins on or after the date of the enactment of this Act through fiscal year 2026, an amount equal to $15,000,000 (or a lesser amount as required pursuant to paragraph (2)).*

*(2) LIMITATION.—The total amount in the Trust Fund at any time may not exceed $30,000,000.*

*(3) FREQUENCY OF TRANSFERS.—The Secretary shall transfer amounts required to be transferred to the Trust Fund under paragraph (1) not less frequently than quarterly from the general fund of the Treasury to the Trust Fund in a manner that ensures that the total amount in the Trust Fund at the end of the quarter does not exceed the limitation established under paragraph (2).*

*(c) INVESTMENT OF AMOUNTS.—*

*(1) INVESTMENT OF AMOUNTS.—The Secretary shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.*

*(2) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.*

*(d) AVAILABILITY OF AMOUNTS FROM TRUST FUND.—*

*(1) IN GENERAL.—The United States Trade Representative shall, on the basis of the advice of the Trade Policy Committee and relevant subordinate bodies of the TPC, use or transfer for the use by Federal agencies represented on the TPC amounts in the Trust Fund, only as provided by appropriations Acts, for making expenditures for any of the following:*

*(A) To seek to enforce the provisions of and commitments and obligations under the WTO*

*Agreements and free trade agreements to which the United States is a party and resolve any actions by foreign countries that are inconsistent with those provisions, commitments, and obligations.*

*(B) To monitor and ensure the full implementation by foreign countries of the provisions of and commitments and obligations under free trade agreements to which the United States is a party for purposes of systematically assessing, identifying, investigating, or initiating steps to address inconsistencies with those provisions, commitments, and obligations.*

*(C) To thoroughly investigate and respond to petitions under section 302 of the Trade Act of 1974 (19 U.S.C. 2412) requesting that action be taken under section 301 of such Act (19 U.S.C. 2411).*

*(D) To support capacity-building efforts undertaken by the United States pursuant to any free trade agreement to which the United States is a party and to prioritize and give special attention to the timely, consistent, and robust implementation of the commitments and obligations of a party to that free trade agreement, including commitments and obligations related to trade in goods, trade in services, trade in agriculture, foreign investment, intellectual property, digital trade in goods and services and cross-border data flows, regulatory practices, state-owned and state-controlled enterprises, localization barriers to trade, labor and the environment, currency, foreign currency manipulation, anticorruption, trade remedy laws, textiles, and commercial partnerships.*

*(E) To support capacity-building efforts undertaken by the United States pursuant to any such free trade agreement and to include performance indicators against which the progress and obstacles for the implementation of commitments and obligations can be identified and assessed within a meaningful time frame.*

*(2) LIMITATION.—Amounts made available in the Trust Fund may not be used to offset costs of conducting negotiations for any free trade agreement to be entered into on or after the date of the enactment of this Act, but may be used to support implementation and capacity building prior to entry into force of a free trade agreement.*

*(e) REPORT.—Not later than 18 months after the entry into force of any free trade agreement entered into after the date of the enactment of this Act, the United States Trade Representative, in consultation with the Federal agencies represented on the TPC, shall submit to Congress a report on the actions taken under subsection (d) in connection with that agreement.*

*(f) COMPTROLLER GENERAL STUDY.—*

*(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that includes the following:*

*(A) A comprehensive analysis of the trade enforcement expenditures of each Federal agency with responsibilities relating to trade that specifies, with respect to each such Federal agency—*

*(i) the amounts appropriated for trade enforcement; and*

*(ii) the number of full-time employees carrying out activities relating to trade enforcement.*

*(B) Recommendations on the additional employees and resources that each such Federal agency may need to effectively enforce the free trade agreements to which the United States is a party.*

*(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under paragraph (1).*

*(g) DEFINITIONS.—In this section:*

*(1) TRADE POLICY COMMITTEE; TPC.—The terms ''Trade Policy Committee'' and ''TPC'' mean the interagency organization established under section 242 of the Trade Expansion Act of 1962 (19 U.S.C. 1872).*

*(2) WTO.—The term ''WTO'' means the World Trade Organization.*

*(3) WTO AGREEMENT.—The term ''WTO Agreement'' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).*

*(4) WTO AGREEMENTS.—The term ''WTO Agreements'' means the WTO Agreement and agreements annexed to that Agreement.*

## *TITLE VII—ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES*

### *SEC. 701. ENHANCEMENT OF ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES WITH CERTAIN MAJOR TRADING PARTNERS OF THE UNITED STATES.*

*(a) MAJOR TRADING PARTNER REPORT.—*

*(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary shall submit to the appropriate committees of Congress a report on the macroeconomic and currency exchange rate policies of each country that is a major trading partner of the United States.*

*(2) ELEMENTS.—*

*(A) IN GENERAL.—Each report submitted under paragraph (1) shall contain—*

*(i) for each country that is a major trading partner of the United States—*

*(I) that country's bilateral trade balance with the United States;*

*(II) that country's current account balance as a percentage of its gross domestic product;*

*(III) the change in that country's current account balance as a percentage of its gross domestic product during the 3-year period preceding the submission of the report;*

*(IV) that country's foreign exchange reserves as a percentage of its short-term debt; and*

*(V) that country's foreign exchange reserves as a percentage of its gross domestic product; and*

*(ii) an enhanced analysis of macroeconomic and exchange rate policies for each country that is a major trading partner of the United States that has—*

*(I) a significant bilateral trade surplus with the United States;*

*(II) a material current account surplus; and*

*(III) engaged in persistent one-sided intervention in the foreign exchange market.*

*(B) ENHANCED ANALYSIS.—Each enhanced analysis under subparagraph (A)(ii) shall include, for each country with respect to which an analysis is made under that subparagraph—*

*(i) a description of developments in the currency markets of that country, including, to the greatest extent feasible, developments with respect to currency interventions;*

*(ii) a description of trends in the real effective exchange rate of the currency of that country and in the degree of undervaluation of that currency;*

*(iii) an analysis of changes in the capital controls and trade restrictions of that country; and*

*(iv) patterns in the reserve accumulation of that country.*

*(3) ASSESSMENT FACTORS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publicly describe the factors used to assess under paragraph (2)(A)(ii) whether a country has a significant bilateral trade surplus with the United States, has a material current account surplus, and has engaged in persistent one-sided intervention in the foreign exchange market.*

*(b) ENGAGEMENT ON EXCHANGE RATE AND ECONOMIC POLICIES.—*

*(1) IN GENERAL.—The President, through the Secretary, shall commence enhanced bilateral engagement with each country for which an enhanced analysis of macroeconomic and currency exchange rate policies is included in the report submitted under subsection (a), in order to, as appropriate—*

*(A) urge implementation of policies to address the causes of the undervaluation of its currency, its significant bilateral trade surplus with the United States, and its material current account surplus, including undervaluation and surpluses relating to exchange rate management;*

*(B) express the concern of the United States with respect to the adverse trade and economic effects of that undervaluation and those surpluses;*

*(C) advise that country of the ability of the President to take action under subsection (c); and/or*

*(D) develop a plan with specific actions to address that undervaluation and those surpluses.*

*(2) WAIVER.—*

*(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) to commence enhanced bilateral engagement with a country if the Secretary determines that commencing enhanced bilateral engagement with the country—*

*(i) would have an adverse impact on the United States economy greater than the benefits of such action; or*

*(ii) would cause serious harm to the national security of the United States.*

*(B) CERTIFICATION AND REPORT.—The Secretary shall promptly certify to Congress a determination under subparagraph (A) and promptly submit to Congress a report that describes in detail the reasons for the Secretary's determination under subparagraph (A).*

*(c) REMEDIAL ACTION.—*

*(1) IN GENERAL.—If, on or after the date that is one year after the commencement of enhanced bilateral engagement by the President, through the Secretary, with respect to a country under subsection (b)(1), the Secretary determines that the country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A) with respect to that country, the President shall take one or more of the following actions:*

*(A) Prohibit the Overseas Private Investment Corporation from approving any new financing (including any insurance, reinsurance, or guarantee) with respect to a project located in that country on and after such date.*

*(B) Except as provided in paragraph (3), and pursuant to paragraph (4), prohibit the Federal Government from procuring, or entering into any contract for the procurement of, goods or services from that country on and after such date.*

*(C) Instruct the United States Executive Director of the International Monetary Fund to call for additional rigorous surveillance of the macroeconomic and exchange rate policies of that country and, as appropriate, formal consultations on findings of currency manipulation.*

*(D) Instruct the United States Trade Representative to take into account, in consultation with the Secretary, in assessing whether to enter into a bilateral or regional trade agreement with that country or to initiate or participate in negotiations with respect to a bilateral or regional trade agreement with that country, the extent to which that country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A).*

*(2) WAIVER.—*

*(A) IN GENERAL.—The President may waive the requirement under paragraph (1) to take remedial action if the President determines that taking remedial action under paragraph (1) would—*

*(i) have an adverse impact on the United States economy greater than the benefits of taking remedial action; or*

*(ii) would cause serious harm to the national security of the United States.*

*(B) CERTIFICATION AND REPORT.—The President shall promptly certify to Congress a determination under subparagraph (A) and promptly submit to Congress a report that describes in detail the reasons for the President's determination under subparagraph (A).*

*(3) EXCEPTION.—The President may not apply a prohibition under paragraph (1)(B) in a manner that is inconsistent with United States obligations under international agreements.*

(4) CONSULTATIONS.—

(A) OFFICE OF MANAGEMENT AND BUDGET.—Before applying a prohibition under paragraph (1)(B), the President shall consult with the Director of the Office of Management and Budget to determine whether such prohibition would subject the taxpayers of the United States to unreasonable cost.

(B) CONGRESS.—The President shall consult with the appropriate committees of Congress with respect to any action the President takes under paragraph (1)(B), including whether the President has consulted as required under subparagraph (A).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(2) COUNTRY.—The term ''country'' means a foreign country, dependent territory, or possession of a foreign country, and may include an association of 2 or more foreign countries, dependent territories, or possessions of countries into a customs union outside the United States.

(3) REAL EFFECTIVE EXCHANGE RATE.—The term ''real effective exchange rate'' means a weighted average of bilateral exchange rates, expressed in price-adjusted terms.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

**SEC. 702. ADVISORY COMMITTEE ON INTERNATIONAL EXCHANGE RATE POLICY.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an Advisory Committee on International Exchange Rate Policy (in this section referred to as the ''Committee'').

(2) DUTIES.—The Committee shall be responsible for advising the Secretary of the Treasury with respect to the impact of international exchange rates and financial policies on the economy of the United States.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of 9 members as follows, none of whom shall be employees of the Federal Government:

(A) Three members shall be appointed by the President pro tempore of the Senate, upon the recommendation of the chairmen and ranking members of the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate.

(B) Three members shall be appointed by the Speaker of the House of Representatives, upon the recommendation of the chairmen and ranking members of the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(C) Three members shall be appointed by the President.

(2) QUALIFICATIONS.—Members shall be selected under paragraph (1) on the basis of their objectivity and demonstrated expertise in finance, economics, or currency exchange.

(3) TERMS.—

(A) IN GENERAL.—Members shall be appointed for a term of 2 years or until the Committee terminates.

(B) REAPPOINTMENT.—A member may be reappointed to the Committee for additional terms.

(4) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) DURATION OF COMMITTEE.—

(1) IN GENERAL.—The Committee shall terminate on the date that is 2 years after the date of the enactment of this Act unless renewed by the President for a subsequent 2-year period.

(2) CONTINUED RENEWAL.—The President may continue to renew the Committee for successive 2-year periods by taking appropriate action to renew the Committee prior to the date on which the Committee would otherwise terminate.

(d) MEETINGS.—The Committee shall hold not fewer than 2 meetings each calendar year.

(e) CHAIRPERSON.—

(1) IN GENERAL.—The Committee shall elect from among its members a chairperson for a term of 2 years or until the Committee terminates.

(2) REELECTION; SUBSEQUENT TERMS.—A chairperson of the Committee may be reelected chairperson but is ineligible to serve consecutive terms as chairperson.

(f) STAFF.—The Secretary of the Treasury shall make available to the Committee such staff, information, personnel, administrative services, and assistance as the Committee may reasonably require to carry out the activities of the Committee.

(g) APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

(2) EXCEPTION.—Meetings of the Committee shall be exempt from the requirements of subsections (a) and (b) of section 10 and section 11 of the Federal Advisory Committee Act (relating to open meetings, public notice, public participation, and public availability of documents), whenever and to the extent it is determined by the President or the Secretary of the Treasury that such meetings will be concerned with matters the disclosure of which—

(A) would seriously compromise the development by the Government of the United States of monetary or financial policy; or

(B) is likely to—

(i) lead to significant financial speculation in currencies, securities, or commodities; or

(ii) significantly endanger the stability of any financial institution.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each fiscal year in which the Committee is in effect $1,000,000 to carry out this section.

## TITLE VIII—MATTERS RELATING TO U.S. CUSTOMS AND BORDER PROTECTION

### Subtitle A—Establishment of U.S. Customs and Border Protection

**SEC. 801. SHORT TITLE.**

This title may be cited as the ''U.S. Customs and Border Protection Authorization Act''.

**SEC. 802. ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION.**

(a) IN GENERAL.—Section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211) is amended to read as follows:

**''SEC. 411. ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION; COMMISSIONER, DEPUTY COMMISSIONER, AND OPERATIONAL OFFICES.**

''(a) IN GENERAL.—There is established in the Department an agency to be known as U.S. Customs and Border Protection.

''(b) COMMISSIONER OF U.S. CUSTOMS AND BORDER PROTECTION.—

''(1) IN GENERAL.—There shall be at the head of U.S. Customs and Border Protection a Commissioner of U.S. Customs and Border Protection (in this section referred to as the 'Commissioner').

''(2) COMMITTEE REFERRAL.—As an exercise of the rulemaking power of the Senate, any nomination for the Commissioner submitted to the Senate for confirmation, and referred to a committee, shall be referred to the Committee on Finance.

''(c) DUTIES.—The Commissioner shall—

''(1) coordinate and integrate the security, trade facilitation, and trade enforcement functions of U.S. Customs and Border Protection;

''(2) ensure the interdiction of persons and goods illegally entering or exiting the United States;

''(3) facilitate and expedite the flow of legitimate travelers and trade;

''(4) direct and administer the commercial operations of U.S. Customs and Border Protection, and the enforcement of the customs and trade laws of the United States;

''(5) detect, respond to, and interdict terrorists, drug smugglers and traffickers, human smugglers and traffickers, and other persons who may undermine the security of the United States, in cases in which such persons are entering, or have recently entered, the United States;

''(6) safeguard the borders of the United States to protect against the entry of dangerous goods;

''(7) ensure the overall economic security of the United States is not diminished by efforts, activities, and programs aimed at securing the homeland;

''(8) in coordination with U.S. Immigration and Customs Enforcement and United States Citizenship and Immigration Services, enforce and administer all immigration laws, as such term is defined in paragraph (17) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), including—

''(A) the inspection, processing, and admission of persons who seek to enter or depart the United States; and

''(B) the detection, interdiction, removal, departure from the United States, short-term detention, and transfer of persons unlawfully entering, or who have recently unlawfully entered, the United States;

''(9) develop and implement screening and targeting capabilities, including the screening, reviewing, identifying, and prioritizing of passengers and cargo across all international modes of transportation, both inbound and outbound;

''(10) in coordination with the Secretary, deploy technology to collect the data necessary for the Secretary to administer the biometric entry and exit data system pursuant to section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b);

''(11) enforce and administer the laws relating to agricultural import and entry inspection referred to in section 421;

''(12) in coordination with the Under Secretary for Management of the Department, ensure U.S. Customs and Border Protection complies with Federal law, the Federal Acquisition Regulation, and the Department's acquisition management directives for major acquisition programs of U.S. Customs and Border Protection;

''(13) ensure that the policies and regulations of U.S. Customs and Border Protection are consistent with the obligations of the United States pursuant to international agreements;

''(14) enforce and administer—

''(A) the Container Security Initiative program under section 205 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 945); and

''(B) the Customs–Trade Partnership Against Terrorism program under subtitle B of title II of such Act (6 U.S.C. 961 et seq.);

''(15) conduct polygraph examinations in accordance with section 3(1) of the Anti-Border Corruption Act of 2010 (Public Law 111–376; 124 Stat. 4105);

''(16) establish the standard operating procedures described in subsection (k);

''(17) carry out the training required under subsection (l); and

''(18) carry out other duties and powers prescribed by law or delegated by the Secretary.

''(d) DEPUTY COMMISSIONER.—There shall be in U.S. Customs and Border Protection a Deputy Commissioner who shall assist the Commissioner in the management of U.S. Customs and Border Protection.

''(e) U.S. BORDER PATROL.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection the U.S. Border Patrol.

''(2) CHIEF.—There shall be at the head of the U.S. Border Patrol a Chief, who shall—

''(A) be at the level of Executive Assistant Commissioner within U.S. Customs and Border Protection; and

''(B) report to the Commissioner.

''(3) DUTIES.—The U.S. Border Patrol shall—

''(A) serve as the law enforcement office of U.S. Customs and Border Protection with primary responsibility for interdicting persons attempting to illegally enter or exit the United States or goods being illegally imported into or exported from the United States at a place other than a designated port of entry;

''(B) deter and prevent the illegal entry of terrorists, terrorist weapons, persons, and contraband; and

''(C) carry out other duties and powers prescribed by the Commissioner.

''(f) AIR AND MARINE OPERATIONS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an office known as Air and Marine Operations.

''(2) EXECUTIVE ASSISTANT COMMISSIONER.—There shall be at the head of Air and Marine Operations an Executive Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—Air and Marine Operations shall—

''(A) serve as the law enforcement office within U.S. Customs and Border Protection with primary responsibility to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illicit drugs, and other contraband across the borders of the United States in the air and maritime environment;

''(B) conduct joint aviation and marine operations with U.S. Immigration and Customs Enforcement;

''(C) conduct aviation and marine operations with international, Federal, State, and local law enforcement agencies, as appropriate;

''(D) administer the Air and Marine Operations Center established under paragraph (4); and

''(E) carry out other duties and powers prescribed by the Commissioner.

''(4) AIR AND MARINE OPERATIONS CENTER.—

''(A) IN GENERAL.—There is established in Air and Marine Operations an Air and Marine Operations Center.

''(B) EXECUTIVE DIRECTOR.—There shall be at the head of the Air and Marine Operations Center an Executive Director, who shall report to the Executive Assistant Commissioner of Air and Marine Operations.

''(C) DUTIES.—The Air and Marine Operations Center shall—

''(i) manage the air and maritime domain awareness of the Department, as directed by the Secretary;

''(ii) monitor and coordinate the airspace for unmanned aerial systems operations of Air and Marine Operations in U.S. Customs and Border Protection;

''(iii) detect, identify, and coordinate a response to threats to national security in the air domain, in coordination with other appropriate agencies, as determined by the Executive Assistant Commissioner;

''(iv) provide aviation and marine support to other Federal, State, tribal, and local agencies; and

''(v) carry out other duties and powers prescribed by the Executive Assistant Commissioner.

''(g) OFFICE OF FIELD OPERATIONS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Field Operations.

''(2) EXECUTIVE ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Field Operations an Executive Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Field Operations shall coordinate the enforcement activities of U.S. Customs and Border Protection at United States air, land, and sea ports of entry to—

''(A) deter and prevent terrorists and terrorist weapons from entering the United States at such ports of entry;

''(B) conduct inspections at such ports of entry to safeguard the United States from terrorism and illegal entry of persons;

''(C) prevent illicit drugs, agricultural pests, and contraband from entering the United States;

''(D) in coordination with the Commissioner, facilitate and expedite the flow of legitimate travelers and trade;

''(E) administer the National Targeting Center established under paragraph (4);

''(F) coordinate with the Executive Assistant Commissioner for the Office of Trade with respect to the trade facilitation and trade enforcement activities of U.S. Customs and Border Protection; and

''(G) carry out other duties and powers prescribed by the Commissioner.

''(4) NATIONAL TARGETING CENTER.—

''(A) IN GENERAL.—There is established in the Office of Field Operations a National Targeting Center.

''(B) EXECUTIVE DIRECTOR.—There shall be at the head of the National Targeting Center an Executive Director, who shall report to the Executive Assistant Commissioner of the Office of Field Operations.

''(C) DUTIES.—The National Targeting Center shall—

''(i) serve as the primary forum for targeting operations within U.S. Customs and Border Protection to collect and analyze traveler and cargo information in advance of arrival in the United States to identify and address security risks and strengthen trade enforcement;

''(ii) identify, review, and target travelers and cargo for examination;

''(iii) coordinate the examination of entry and exit of travelers and cargo;

''(iv) develop and conduct commercial risk assessment targeting with respect to cargo destined for the United States;

''(v) coordinate with the Transportation Security Administration, as appropriate;

''(vi) issue Trade Alerts pursuant to section 111(b) of the Trade Facilitation and Trade Enforcement Act of 2015; and

''(vii) carry out other duties and powers prescribed by the Executive Assistant Commissioner.

''(5) ANNUAL REPORT ON STAFFING.—

''(A) IN GENERAL.—Not later than 30 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter, the Executive Assistant Commissioner shall submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate a report on the staffing model for the Office of Field Operations, including information on how many supervisors, front-line U.S. Customs and Border Protection officers, and support personnel are assigned to each Field Office and port of entry.

''(B) FORM.—The report required under subparagraph (A) shall, to the greatest extent practicable, be submitted in unclassified form, but may be submitted in classified form, if the Executive Assistant Commissioner determines that such is appropriate and informs the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate of the reasoning for such.

''(h) OFFICE OF INTELLIGENCE.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Intelligence.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Intelligence an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Intelligence shall—

''(A) develop, provide, coordinate, and implement intelligence capabilities into a cohesive intelligence enterprise to support the execution of the duties and responsibilities of U.S. Customs and Border Protection;

''(B) manage the counterintelligence operations of U.S. Customs and Border Protection;

''(C) establish, in coordination with the Chief Intelligence Officer of the Department, as appropriate, intelligence-sharing relationships with Federal, State, local, and tribal agencies and intelligence agencies;

''(D) conduct risk-based covert testing of U.S. Customs and Border Protection operations, including for nuclear and radiological risks; and

''(E) carry out other duties and powers prescribed by the Commissioner.

''(i) OFFICE OF INTERNATIONAL AFFAIRS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of International Affairs.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of International Affairs an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of International Affairs, in collaboration with the Office of Policy of the Department, shall—

''(A) coordinate and support U.S. Customs and Border Protection's foreign initiatives, policies, programs, and activities;

''(B) coordinate and support U.S. Customs and Border Protection's personnel stationed abroad;

''(C) maintain partnerships and information-sharing agreements and arrangements with foreign governments, international organizations, and United States agencies in support of U.S. Customs and Border Protection's duties and responsibilities;

''(D) provide necessary capacity building, training, and assistance to foreign customs and border control agencies to strengthen border, global supply chain, and travel security, as appropriate;

''(E) coordinate mission support services to sustain U.S. Customs and Border Protection's global activities;

''(F) coordinate with customs authorities of foreign countries with respect to trade facilitation and trade enforcement;

''(G) coordinate U.S. Customs and Border Protection's engagement in international negotiations;

''(H) advise the Commissioner with respect to matters arising in the World Customs Organization and other international organizations as such matters relate to the policies and procedures of U.S. Customs and Border Protection;

''(I) advise the Commissioner regarding international agreements to which the United States is a party as such agreements relate to the policies and regulations of U.S. Customs and Border Protection; and

''(J) carry out other duties and powers prescribed by the Commissioner.

''(j) OFFICE OF PROFESSIONAL RESPONSIBILITY.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Professional Responsibility.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Professional Responsibility an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Professional Responsibility shall—

''(A) investigate criminal and administrative matters and misconduct by officers, agents, and other employees of U.S. Customs and Border Protection;

''(B) manage integrity-related programs and policies of U.S. Customs and Border Protection;

''(C) conduct research and analysis regarding misconduct of officers, agents, and other employees of U.S. Customs and Border Protection; and

''(D) carry out other duties and powers prescribed by the Commissioner.

''(k) STANDARD OPERATING PROCEDURES.—

''(1) IN GENERAL.—The Commissioner shall establish—

''(A) standard operating procedures for searching, reviewing, retaining, and sharing in-

*formation contained in communication, electronic, or digital devices encountered by U.S. Customs and Border Protection personnel at United States ports of entry;*

*''(B) standard use of force procedures that officers and agents of U.S. Customs and Border Protection may employ in the execution of their duties, including the use of deadly force;*

*''(C) uniform, standardized, and publicly-available procedures for processing and investigating complaints against officers, agents, and employees of U.S. Customs and Border Protection for violations of professional conduct, including the timely disposition of complaints and a written notification to the complainant of the status or outcome, as appropriate, of the related investigation, in accordance with section 552a of title 5, United States Code (commonly referred to as the 'Privacy Act' or the 'Privacy Act of 1974');*

*''(D) an internal, uniform reporting mechanism regarding incidents involving the use of deadly force by an officer or agent of U.S. Customs and Border Protection, including an evaluation of the degree to which the procedures required under subparagraph (B) were followed; and*

*''(E) standard operating procedures, acting through the Executive Assistant Commissioner for Air and Marine Operations and in coordination with the Office for Civil Rights and Civil Liberties and the Office of Privacy of the Department, to provide command, control, communication, surveillance, and reconnaissance assistance through the use of unmanned aerial systems, including the establishment of—*

*''(i) a process for other Federal, State, and local law enforcement agencies to submit mission requests;*

*''(ii) a formal procedure to determine whether to approve or deny such a mission request;*

*''(iii) a formal procedure to determine how such mission requests are prioritized and coordinated; and*

*''(iv) a process regarding the protection and privacy of data and images collected by U.S. Customs and Border Protection through the use of unmanned aerial systems.*

*''(2) REQUIREMENTS REGARDING CERTAIN NOTIFICATIONS.—The standard operating procedures established pursuant to subparagraph (A) of paragraph (1) shall require—*

*''(A) in the case of a search of information conducted on an electronic device by U.S. Customs and Border Protection personnel, the Commissioner to notify the individual subject to such search of the purpose and authority for such search, and how such individual may obtain information on reporting concerns about such search; and*

*''(B) in the case of information collected by U.S. Customs and Border Protection through a search of an electronic device, if such information is transmitted to another Federal agency for subject matter assistance, translation, or decryption, the Commissioner to notify the individual subject to such search of such transmission.*

*''(3) EXCEPTIONS.—The Commissioner may withhold the notifications required under paragraphs (1)(C) and (2) if the Commissioner determines, in the sole and unreviewable discretion of the Commissioner, that such notifications would impair national security, law enforcement, or other operational interests.*

*''(4) UPDATE AND REVIEW.—The Commissioner shall review and update every three years the standard operating procedures required under this subsection.*

*''(5) AUDITS.—The Inspector General of the Department of Homeland Security shall develop and annually administer, during each of the three calendar years beginning in the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, an auditing mechanism to review whether searches of electronic devices at or between United States ports of entry are being conducted in conformity with the standard operating procedures required under subparagraph (A) of paragraph (1). Such audits shall be submitted to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate and shall include the following:*

*''(A) A description of the activities of officers and agents of U.S. Customs and Border Protection with respect to such searches.*

*''(B) The number of such searches.*

*''(C) The number of instances in which information contained in such devices that were subjected to such searches was retained, copied, shared, or entered in an electronic database.*

*''(D) The number of such devices detained as the result of such searches.*

*''(E) The number of instances in which information collected from such devices was subjected to such searches and was transmitted to another Federal agency, including whether such transmissions resulted in a prosecution or conviction.*

*''(6) REQUIREMENTS REGARDING OTHER NOTIFICATIONS.—The standard use of force procedures established pursuant to subparagraph (B) of paragraph (1) shall require—*

*''(A) in the case of an incident of the use of deadly force by U.S. Customs and Border Protection personnel, the Commissioner to notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and*

*''(B) the Commissioner to provide to such committees a copy of the evaluation pursuant to subparagraph (D) of such paragraph not later than 30 days after completion of such evaluation.*

*''(7) REPORT ON UNMANNED AERIAL SYSTEMS.—The Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report, for each of the three calendar years beginning in the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, that reviews whether the use of unmanned aerial systems is being conducted in conformity with the standard operating procedures required under subparagraph (E) of paragraph (1). Such reports—*

*''(A) shall be submitted with the annual budget of the United States Government submitted by the President under section 1105 of title 31, United States Code;*

*''(B) may be submitted in classified form if the Commissioner determines that such is appropriate; and*

*''(C) shall include—*

*''(i) a detailed description of how, where, and for how long data and images collected through the use of unmanned aerial systems by U.S. Customs and Border Protection are collected and stored; and*

*''(ii) a list of Federal, State, and local law enforcement agencies that submitted mission requests in the previous year and the disposition of such requests.*

*''(l) TRAINING.—The Commissioner shall require all officers and agents of U.S. Customs and Border Protection to participate in a specified amount of continuing education (to be determined by the Commissioner) to maintain an understanding of Federal legal rulings, court decisions, and departmental policies, procedures, and guidelines.*

*''(m) SHORT-TERM DETENTION STANDARDS.—*

*''(1) ACCESS TO FOOD AND WATER.—The Commissioner shall make every effort to ensure that adequate access to food and water is provided to an individual apprehended and detained at a United States port of entry or between ports of entry as soon as practicable following the time of such apprehension or during subsequent short-term detention.*

*''(2) ACCESS TO INFORMATION ON DETAINEE RIGHTS AT BORDER PATROL PROCESSING CENTERS.—*

*''(A) IN GENERAL.—The Commissioner shall ensure that an individual apprehended by a U.S. Border Patrol agent or an Office of Field Operations officer is provided with information concerning such individual's rights, including the right to contact a representative of such individual's government for purposes of United States treaty obligations.*

*''(B) FORM.—The information referred to in subparagraph (A) may be provided either verbally or in writing, and shall be posted in the detention holding cell in which such individual is being held. The information shall be provided in a language understandable to such individual.*

*''(3) SHORT-TERM DETENTION DEFINED.—In this subsection, the term 'short-term detention' means detention in a U.S. Customs and Border Protection processing center for 72 hours or less, before repatriation to a country of nationality or last habitual residence.*

*''(4) DAYTIME REPATRIATION.—When practicable, repatriations shall be limited to daylight hours and avoid locations that are determined to have high indices of crime and violence.*

*''(5) REPORT ON PROCUREMENT PROCESS AND STANDARDS.—Not later than 180 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the procurement process and standards of entities with which U.S. Customs and Border Protection has contracts for the transportation and detention of individuals apprehended by agents or officers of U.S. Customs and Border Protection. Such report should also consider the operational efficiency of contracting the transportation and detention of such individuals.*

*''(6) REPORT ON INSPECTIONS OF SHORT-TERM CUSTODY FACILITIES.—The Commissioner shall—*

*''(A) annually inspect all facilities utilized for short-term detention; and*

*''(B) make publicly available information collected pursuant to such inspections, including information regarding the requirements under paragraphs (1) and (2) and, where appropriate, issue recommendations to improve the conditions of such facilities.*

*''(n) WAIT TIMES TRANSPARENCY.—*

*''(1) IN GENERAL.—The Commissioner shall—*

*''(A) publish live wait times for travelers entering the United States at the 20 United States airports that support the highest volume of international travel (as determined by available Federal flight data);*

*''(B) make information about such wait times available to the public in real time through the U.S. Customs and Border Protection website;*

*''(C) submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate, for each of the five calendar years beginning in the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, a report that includes compilations of all such wait times and a ranking of such United States airports by wait times; and*

*''(D) provide adequate staffing at the U.S. Customs and Border Protection information center to ensure timely access for travelers attempting to submit comments or speak with a representative about their entry experiences.*

*''(2) CALCULATION.—The wait times referred to in paragraph (1)(A) shall be determined by calculating the time elapsed between an individual's entry into the U.S. Customs and Border Protection inspection area and such individual's clearance by a U.S. Customs and Border Protection officer.*

*''(o) OTHER AUTHORITIES.—*

*''(1) IN GENERAL.—The Secretary may establish such other offices or positions of Assistant*

*Commissioners (or other similar officers or officials) as the Secretary determines necessary to carry out the missions, duties, functions, and authorities of U.S. Customs and Border Protection.*

*''(2) NOTIFICATION.—If the Secretary exercises the authority provided under paragraph (1), the Secretary shall notify the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate not later than 30 days before exercising such authority.*

*''(p) REPORTS TO CONGRESS.—The Commissioner shall, on and after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, continue to submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate any report required, on the day before such date of enactment, to be submitted under any provision of law.*

*''(q) OTHER FEDERAL AGENCIES.—Nothing in this section may be construed as affecting in any manner the authority, existing on the day before the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, of any other Federal agency or component of the Department.*

*''(r) DEFINITIONS.—In this section, the terms 'commercial operations', 'customs and trade laws of the United States', 'trade enforcement', and 'trade facilitation' have the meanings given such terms in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015.''.*

*(b) SPECIAL RULES.—*

*(1) TREATMENT.—Section 411 of the Homeland Security Act of 2002, as amended by subsection (a) of this section, shall be treated as if included in such Act as of the date of the enactment of such Act, and, in addition to the functions, missions, duties, and authorities specified in such amended section 411, U.S. Customs and Border Protection shall continue to perform and carry out the functions, missions, duties, and authorities under section 411 of such Act as in existence on the day before the date of the enactment of this Act, and section 415 of the Homeland Security Act of 2002.*

*(2) RULES OF CONSTRUCTION.—*

*(A) RULES AND REGULATIONS.—Notwithstanding paragraph (1), nothing in this title or any amendment made by this title may be construed as affecting in any manner any rule or regulation issued or promulgated pursuant to any provision of law, including section 411 of the Homeland Security Act of 2002 as in existence on the day before the date of the enactment of this Act, and any such rule or regulation shall continue to have full force and effect on and after such date.*

*(B) OTHER ACTIONS.—Notwithstanding paragraph (1), nothing in this Act may be construed as affecting in any manner any action, determination, policy, or decision pursuant to section 411 of the Homeland Security Act of 2002 as in existence on the day before the date of the enactment of this Act, and any such action, determination, policy, or decision shall continue to have full force and effect on and after such date.*

*(c) CONTINUATION IN OFFICE.—*

*(1) COMMISSIONER.—The individual serving as the Commissioner of Customs on the day before the date of the enactment of this Act may serve as the Commissioner of U.S. Customs and Border Protection on and after such date of enactment until a Commissioner of U.S. Customs and Border Protection is appointed under section 411 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.*

*(2) OTHER POSITIONS.—The individual serving as Deputy Commissioner, and the individuals serving as Assistant Commissioners and other officers and officials, under section 411 of the Homeland Security Act of 2002 on the day before the date of the enactment of this Act may serve as the Executive Assistant Commissioners, Deputy Commissioner, Assistant Commissioners, and other officers and officials, as appropriate, under such section 411 as amended by subsection (a) of this section unless the Commissioner of U.S. Customs and Border Protection determines that another individual should hold such position or positions.*

*(d) REFERENCE.—*

*(1) TITLE 5.—Section 5314 of title 5, United States Code, is amended by striking ''Commissioner of Customs, Department of Homeland Security'' and inserting ''Commissioner of U.S. Customs and Border Protection, Department of Homeland Security''.*

*(2) OTHER REFERENCES.—On and after the date of the enactment of this Act, any reference in law or regulations to the ''Commissioner of Customs'' or the ''Commissioner of the Customs Service'' shall be deemed to be a reference to the Commissioner of U.S. Customs and Border Protection.*

*(e) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by striking the item relating to section 411 and inserting the following new item:*

*''Sec. 411. Establishment of U.S. Customs and Border Protection; Commissioner, Deputy Commissioner, and operational offices.''.*

*(f) REPEALS.—Sections 416 and 418 of the Homeland Security Act of 2002 (6 U.S.C. 216 and 218), and the items relating to such sections in the table of contents in section 1(b) of such Act, are repealed.*

*(g) CLERICAL AND CONFORMING AMENDMENTS.—*

*(1) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—*

*(A) in title I—*

*(i) in section 102(f)(10) (6 U.S.C. 112(f)(10)), by striking ''the Directorate of Border and Transportation Security'' and inserting ''the Commissioner of U.S. Customs and Border Protection''; and*

*(ii) in section 103(a)(1) (6 U.S.C. 113(a)(1))—*

*(I) in subparagraph (C), by striking ''An Under Secretary for Border and Transportation Security.'' and inserting ''A Commissioner of U.S. Customs and Border Protection.''; and*

*(II) in subparagraph (G), by striking ''A Director of the Office of Counternarcotics Enforcement.'' and inserting ''A Director of U.S. Immigration and Customs Enforcement.''; and*

*(B) in title IV—*

*(i) by striking the title heading and inserting ''**BORDER, MARITIME, AND TRANSPORTATION SECURITY**'';*

*(ii) in subtitle A—*

*(I) by striking the subtitle heading and inserting ''**Border, Maritime, and Transportation Security Responsibilities and Functions**''; and*

*(II) in section 402 (6 U.S.C. 202)—*

*(aa) in the section heading, by striking ''**RESPONSIBILITIES**'' and inserting ''**BORDER, MARITIME, AND TRANSPORTATION RESPONSIBILITIES**'';*

*and*

*(bb) by striking '', acting through the Under Secretary for Border and Transportation Security,'';*

*(iii) in subtitle B—*

*(I) by striking the subtitle heading and inserting ''**U.S. Customs and Border Protection**'';*

*(II) in section 412(b) (6 U.S.C. 212), by striking ''the United States Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection'';*

*(III) in section 413 (6 U.S.C. 213), by striking ''available to the United States Customs Service or'';*

*(IV) in section 414 (6 U.S.C. 214), by striking ''the United States Customs Service'' and inserting ''U.S. Customs and Border Protection''; and*

*(V) in section 415 (6 U.S.C. 215)—*

*(aa) in paragraph (7), by inserting before the colon the following: '', and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act''; and*

*(bb) in paragraph (8), by inserting before the colon the following: '', and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act'';*

*(iv) in subtitle C—*

*(I) by striking section 424 (6 U.S.C. 234) and inserting the following new section:*

***''SEC. 424. PRESERVATION OF TRANSPORTATION SECURITY ADMINISTRATION AS A DISTINCT ENTITY.***

*''Notwithstanding any other provision of this Act, the Transportation Security Administration shall be maintained as a distinct entity within the Department.''; and*

*(II) in section 430 (6 U.S.C. 238)—*

*(aa) by amending subsection (a) to read as follows:*

*''(a) ESTABLISHMENT.—There is established in the Department an Office for Domestic Preparedness.'';*

*(bb) in subsection (b), by striking the second sentence; and*

*(cc) in subsection (c)(7), by striking ''Directorate'' and inserting ''Department''; and*

*(v) in subtitle D—*

*(I) in section 441 (6 U.S.C. 251)—*

*(aa) by striking the section heading and inserting ''**TRANSFER OF FUNCTIONS**''; and*

*(bb) by striking ''Under Secretary for Border and Transportation Security'' and inserting ''Secretary'';*

*(II) in section 443 (6 U.S.C. 253)—*

*(aa) in the matter preceding paragraph (1), by striking ''Under Secretary for Border and Transportation Security'' and inserting ''Secretary''; and*

*(bb) by striking ''the Bureau of Border Security'' and inserting ''U.S. Immigration and Customs Enforcement'' each place it appears; and*

*(III) by amending section 444 (6 U.S.C. 254) to read as follows:*

***''SEC. 444. EMPLOYEE DISCIPLINE.***

*''Notwithstanding any other provision of law, the Secretary may impose disciplinary action on any employee of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection who willfully deceives Congress or agency leadership on any matter.''.*

*(2) CONFORMING AMENDMENTS.—Section 401 of the Homeland Security Act of 2002 (6 U.S.C. 201) is repealed.*

*(3) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended—*

*(A) by striking the item relating to title IV and inserting the following:*

*''TITLE IV—BORDER, MARITIME, AND TRANSPORTATION SECURITY'';*

*(B) by striking the item relating to subtitle A of title IV and inserting the following:*

*''Subtitle A—Border, Maritime, and Transportation Security Responsibilities and Functions'';*

*(C) by striking the item relating to section 401;*

*(D) by striking the item relating to subtitle B of title IV and inserting the following:*

*''Subtitle B—U.S. Customs and Border Protection'';*

*(E) by striking the item relating to section 441 and inserting the following:*

*''Sec. 441. Transfer of functions.''; and*

*(F) by striking the item relating to section 442 and inserting the following:*

*''Sec. 442. U.S. Immigration and Customs Enforcement.''.*

*(h) OFFICE OF TRADE.—*

*(1) TRADE OFFICES AND FUNCTIONS.—The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), is amended by adding at the end the following:*

***''SEC. 4. OFFICE OF TRADE.***

*''(a) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Trade.*

''(b) EXECUTIVE ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Trade an Executive Assistant Commissioner, who shall report to the Commissioner of U.S. Customs and Border Protection.

''(c) DUTIES.—The Office of Trade shall—

''(1) direct the development and implementation, pursuant to the customs and trade laws of the United States, of policies and regulations administered by U.S. Customs and Border Protection;

''(2) advise the Commissioner of U.S. Customs and Border Protection with respect to the impact on trade facilitation and trade enforcement of any policy or regulation otherwise proposed or administered by U.S. Customs and Border Protection;

''(3) coordinate with the Executive Assistant Commissioner for the Office of Field Operations with respect to the trade facilitation and trade enforcement activities of U.S. Customs and Border Protection;

''(4) direct the development and implementation of matters relating to the priority trade issues identified by the Commissioner of U.S. Customs and Border Protection in the joint strategic plan for trade facilitation and trade enforcement required under section 105 of the Trade Facilitation and Trade Enforcement Act of 2015;

''(5) otherwise advise the Commissioner of U.S. Customs and Border Protection with respect to the development and implementation of the joint strategic plan;

''(6) direct the trade enforcement activities of U.S. Customs and Border Protection;

''(7) oversee the trade modernization activities of U.S. Customs and Border Protection, including the development and implementation of the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)) and support for the establishment of the International Trade Data System under the oversight of the Department of the Treasury pursuant to section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d));

''(8) direct the administration of customs revenue functions as otherwise provided by law or delegated by the Commissioner of U.S. Customs and Border Protection; and

''(9) prepare an annual report to be submitted to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than June 1, 2016, and March 1 of each calendar year thereafter that includes—

''(A) a summary of the changes to customs policies and regulations adopted by U.S. Customs and Border Protection during the preceding calendar year; and

''(B) a description of the public vetting and interagency consultation that occurred with respect to each such change.

''(d) TRANSFER OF ASSETS, FUNCTIONS, PERSONNEL, OR LIABILITIES; ELIMINATION OF OFFICES.—

''(1) OFFICE OF INTERNATIONAL TRADE.—

''(A) TRANSFER.—Not later than 30 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Commissioner of U.S. Customs and Border Protection shall transfer the assets, functions, personnel, and liabilities of the Office of International Trade to the Office of Trade established under subsection (b).

''(B) ELIMINATION.—Not later than 30 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Office of International Trade shall be abolished.

''(C) LIMITATION ON FUNDS.—No funds appropriated to U.S. Customs and Border Protection or the Department of Homeland Security may be used to transfer the assets, functions, personnel, or liabilities of the Office of International Trade to an office other than the Office of Trade established under subsection (a), unless the Commissioner of U.S. Customs and Border Protection notifies the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate of the specific assets, functions, personnel, or liabilities to be transferred, and the reason for the transfer, not less than 90 days prior to the transfer of such assets, functions, personnel, or liabilities.

''(D) OFFICE OF INTERNATIONAL TRADE DEFINED.—In this paragraph, the term 'Office of International Trade' means the Office of International Trade established by section 2 of this Act and as in effect on the day before the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015.

''(2) OTHER TRANSFERS.—

''(A) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection is authorized to transfer any other assets, functions, or personnel within U.S. Customs and Border Protection to the Office of Trade established under subsection (a).

''(B) CONGRESSIONAL NOTIFICATION.—Not less than 90 days prior to the transfer of assets, functions, personnel, or liabilities under subparagraph (A), the Commissioner of U.S. Customs and Border Protection shall notify the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate of the specific assets, functions, personnel, or liabilities to be transferred, and the reason for such transfer.

''(e) DEFINITIONS.—In this section, the terms 'customs and trade laws of the United States', 'trade enforcement', and 'trade facilitation' have the meanings given such terms in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(2) CONTINUATION IN OFFICE.—The individual serving as the Assistant Commissioner of the Office of International Trade on the day before the date of the enactment of this Act may serve as the Executive Assistant Commissioner of Trade on and after such date of enactment, at the discretion of the Commissioner of U.S. Customs and Border Protection.

(3) CONFORMING AMENDMENTS.—Section 2 of the Act of March 3, 1927 (44. Stat. 1381, chapter 348; 19 U.S.C. 2072), as added by section 402 of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1924), is amended—

(A) by striking subsection (d); and

(B) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(i) REPORTS AND ASSESSMENTS.—

(1) REPORT ON BUSINESS TRANSFORMATION INITIATIVE.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for the next five years, the Commissioner shall submit to the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives and the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate a report on U.S. Customs and Border Protection's Business Transformation Initiative, including locations where the Initiative is deployed, the types of equipment utilized, a description of protocols and procedures, information on wait times at such locations since deployment, and information regarding the schedule for deployment at new locations.

(2) PORT OF ENTRY INFRASTRUCTURE NEEDS ASSESSMENTS.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall assess the physical infrastructure and technology needs at the 20 busiest land ports of entry (as measured by U.S. Customs and Border Protection) with a particular attention to identify ways to—

(A) improve travel and trade facilitation;

(B) reduce wait times;

(C) improve physical infrastructure and conditions for individuals accessing pedestrian ports of entry;

(D) enter into long-term leases with nongovernmental and private sector entities;

(E) enter into lease-purchase agreements with nongovernmental and private sector entities; and

(F) achieve cost savings through leases described in subparagraphs (D) and (E).

(3) PERSONAL SEARCHES.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for the next three years, the Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on supervisor-approved personal searches conducted in the previous year by U.S. Customs and Border Protection personnel. Such report shall include the number of personal searches conducted in each sector and field office, the number of invasive personal searches conducted in each sector and field office, whether personal searches were conducted by Office of Field Operations or U.S. Border Patrol personnel, and how many personal searches resulted in the discovery of contraband.

(j) TRUSTED TRAVELER PROGRAMS.—The Secretary of Homeland Security may not enter into or renew an agreement with the government of a foreign country for a trusted traveler program administered by U.S. Customs and Border Protection unless the Secretary certifies in writing that such government—

(1) routinely submits to INTERPOL for inclusion in INTERPOL's Stolen and Lost Travel Documents database information about lost and stolen passports and travel documents of the citizens and nationals of such country; or

(2) makes available to the United States Government the information described in paragraph (1) through another means of reporting.

(k) AGRICULTURAL SPECIALIST CAREER TRACK.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate a plan to create an agricultural specialist career track within U.S. Customs and Border Protection. Such plan shall include the following:

(1) A description of education, training, experience, and assignments necessary for career progression as an agricultural specialist.

(2) Recruitment and retention goals for agricultural specialists, including a timeline for fulfilling staffing deficits identified in agricultural resource allocation models.

(3) An assessment of equipment and other resources needed to support agricultural specialists.

(4) Any other factors the Commissioner determines appropriate.

(l) SENSE OF CONGRESS REGARDING THE FOREIGN LANGUAGE AWARD PROGRAM.—

(1) FINDINGS.—Congress finds the following:

(A) Congress established the Foreign Language Award Program (FLAP) to incentivize employees at United States ports of entry to utilize their foreign language skills on the job by providing a financial incentive for the use of the foreign language for at least ten percent of their duties after passage of competency tests. FLAP incentivizes the use of more than two dozen languages and has been instrumental in identifying and utilizing U.S. Customs and Border Protection officers and agents who are proficient in a foreign language.

(B) In 1993, Congress provided for dedicated funding for this program by stipulating that certain fees collected by U.S. Customs and Border Protection be used to fund FLAP.

(C) Through FLAP, foreign travelers are aided by having an officer at a port of entry who speaks their language, and U.S. Customs

*and Border Protection benefits by being able to focus its border security efforts in a more effective manner.*

*(2) SENSE OF CONGRESS.—It is the sense of Congress that FLAP incentivizes U.S. Customs and Border Protection officers to attain and maintain competency in a foreign language, thereby improving the efficiency of operations for the functioning of U.S. Customs and Border Protection's security mission, making the United States a more welcoming place when foreign travelers find officers can communicate in their language, and helping to expedite traveler processing to reduce wait times.*

***Subtitle B—Preclearance Operations***

***SEC. 811. SHORT TITLE.***

*This subtitle may be cited as the ''Preclearance Authorization Act of 2015''.*

***SEC. 812. DEFINITIONS.***

*In this subtitle:*

*(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—*

*(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and*

*(B) the Committee on Homeland Security, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.*

*(2) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.*

***SEC. 813. ESTABLISHMENT OF PRECLEARANCE OPERATIONS.***

*Pursuant to section 629 of the Tariff Act of 1930 (19 U.S.C. 1629) and section 103(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(7)), and provided that an aviation security preclearance agreement (as defined in section 44901(d)(4)(B) of title 49, United States Code) is in effect, the Secretary may establish and maintain U.S. Customs and Border Protection preclearance operations in a foreign country—*

*(1) to prevent terrorists, instruments of terrorism, and other security threats from entering the United States;*

*(2) to prevent inadmissible persons from entering the United States;*

*(3) to ensure that merchandise destined for the United States complies with applicable laws;*

*(4) to ensure the prompt processing of persons eligible to travel to the United States; and*

*(5) to accomplish such other objectives as the Secretary determines are necessary to protect the United States.*

***SEC. 814. NOTIFICATION AND CERTIFICATION TO CONGRESS.***

*(a) INITIAL NOTIFICATION.—Not later than 60 days before an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations in such foreign country enters into force, the Secretary shall provide the appropriate congressional committees with—*

*(1) a copy of the agreement to establish such preclearance operations, which shall include—*

*(A) the identification of the foreign country with which U.S. Customs and Border Protection intends to enter into a preclearance agreement;*

*(B) the location at which such preclearance operations will be conducted; and*

*(C) the terms and conditions for U.S. Customs and Border Protection personnel operating at the location;*

*(2) an assessment of the impact such preclearance operations will have on legitimate trade and travel, including potential impacts on passengers traveling to the United States;*

*(3) an assessment of the impacts such preclearance operations will have on U.S. Customs and Border Protection domestic port of entry staffing;*

*(4) country-specific information on the anticipated homeland security benefits associated with establishing such preclearance operations;*

*(5) information on potential security vulnerabilities associated with commencing such preclearance operations and mitigation plans to address such potential security vulnerabilities;*

*(6) a U.S. Customs and Border Protection staffing model for such preclearance operations and plans for how such positions would be filled; and*

*(7) information on the anticipated costs over the 5 fiscal years after the agreement enters into force associated with commencing such preclearance operations.*

*(b) FURTHER NOTIFICATION RELATING TO PRECLEARANCE OPERATIONS ESTABLISHED AT AIRPORTS.—Not later than 45 days before an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations at an airport in such country enters into force, the Secretary, in addition to complying with the notification requirements under subsection (a), shall provide the appropriate congressional committees with—*

*(1) an estimate of the date on which U.S. Customs and Border Protection intends to establish preclearance operations under such agreement, including any pending caveats that must be resolved before preclearance operations are approved;*

*(2) the anticipated funding sources for preclearance operations under such agreement, and other funding sources considered;*

*(3) a homeland security threat assessment for the country in which such preclearance operations are to be established;*

*(4) information on potential economic, competitive, and job impacts on United States air carriers associated with establishing such preclearance operations;*

*(5) details on information sharing mechanisms to ensure that U.S. Customs and Border Protection has current information to prevent terrorist and criminal travel; and*

*(6) other factors that the Secretary determines to be necessary for Congress to comprehensively assess the appropriateness of commencing such preclearance operations.*

*(c) CERTIFICATIONS RELATING TO PRECLEARANCE OPERATIONS ESTABLISHED AT AIRPORTS.—Not later than 60 days before an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations at an airport in such country enters into force, the Secretary, in addition to complying with the notification requirements under subsections (a) and (b), shall provide the appropriate congressional committees with—*

*(1) a certification that preclearance operations under such preclearance agreement, after considering alternative options, would provide homeland security benefits to the United States through the most effective means possible;*

*(2) a certification that preclearance operations within such foreign country will be established under such agreement only if—*

*(A) at least one United States passenger carrier operates at such airport; and*

*(B) any United States passenger carriers operating at such airport and desiring to participate in preclearance operations are provided access that is comparable to that of any non-United States passenger carrier operating at that airport;*

*(3) a certification that the establishment of preclearance operations in such foreign country will not significantly increase customs processing times at United States airports;*

*(4) a certification that representatives from U.S. Customs and Border Protection consulted with stakeholders, including providers of commercial air service in the United States, employees of such providers, security experts, and such other parties as the Secretary determines to be appropriate; and*

*(5) a report detailing the basis for the certifications referred to in paragraphs (1) through (4).*

*(d) AMENDMENT OF EXISTING AGREEMENTS.—Not later than 30 days before a substantially amended preclearance agreement with the government of a foreign country in effect as of the date of the enactment of this Act enters into force, the Secretary shall provide to the appropriate congressional committees—*

*(1) a copy of the agreement, as amended; and*

*(2) the justification for such amendment.*

*(e) IMPLEMENTATION PLAN.—*

*(1) IN GENERAL.—The Commissioner shall report to the appropriate congressional committees, on a quarterly basis—*

*(A) the number of U.S. Customs and Border Protection officers, by port, assigned from domestic ports of entry to preclearance operations; and*

*(B) the number of the positions at domestic ports of entry vacated by U.S. Customs and Border Protection officers described in subparagraph (A) that have been filled by other hired, trained, and equipped U.S. Customs and Border Protection officers.*

*(2) SUBMISSION.—If the Commissioner has not filled the positions of U.S. Customs and Border Protection officers that were reassigned to preclearance operations and determines that U.S. Customs and Border Protection processing times at domestic ports of entry from which U.S. Customs and Border Protection officers were reassigned to preclearance operations have significantly increased, the Commissioner, not later than 60 days after making such a determination, shall submit to the appropriate congressional committees an implementation plan for reducing processing times at the domestic ports of entry with such increased processing times.*

*(3) SUSPENSION.—If the Commissioner does not submit the implementation plan described in paragraph (2) to the appropriate congressional committees before the deadline set forth in such paragraph, the Commissioner may not commence preclearance operations at an additional port of entry in any country until such implementation plan is submitted.*

*(f) CLASSIFIED REPORT.—The report required under subsection (c)(5) may be submitted in classified form if the Secretary determines that such form is appropriate.*

***SEC. 815. PROTOCOLS.***

*Section 44901(d)(4) of title 49, United States Code, is amended—*

*(1) by redesignating subparagraph (C) as subparagraph (D); and*

*(2) by inserting after subparagraph (B) the following:*

*''(C) RESCREENING REQUIREMENT.—If the Administrator of the Transportation Security Administration determines that the government of a foreign country has not maintained security standards and protocols comparable to those of the United States at airports at which preclearance operations have been established in accordance with this paragraph, the Administrator shall ensure that Transportation Security Administration personnel rescreen passengers arriving from such airports and their property in the United States before such passengers are permitted into sterile areas of airports in the United States.''.*

***SEC. 816. LOST AND STOLEN PASSPORTS.***

*The Secretary may not enter into an agreement with the government of a foreign country to establish or maintain U.S. Customs and Border Protection preclearance operations at an airport in such country unless the Secretary certifies to the appropriate congressional committees that such government—*

*(1) routinely submits information about lost and stolen passports of its citizens and nationals to INTERPOL's Stolen and Lost Travel Document database; or*

*(2) makes such information available to the United States Government through another comparable means of reporting.*

***SEC. 817. RECOVERY OF INITIAL U.S. CUSTOMS AND BORDER PROTECTION PRECLEARANCE OPERATIONS COSTS.***

*(a) COST SHARING AGREEMENTS WITH RELEVANT AIRPORT AUTHORITIES.—The Commis-*

*sioner may enter into a cost sharing agreement with airport authorities in foreign countries at which preclearance operations are to be established or maintained if—*

*(1) an executive agreement to establish or maintain such preclearance operations pursuant to the authorities under section 629 of the Tariff Act of 1930 (19 U.S.C. 1629) and section 103(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(7)) has been signed, but has not yet entered into force; and*

*(2) U.S. Customs and Border Protection has incurred, or expects to incur, initial preclearance operations costs in order to establish or maintain preclearance operations under the agreement described in paragraph (1).*

*(b) CONTENTS OF COST SHARING AGREEMENTS.—*

*(1) IN GENERAL.—Notwithstanding section 13031(e) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)) and section 286(g) of the Immigration and Nationality Act (8 U.S.C. 1356(g)), any cost sharing agreement with an airport authority authorized under subsection (a) may provide for the airport authority's payment to U.S. Customs and Border Protection of its initial preclearance operations costs.*

*(2) TIMING OF PAYMENTS.—The airport authority's payment to U.S. Customs and Border Protection for its initial preclearance operations costs may be made in advance of the incurrence of the costs or on a reimbursable basis.*

*(c) ACCOUNT.—*

*(1) IN GENERAL.—All amounts collected pursuant to any cost sharing agreement authorized under subsection (a)—*

*(A) shall be credited as offsetting collections to the currently applicable appropriation, account, or fund of U.S. Customs and Border Protection;*

*(B) shall remain available, until expended, for the purposes for which such appropriation, account, or fund is authorized to be used; and*

*(C) may be collected and shall be available only to the extent provided in appropriations Acts.*

*(2) RETURN OF UNUSED FUNDS.—Any advances or reimbursements not used by U.S. Customs and Border Protection may be returned to the relevant airport authority.*

*(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to preclude the use of appropriated funds from sources other than the payments collected under this subtitle to pay initial preclearance operation costs.*

*(d) DEFINED TERM.—*

*(1) IN GENERAL.—In this section, the term ''initial preclearance operations costs'' means the costs incurred, or expected to be incurred, by U.S. Customs and Border Protection to establish or maintain preclearance operations at an airport in a foreign country, including costs relating to—*

*(A) hiring, training, and equipping new U.S. Customs and Border Protection officers who will be stationed at United States domestic ports of entry or other U.S. Customs and Border Protection facilities to backfill U.S. Customs and Border Protection officers to be stationed at an airport in a foreign country to conduct preclearance operations; and*

*(B) visits to the airport authority conducted by U.S. Customs and Border Protection personnel necessary to prepare for the establishment or maintenance of preclearance operations at such airport, including the compensation, travel expenses, and allowances payable to such personnel attributable to such visits.*

*(2) EXCEPTION.—The costs described in paragraph (1)(A) shall not include the salaries and benefits of new U.S. Customs and Border Protection officers once such officers are permanently stationed at a domestic United States port of entry or other domestic U.S. Customs and Border Protection facility after being hired, trained, and equipped.*

*(e) RULE OF CONSTRUCTION.—Except as otherwise provided in this section, nothing in this section may be construed as affecting the responsibilities, duties, or authorities of U.S. Customs and Border Protection.*

***SEC. 818. COLLECTION AND DISPOSITION OF FUNDS COLLECTED FOR IMMIGRATION INSPECTION SERVICES AND PRECLEARANCE ACTIVITIES.***

*(a) IMMIGRATION AND NATIONALITY ACT.—Section 286(i) of the Immigration and Nationality Act (8 U.S.C. 1356(i)) is amended by striking the last sentence and inserting the following: ''Reimbursements under this subsection may be collected in advance of the provision of such immigration inspection services. Notwithstanding subsection (h)(1)(B), and only to the extent provided in appropriations Acts, any amounts collected under this subsection shall be credited as offsetting collections to the currently applicable appropriation, account, or fund of U.S. Customs and Border Protection, remain available until expended, and be available for the purposes for which such appropriation, account, or fund is authorized to be used.''.*

*(b) FARM SECURITY AND RURAL INVESTMENT ACT OF 2002.—Section 10412(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8311(b)) is amended to read as follows:*

*''(b) FUNDS COLLECTED FOR PRECLEARANCE.—Funds collected for preclearance activities—*

*''(1) may be collected in advance of the provision of such activities;*

*''(2) shall be credited as offsetting collections to the currently applicable appropriation, account, or fund of U.S. Customs and Border Protection;*

*''(3) shall remain available until expended;*

*''(4) shall be available for the purposes for which such appropriation, account, or fund is authorized to be used; and*

*''(5) may be collected and shall be available only to the extent provided in appropriations Acts.''.*

***SEC. 819. APPLICATION TO NEW AND EXISTING PRECLEARANCE OPERATIONS.***

*Except for sections 814(d), 815, 817, and 818, this subtitle shall only apply to the establishment of preclearance operations in a foreign country in which no preclearance operations have been established as of the date of the enactment of this Act.*

***TITLE IX—MISCELLANEOUS PROVISIONS***

***SEC. 901. DE MINIMIS VALUE.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) Modernizing international customs is critical for United States businesses of all sizes, consumers in the United States, and the economic growth of the United States.*

*(2) Higher thresholds for the value of articles that may be entered informally and free of duty provide significant economic benefits to businesses and consumers in the United States and the economy of the United States through costs savings and reductions in trade transaction costs.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Trade Representative should encourage other countries, through bilateral, regional, and multilateral fora, to establish commercially meaningful de minimis values for express and postal shipments that are exempt from customs duties and taxes and from certain entry documentation requirements, as appropriate.*

*(c) DE MINIMIS VALUE.—Section 321(a)(2)(C) of the Tariff Act of 1930 (19 U.S.C. 1321(a)(2)(C)) is amended by striking ''$200'' and inserting ''$800''.*

*(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.*

***SEC. 902. CONSULTATION ON TRADE AND CUSTOMS REVENUE FUNCTIONS.***

*Section 401(c) of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 115(c)) is amended—*

*(1) in paragraph (1), by striking ''on Department policies and actions that have'' and inserting ''not later than 30 days after proposing, and not later than 30 days before finalizing, any Department policies, initiatives, or actions that will have''; and*

*(2) in paragraph (2)(A), by striking ''not later than 30 days prior to the finalization of'' and inserting ''not later than 60 days before proposing, and not later than 60 days before finalizing,''.*

***SEC. 903. PENALTIES FOR CUSTOMS BROKERS.***

*(a) IN GENERAL.—Section 641(d)(1) of the Tariff Act of 1930 (19 U.S.C. 1641(d)(1)) is amended—*

*(1) in subparagraph (E), by striking ''; or'' and inserting a semicolon;*

*(2) in subparagraph (F), by striking the period and inserting ''; or''; and*

*(3) by adding at the end the following:*

*''(G) has been convicted of committing or conspiring to commit an act of terrorism described in section 2332b of title 18, United States Code.''.*

*(b) TECHNICAL AMENDMENTS.—Section 641 of the Tariff Act of 1930 (19 U.S.C. 1641) is amended—*

*(1) by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection'';*

*(2) in subsection (d)(2)(B), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection''; and*

*(3) in subsection (g)(2)(B), by striking ''Secretary's notice'' and inserting ''notice under subparagraph (A)''.*

***SEC. 904. AMENDMENTS TO CHAPTER 98 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.***

*(a) ARTICLES EXPORTED AND RETURNED, ADVANCED OR IMPROVED ABROAD.—*

*(1) IN GENERAL.—U.S. Note 3 to subchapter II of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following:*

*''(f)(1) For purposes of subheadings 9802.00.40 and 9802.00.50, fungible articles exported from the United States for the purposes described in such subheadings—*

*''(A) may be commingled; and*

*''(B) the origin, value, and classification of such articles may be accounted for using an inventory management method.*

*''(2) If a person chooses to use an inventory management method under this paragraph with respect to fungible articles, the person shall use the same inventory management method for any other articles with respect to which the person claims fungibility under this paragraph.*

*''(3) For the purposes of this paragraph—*

*''(A) the term 'fungible articles' means merchandise or articles that, for commercial purposes, are identical or interchangeable in all situations; and*

*''(B) the term 'inventory management method' means any method for managing inventory that is based on generally accepted accounting principles.''.*

*(2) EFFECTIVE DATE.—The amendment made by this subsection applies to articles classifiable under subheading 9802.00.40 or 9802.00.50 of the Harmonized Tariff Schedule of the United States that are entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.*

*(b) MODIFICATION OF PROVISIONS RELATING TO RETURNED PROPERTY.—*

*(1) IN GENERAL.—The article description for heading 9801.00.10 of the Harmonized Tariff Schedule of the United States is amended by inserting after ''exported'' the following: '', or any other products when returned within 3 years after having been exported''.*

*(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.*

*(c) DUTY-FREE TREATMENT FOR CERTAIN UNITED STATES GOVERNMENT PROPERTY RETURNED TO THE UNITED STATES.—*

*(1) IN GENERAL.—Subchapter I of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:*

| | | | | | | |
|---|---|---|---|---|---|---|
| *''* | *9801.00.11* | *United States Government property, returned to the United States without having been advanced in value or improved in condition by any means while abroad, entered by the United States Government or a contractor to the United States Government, and certified by the importer as United States Government property* | *Free* | | | *''.* |

*(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.*

***SEC. 905. EXEMPTION FROM DUTY OF RESIDUE OF BULK CARGO CONTAINED IN INSTRUMENTS OF INTERNATIONAL TRAFFIC PREVIOUSLY EXPORTED FROM THE UNITED STATES.***

*(a) IN GENERAL.—General Note 3(e) of the Harmonized Tariff Schedule of the United States is amended—*

*(1) in subparagraph (v), by striking ''and'' at the end;*

*(2) in subparagraph (vi), by adding ''and'' at the end;*

*(3) by inserting after subparagraph (vi) (as so amended) the following new subparagraph:*

*''(vii) residue of bulk cargo contained in instruments of international traffic previously exported from the United States,''; and*

*(4) by adding at the end of the flush text following subparagraph (vii) (as so added) the following: ''For purposes of subparagraph (vii) of this paragraph: The term 'residue' means material of bulk cargo that remains in an instrument of international traffic after the bulk cargo is removed, with a quantity, by weight or volume, not exceeding 7 percent of the bulk cargo, and with no or de minimis value. The term 'bulk cargo' means cargo that is unpackaged and is in either solid, liquid, or gaseous form. The term 'instruments of international traffic' means containers or holders, capable of and suitable for repeated use, such as lift vans, cargo vans, shipping tanks, skids, pallets, caul boards, and cores for textile fabrics, arriving (whether loaded or empty) in use or to be used in the shipment of merchandise in international traffic, and any additional articles or classes of articles that the Commissioner of U.S. Customs and Border Protection designates as instruments of international traffic.''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to residue of bulk cargo contained in instruments of international traffic that are imported into the customs territory of the United States on or after such date of enactment and that previously have been exported from the United States.*

***SEC. 906. DRAWBACK AND REFUNDS.***

*(a) ARTICLES MADE FROM IMPORTED MERCHANDISE.—Section 313(a) of the Tariff Act of 1930 (19 U.S.C. 1313(a)) is amended by striking ''the full amount of the duties paid upon the merchandise so used shall be refunded as drawback, less 1 per centum of such duties, except that such'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback, except that''.*

*(b) SUBSTITUTION FOR DRAWBACK PURPOSES.—Section 313(b) of the Tariff Act of 1930 (19 U.S.C. 1313(b)) is amended—*

*(1) by striking ''If imported'' and inserting the following:*

*''(1) IN GENERAL.—If imported'';*

*(2) by striking ''and any other merchandise (whether imported or domestic) of the same kind and quality are'' and inserting ''or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise is'';*

*(3) by striking ''three years'' and inserting ''5 years'';*

*(4) by striking ''the receipt of such imported merchandise by the manufacturer or producer of such articles'' and inserting ''the date of importation of such imported merchandise'';*

*(5) by striking ''an amount of drawback equal to'' and all that follows through the end period and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l), but only if those articles have not been used prior to such exportation or destruction.''; and*

*(6) by adding at the end the following:*

*''(2) REQUIREMENTS RELATING TO TRANSFER OF MERCHANDISE.—*

*''(A) MANUFACTURERS AND PRODUCERS.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the manufacturer or producer of the article received such imported merchandise or such other merchandise, directly or indirectly, from the importer.*

*''(B) EXPORTERS AND DESTROYERS.—Drawback shall be allowed under paragraph (1) with respect to a manufactured or produced article that is exported or destroyed only if the exporter or destroyer received that article, directly or indirectly, from the manufacturer or producer.*

*''(C) EVIDENCE OF TRANSFER.—Transfers of merchandise under subparagraph (A) and transfers of articles under subparagraph (B) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer or manufacture shall be required.*

*''(3) SUBMISSION OF BILL OF MATERIALS OR FORMULA.—*

*''(A) IN GENERAL.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the person making the drawback claim submits with the claim a bill of materials or formula identifying the merchandise and article by the 8-digit HTS subheading number and the quantity of the merchandise.*

*''(B) BILL OF MATERIALS AND FORMULA DEFINED.—In this paragraph, the terms 'bill of materials' and 'formula' mean records kept in the normal course of business that identify each component incorporated into a manufactured or produced article or that identify the quantity of each element, material, chemical, mixture, or other substance incorporated into a manufactured article.*

*''(4) SPECIAL RULE FOR SOUGHT CHEMICAL ELEMENTS.—*

*''(A) IN GENERAL.—For purposes of paragraph (1), a sought chemical element may be—*

*''(i) considered imported merchandise, or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, used in the manufacture or production of an article as described in paragraph (1); and*

*''(ii) substituted for source material containing that sought chemical element, without regard to whether the sought chemical element and the source material are classifiable under the same 8-digit HTS subheading number, and apportioned quantitatively, as appropriate.*

*''(B) SOUGHT CHEMICAL ELEMENT DEFINED.—In this paragraph, the term 'sought chemical element' means an element listed in the Periodic Table of Elements that is imported into the United States or a chemical compound consisting of those elements, either separately in elemental form or contained in source material.''.*

*(c) MERCHANDISE NOT CONFORMING TO SAMPLE OR SPECIFICATIONS.—Section 313(c) of the Tariff Act of 1930 (19 U.S.C. 1313(c)) is amended—*

*(1) in paragraph (1)—*

*(A) in subparagraph (C)(ii), by striking ''under a certificate of delivery'' each place it appears;*

*(B) in subparagraph (D)—*

*(i) by striking ''3'' and inserting ''5''; and*

*(ii) by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and*

*(C) in the flush text at the end, by striking ''the full amount of the duties paid upon such merchandise, less 1 percent,'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';*

*(2) in paragraph (2), by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and*

*(3) by amending paragraph (3) to read as follows:*

*''(3) EVIDENCE OF TRANSFERS.—Transfers of merchandise under paragraph (1) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.''.*

*(d) PROOF OF EXPORTATION.—Section 313(i) of the Tariff Act of 1930 (19 U.S.C. 1313(i)) is amended to read as follows:*

*''(i) PROOF OF EXPORTATION.—A person claiming drawback under this section based on the exportation of an article shall provide proof of the exportation of the article. Such proof of exportation—*

*''(1) shall establish fully the date and fact of exportation and the identity of the exporter; and*

*''(2) may be established through the use of records kept in the normal course of business or through an electronic export system of the United States Government, as determined by the Commissioner of U.S. Customs and Border Protection.''.*

*(e) UNUSED MERCHANDISE DRAWBACK.—Section 313(j) of the Tariff Act of 1930 (19 U.S.C. 1313(j)) is amended—*

*(1) in paragraph (1)—*

*(A) in subparagraph (A), in the matter preceding clause (i)—*

*(i) by striking ''3-year'' and inserting ''5-year''; and*

*(ii) by inserting ''and before the drawback claim is filed'' after ''the date of importation''; and*

*(B) in the flush text at the end, by striking ''99 percent of the amount of each duty, tax, or fee so paid'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';*

*(2) in paragraph (2)—*

*(A) in the matter preceding subparagraph (A), by striking ''paragraph (4)'' and inserting ''paragraphs (4), (5), and (6)'';*

*(B) in subparagraph (A), by striking ''commercially interchangeable with'' and inserting ''classifiable under the same 8-digit HTS subheading number as'';*

*(C) in subparagraph (B)—*

*(i) by striking ''3-year'' and inserting ''5-year''; and*

*(ii) by inserting ''and before the drawback claim is filed'' after ''the imported merchandise'';*

*(D) in subparagraph (C)(ii), by striking subclause (II) and inserting the following:*

*''(II) received the imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, directly or indirectly from the person who imported and paid any duties, taxes, and fees imposed under Federal law upon importation or entry and due on the imported merchandise (and any such transferred merchandise, regardless of its origin, will be treated as the imported merchandise and any retained merchandise will be treated as domestic merchandise);''; and*

*(E) in the flush text at the end—*

*(i) by striking ''the amount of each such duty, tax, and fee'' and all that follows through ''99 percent of that duty, tax, or fee'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback''; and*

*(ii) by striking the last sentence and inserting the following: ''Notwithstanding subparagraph (A), drawback shall be allowed under this paragraph with respect to wine if the imported wine and the exported wine are of the same color and the price variation between the imported wine and the exported wine does not exceed 50 percent. Transfers of merchandise may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.'';*

*(3) in paragraph (3)(B), by striking ''the commercially interchangeable merchandise'' and inserting ''merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise''; and*

*(4) by adding at the end the following:*

*''(5)(A) For purposes of paragraph (2) and except as provided in subparagraph (B), merchandise may not be substituted for imported merchandise for drawback purposes based on the 8-digit HTS subheading number if the article description for the 8-digit HTS subheading number under which the imported merchandise is classified begins with the term 'other'.*

*''(B) In cases described in subparagraph (A), merchandise may be substituted for imported merchandise for drawback purposes if—*

*''(i) the other merchandise and such imported merchandise are classifiable under the same 10-digit HTS statistical reporting number; and*

*''(ii) the article description for that 10-digit HTS statistical reporting number does not begin with the term 'other'.*

*''(6)(A) For purposes of paragraph (2), a drawback claimant may use the first 8 digits of the 10-digit Schedule B number for merchandise or an article to determine if the merchandise or article is classifiable under the same 8-digit HTS subheading number as the imported merchandise, without regard to whether the Schedule B number corresponds to more than one 8-digit HTS subheading number.*

*''(B) In this paragraph, the term 'Schedule B' means the Department of Commerce Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States.''.*

*(f) LIABILITY FOR DRAWBACK CLAIMS.—Section 313(k) of the Tariff Act of 1930 (19 U.S.C. 1313(k)) is amended to read as follows:*

*''(k) LIABILITY FOR DRAWBACK CLAIMS.—*

*''(1) IN GENERAL.—Any person making a claim for drawback under this section shall be liable for the full amount of the drawback claimed.*

*''(2) LIABILITY OF IMPORTERS.—An importer shall be liable for any drawback claim made by another person with respect to merchandise imported by the importer in an amount equal to the lesser of—*

*''(A) the amount of duties, taxes, and fees that the person claimed with respect to the imported merchandise; or*

*''(B) the amount of duties, taxes, and fees that the importer authorized the other person to claim with respect to the imported merchandise.*

*''(3) JOINT AND SEVERAL LIABILITY.—Persons described in paragraphs (1) and (2) shall be jointly and severally liable for the amount described in paragraph (2).''.*

*(g) REGULATIONS.—Section 313(l) of the Tariff Act of 1930 (19 U.S.C. 1313(l)) is amended to read as follows:*

*''(l) REGULATIONS.—*

*''(1) IN GENERAL.—Allowance of the privileges provided for in this section shall be subject to compliance with such rules and regulations as the Secretary of the Treasury shall prescribe.*

*''(2) CALCULATION OF DRAWBACK.—*

*''(A) IN GENERAL.—Not later than the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Secretary shall prescribe regulations for determining the calculation of amounts refunded as drawback under this section.*

*''(B) CLAIMS WITH RESPECT TO UNUSED MERCHANDISE.—The regulations required by subparagraph (A) for determining the calculation of amounts refunded as drawback under this section shall provide for a refund of equal to 99 percent of the duties, taxes, and fees paid on the imported merchandise, which were imposed under Federal law upon entry or importation of the imported merchandise, and may require the claim to be based upon the average per unit duties, taxes, and fees as reported on the entry summary line item or, if not reported on the entry summary line item, as otherwise allocated by U.S. Customs and Border Protection, except that where there is substitution of the merchandise, then—*

*''(i) in the case of an article that is exported, the amount of the refund shall be equal to 99 percent of the lesser of—*

*''(I) the amount of duties, taxes, and fees paid with respect to the imported merchandise; or*

*''(II) the amount of duties, taxes, and fees that would apply to the exported article if the exported article were imported; and*

*''(ii) in the case of an article that is destroyed, the amount of the refund shall be an amount that is—*

*''(I) equal to 99 percent of the lesser of—*

*''(aa) the amount of duties, taxes, and fees paid with respect to the imported merchandise; and*

*''(bb) the amount of duties, taxes, and fees that would apply to the destroyed article if the destroyed article were imported; and*

*''(II) reduced by the value of materials recovered during destruction as provided in subsection (x).*

*''(C) CLAIMS WITH RESPECT TO MANUFACTURED ARTICLES INTO WHICH IMPORTED OR SUBSTITUTE MERCHANDISE IS INCORPORATED.—The regulations required by subparagraph (A) for determining the calculation of amounts refunded as drawback under this section shall provide for a refund of equal to 99 percent of the duties, taxes, and fees paid on the imported merchandise incorporated into an article that is exported or destroyed, which were imposed under Federal law upon entry or importation of the imported merchandise incorporated into an article that is exported or destroyed, and may require the claim to be based upon the average per unit duties, taxes, and fees as reported on the entry summary line item, or if not reported on the entry summary line item, as otherwise allocated by U.S. Customs and Border Protection, except that where there is substitution of the imported merchandise, then—*

*''(i) in the case of an article that is exported, the amount of the refund shall be equal to 99 percent of the lesser of—*

*''(I) the amount of duties, taxes, and fees paid with respect to the imported merchandise; or*

*''(II) the amount of duties, taxes, and fees that would apply to the substituted merchandise if the substituted merchandise were imported; and*

*''(ii) in the case of an article that is destroyed, the amount of the refund shall be an amount that is—*

*''(I) equal to 99 percent of the lesser of—*

*''(aa) the amount of duties, taxes, and fees paid with respect to the imported merchandise; and*

*''(bb) the amount of duties, taxes, and fees that would apply to the substituted merchandise if the substituted merchandise were imported; and*

*''(II) reduced by the value of materials recovered during destruction as provided in subsection (x).*

*''(D) EXCEPTIONS.—The calculations set forth in subparagraphs (B) and (C) shall not apply to claims for wine based on subsection (j)(2) and claims based on subsection (p) and instead—*

*''(i) for any drawback claim for wine based on subsection (j)(2), the amount of the refund shall be equal to 99 percent of the duties, taxes, and fees paid with respect to the imported merchandise, without regard to the limitations in subparagraphs (B)(i) and (B)(ii); and*

*''(ii) for any drawback claim based on subsection (p), the amount of the refund shall be subject to the limitations set out in paragraph (4) of that subsection and without regard to subparagraph (B)(i), (B)(ii), (C)(i), or (C)(ii).*

*''(3) STATUS REPORTS ON REGULATIONS.—Not later than the date that is one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter until the regulations required by paragraph (2) are final, the Secretary shall submit to Congress a report on the status of those regulations.''.*

*(h) SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES.—Section 313(p) of the Tariff Act of 1930 (19 U.S.C. 1313(p)) is amended—*

*(1) by striking ''Harmonized Tariff Schedule of the United States'' each place it appears and inserting ''HTS''; and*

*(2) in paragraph (3)(A)—*

*(A) in clause (ii)(III), by striking '', as so certified in a certificate of delivery or certificate of manufacture and delivery''; and*

*(B) in the flush text at the end—*

*(i) by striking '', so designated on the certificate of delivery or certificate of manufacture and delivery''; and*

*(ii) by striking the last sentence and inserting the following: ''The party transferring the merchandise shall maintain records kept in the normal course of business to demonstrate the transfer.''.*

*(i) PACKAGING MATERIAL.—Section 313(q) of the Tariff Act of 1930 (19 U.S.C. 1313(q)) is amended—*

*(1) in paragraph (1), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on such imported material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';*

*(2) in paragraph (2), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on the imported or substituted merchandise used to manufacture or produce such material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)''; and*

*(3) in paragraph (3), by striking ''they contain'' each place it appears and inserting ''it contains''.*

*(j) FILING OF DRAWBACK CLAIMS.—Section 313(r) of the Tariff Act of 1930 (19 U.S.C. 1313(r)) is amended—*

*(1) in paragraph (1)—*

*(A) by striking the first sentence and inserting the following: ''A drawback entry shall be filed or applied for, as applicable, not later than 5 years after the date on which merchandise on which drawback is claimed was imported.'';*

*(B) in the second sentence, by striking ''3-year'' and inserting ''5-year''; and*

*(C) in the third sentence, by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection'';*

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(ii) in clauses (i) and (ii), by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection''; and

(iii) in clause (ii)(I), by striking ''3-year'' and inserting ''5-year''; and

(B) in subparagraph (B), by striking ''the periods of time for retaining records set forth in subsection (t) of this section and'' and inserting ''the period of time for retaining records set forth in''; and

(3) by adding at the end the following:

''(4) All drawback claims filed on and after the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 shall be filed electronically.''.

(k) DESIGNATION OF MERCHANDISE BY SUCCESSOR.—Section 313(s) of the Tariff Act of 1930 (19 U.S.C. 1313(s)) is amended—

(1) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) subject to paragraphs (5) and (6) of subsection (j), imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, that the predecessor received, before the date of succession, from the person who imported and paid any duties, taxes, and fees due on the imported merchandise;''; and

(2) in paragraph (4), by striking ''certifies that'' and all that follows and inserting ''certifies that the transferred merchandise was not and will not be claimed by the predecessor.''.

(l) DRAWBACK CERTIFICATES.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by striking subsection (t).

(m) DRAWBACK FOR RECOVERED MATERIALS.—Section 313(x) of the Tariff Act of 1930 (19 U.S.C. 1313(x)) is amended by striking ''and (c)'' and inserting ''(c), and (j)''.

(n) DEFINITIONS.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by adding at the end the following:

''(z) DEFINITIONS.—In this section:

''(1) DIRECTLY.—The term 'directly' means a transfer of merchandise or an article from one person to another person without any intermediate transfer.

''(2) HTS.—The term 'HTS' means the Harmonized Tariff Schedule of the United States.

''(3) INDIRECTLY.—The term 'indirectly' means a transfer of merchandise or an article from one person to another person with one or more intermediate transfers.''.

(o) RECORDKEEPING.—Section 508(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1508(c)(3)) is amended by striking ''payment'' and inserting ''liquidation''.

(p) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) IN GENERAL.—Not later than one year after the issuance of the regulations required by subsection (l)(2) of section 313 of the Tariff Act of 1930, as added by subsection (g) of this section, the Comptroller General of the United States shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

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

(A) An assessment of the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(B) A description of drawback claims that were permissible before the effective date provided for in subsection (q) that are not permissible after that effective date and an identification of industries most affected.

(C) A description of drawback claims that were not permissible before the effective date provided for in subsection (q) that are permissible after that effective date and an identification of industries most affected.

(q) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall—

(A) take effect on the date of the enactment of this Act; and

(B) except as provided in paragraph (3), apply to drawback claims filed on or after the date that is 2 years after such date of enactment.

(2) REPORTING OF OPERABILITY OF AUTOMATED COMMERCIAL ENVIRONMENT COMPUTER SYSTEM.—Not later than one year after the date of the enactment of this Act, and not later than 2 years after such date of enactment, the Secretary of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on—

(A) the date on which the Automated Commercial Environment will be ready to process drawback claims; and

(B) the date on which the Automated Export System will be ready to accept proof of exportation under subsection (i) of section 313 of the Tariff Act of 1930, as amended by subsection (d) of this section.

(3) TRANSITION RULE.—During the one-year period beginning on the date that is 2 years after the date of the enactment of this Act, a person may elect to file a claim for drawback under—

(A) section 313 of the Tariff Act of 1930, as amended by this section; or

(B) section 313 of the Tariff Act of 1930, as in effect on the day before the date of the enactment of this Act.

**SEC. 907. REPORT ON CERTAIN U.S. CUSTOMS AND BORDER PROTECTION AGREEMENTS.**

(a) IN GENERAL.—Not later than one year after entering into an agreement under a program specified in subsection (b), and annually thereafter until the termination of the program, the Commissioner shall submit to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives a report that includes the following:

(1) A description of the development of the program, including an identification of the authority under which the program operates.

(2) A description of the type of entity with which U.S. Customs and Border Protection entered into the agreement and the amount that entity reimbursed U.S. Customs and Border Protection under the agreement.

(3) An identification of the type of port of entry to which the agreement relates and an assessment of how the agreement provides economic benefits and security benefits (if applicable) at the port of entry.

(4) A description of the services provided by U.S. Customs and Border Protection under the agreement during the year preceding the submission of the report.

(5) The amount of fees collected under the agreement during that year.

(6) The total operating expenses of the program during that year.

(7) A detailed accounting of how the fees collected under the agreement have been spent during that year.

(8) A summary of any complaints or criticism received by U.S. Customs and Border Protection during that year regarding the agreement.

(9) An assessment of the compliance of the entity described in paragraph (2) with the terms of the agreement.

(10) Recommendations with respect to how activities conducted pursuant to the agreement could function more effectively or better produce economic benefits and security benefits (if applicable).

(11) A summary of the benefits to and challenges faced by U.S. Customs and Border Protection and the entity described in paragraph (2) under the agreement.

(12) If the entity described in paragraph (2) is an operator of an airport—

(A) a detailed account of the revenue collected by U.S. Customs and Border Protection at the airport from—

(i) fees collected under the agreement; and

(ii) fees collected from sources other than under the agreement, including fees paid by passengers and air carriers; and

(B) an assessment of the revenue described in subparagraph (A) compared with the operating costs of U.S. Customs and Border Protection at the airport.

(b) PROGRAM SPECIFIED.—A program specified in this subsection is—

(1) the program for entering into reimbursable fee agreements for the provision of U.S. Customs and Border Protection services established by section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6; 127 Stat. 378);

(2) the pilot program authorizing U.S. Customs and Border Protection to enter into partnerships with private sector and government entities at ports of entry established by section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note);

(3) the program under which U.S. Customs and Border Protection collects a fee for the use of customs services at designated facilities under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b); or

(4) the program established by subtitle B of title VIII of this Act authorizing U.S. Customs and Border Protection to establish preclearance operations in foreign countries.

**SEC. 908. CHARTER FLIGHTS.**

Section 13031(e)(1) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)(1)) is amended—

(1) by striking ''(1) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451) or any other provision of law (other than paragraph (2))'' and inserting the following:

''(1)(A) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451) or any other provision of law (other than subparagraph (B) and paragraph (2))''; and

(2) by adding at the end the following:

''(B)(i) An appropriate officer of U.S. Customs and Border Protection may assign a sufficient number of employees of U.S. Customs and Border Protection (if available) to perform services described in clause (ii) for a charter air carrier (as defined in section 40102 of title 49, United States Code) for a charter flight arriving after normal operating hours at an airport that is an established port of entry serviced by U.S. Customs and Border Protection, notwithstanding that overtime funds for those services are not available, if the charter air carrier—

''(I) not later than 4 hours before the flight arrives, specifically requests that such services be provided; and

''(II) pays any overtime fees incurred in connection with such services.

''(ii) Services described in this clause are customs services for passengers and their baggage or any other similar service that could lawfully be performed during regular hours of operation.''.

**SEC. 909. UNITED STATES-ISRAEL TRADE AND COMMERCIAL ENHANCEMENT.**

(a) FINDINGS.—Congress finds the following:

(1) Israel is America's dependable, democratic ally in the Middle East—an area of paramount strategic importance to the United States.

(2) The United States-Israel Free Trade Agreement formed the modern foundation of the bilateral commercial relationship between the two countries and was the first such agreement signed by the United States with a foreign country.

*(3) The United States-Israel Free Trade Agreement has been instrumental in expanding commerce and the strategic relationship between the United States and Israel.*

*(4) More than $45,000,000,000 in goods and services is traded annually between the two countries, in addition to roughly $10,000,000,000 in United States foreign direct investment in Israel.*

*(5) The United States continues to look for and find new opportunities to enhance cooperation with Israel, including through the enactment of the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150; 22 U.S.C. 8601 et seq.) and the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296; 128 Stat. 4075).*

*(6) It has been the policy of the United States Government to combat all elements of the Arab League Boycott of Israel by—*

*(A) public statements of Administration officials;*

*(B) enactment of relevant sections of the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), including sections to ensure foreign persons comply with applicable reporting requirements relating to the Boycott;*

*(C) enactment of the Tax Reform Act of 1976 (Public Law 94–455; 90 Stat. 1520) that denies certain tax benefits to entities abiding by the Boycott;*

*(D) ensuring through free trade agreements with Bahrain and Oman that such countries no longer participate in the Boycott; and*

*(E) ensuring as a condition of membership in the World Trade Organization that Saudi Arabia no longer enforces the secondary or tertiary elements of the Boycott.*

*(b) STATEMENTS OF POLICY.—Congress—*

*(1) supports the strengthening of economic cooperation between the United States and Israel and recognizes the tremendous strategic, economic, and technological value of cooperation with Israel;*

*(2) recognizes the benefit of cooperation with Israel to United States companies, including by improving American competitiveness in global markets;*

*(3) recognizes the importance of trade and commercial relations to the pursuit and sustainability of peace, and supports efforts to bring together the United States, Israel, the Palestinian territories, and others in enhanced commerce;*

*(4) opposes politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel, such as boycotts of, divestment from, or sanctions against Israel;*

*(5) notes that boycotts of, divestment from, and sanctions against Israel by governments, governmental bodies, quasi-governmental bodies, international organizations, and other such entities are contrary to principle of nondiscrimination under the GATT 1994 (as defined in section 2(1)(B) of the Uruguay Round Agreements Act (19 U.S.C. 3501(1)(B)));*

*(6) encourages the inclusion of politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel such as boycotts of, divestment from, or sanctions against Israel as a topic of discussion at the U.S.-Israel Joint Economic Development Group (JEDG) to support the strengthening of the United States-Israel commercial relationship and combat any commercial discrimination against Israel; and*

*(7) supports efforts to prevent investigations or prosecutions by governments or international organizations of United States persons solely on the basis of such persons doing business with Israel, with Israeli entities, or in any territory controlled by Israel.*

*(c) PRINCIPAL TRADE NEGOTIATING OBJECTIVES OF THE UNITED STATES.—*

*(1) COMMERCIAL PARTNERSHIPS.—Among the principal trade negotiating objectives of the United States for proposed trade agreements with foreign countries regarding commercial partnerships are the following:*

*(A) To discourage actions by potential trading partners that directly or indirectly prejudice or otherwise discourage commercial activity solely between the United States and Israel.*

*(B) To discourage politically motivated boycotts of, divestment from, and sanctions against Israel and to seek the elimination of politically motivated nontariff barriers on Israeli goods, services, or other commerce imposed on Israel.*

*(C) To seek the elimination of state-sponsored unsanctioned foreign boycotts of Israel, or compliance with the Arab League Boycott of Israel, by prospective trading partners.*

*(2) EFFECTIVE DATE.—This subsection takes effect on the date of the enactment of this Act and applies with respect to negotiations commenced before, on, or after such date of enactment.*

*(d) REPORT ON POLITICALLY MOTIVATED ACTS OF BOYCOTT OF, DIVESTMENT FROM, AND SANCTIONS AGAINST ISRAEL.—*

*(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress a report on politically motivated boycotts of, divestment from, and sanctions against Israel.*

*(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:*

*(A) A description of the establishment of barriers to trade, including nontariff barriers, investment, or commerce by foreign countries or international organizations against United States persons operating or doing business in Israel, with Israeli entities, or in Israeli-controlled territories.*

*(B) A description of specific steps being taken by the United States to encourage foreign countries and international organizations to cease creating such barriers and to dismantle measures already in place, and an assessment of the effectiveness of such steps.*

*(C) A description of specific steps being taken by the United States to prevent investigations or prosecutions by governments or international organizations of United States persons solely on the basis of such persons doing business with Israel, with Israeli entities, or in Israeli-controlled territories.*

*(D) Decisions by foreign persons, including corporate entities and state-affiliated financial institutions, that limit or prohibit economic relations with Israel or persons doing business in Israel or in any territory controlled by Israel.*

*(e) CERTAIN FOREIGN JUDGMENTS AGAINST UNITED STATES PERSONS.—Notwithstanding any other provision of law, no domestic court shall recognize or enforce any foreign judgment entered against a United States person that conducts business operations in Israel, or any territory controlled by Israel, if the domestic court determines that the foreign judgment is based, in whole or in part, on a determination by a foreign court that the United States person's conducting business operations in Israel or any territory controlled by Israel or with Israeli entities constitutes a violation of law.*

*(f) DEFINITIONS.—In this section:*

*(1) BOYCOTT OF, DIVESTMENT FROM, AND SANCTIONS AGAINST ISRAEL.—The term ''boycott of, divestment from, and sanctions against Israel'' means actions by states, nonmember states of the United Nations, international organizations, or affiliated agencies of international organizations that are politically motivated and are intended to penalize or otherwise limit commercial relations specifically with Israel or persons doing business in Israel or in any territory controlled by Israel.*

*(2) DOMESTIC COURT.—The term ''domestic court'' means a Federal court of the United States, or a court of any State or territory of the United States or of the District of Columbia.*

*(3) FOREIGN COURT.—The term ''foreign court'' means a court, an administrative body, or other tribunal of a foreign country.*

*(4) FOREIGN JUDGMENT.—The term ''foreign judgment'' means a final civil judgment rendered by a foreign court.*

*(5) FOREIGN PERSON.—The term ''foreign person'' means—*

*(A) an individual who is not a United States person or an alien lawfully admitted for permanent residence into the United States; or*

*(B) a corporation, partnership, or other nongovernmental entity which is not a United States person.*

*(6) PERSON.—*

*(A) IN GENERAL.—The term ''person'' means—*

*(i) a natural person;*

*(ii) a corporation, business association, partnership, society, trust, financial institution, insurer, underwriter, guarantor, and any other business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise; and*

*(iii) any successor to any entity described in clause (ii).*

*(B) APPLICATION TO GOVERNMENTAL ENTITIES.—The term ''person'' does not include a government or governmental entity that is not operating as a business enterprise.*

*(7) UNITED STATES PERSON.—The term ''United States person'' means—*

*(A) a natural person who is a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22))); or*

*(B) a corporation or other legal entity that is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons described in subparagraph (A) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such legal entity.*

***SEC. 910. ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION TO PROHIBITION ON IMPORTATION OF GOODS MADE WITH CONVICT LABOR, FORCED LABOR, OR INDENTURED LABOR; REPORT.***

*(a) ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION.—*

*(1) IN GENERAL.—Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) is amended by striking ''The provisions of this section'' and all that follows through ''of the United States.''.*

*(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 15 days after the date of the enactment of this Act.*

*(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on compliance with section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) that includes the following:*

*(1) The number of instances in which merchandise was denied entry pursuant to that section during the 1-year period preceding the submission of the report.*

*(2) A description of the merchandise denied entry pursuant to that section.*

*(3) Such other information as the Commissioner considers appropriate with respect to monitoring and enforcing compliance with that section.*

***SEC. 911. VOLUNTARY RELIQUIDATIONS BY U.S. CUSTOMS AND BORDER PROTECTION.***

*Section 501 of the Tariff Act of 1930 (19 U.S.C. 1501) is amended—*

*(1) in the section heading, by striking ''**THE CUSTOMS SERVICE**'' and inserting ''**U.S. CUSTOMS AND BORDER PROTECTION**'';*

*(2) by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and*

*(3) by striking ''on which notice of the original liquidation is given or transmitted to the importer, his consignee or agent'' and inserting ''of the original liquidation''.*

***SEC. 912. TARIFF CLASSIFICATION OF RECREATIONAL PERFORMANCE OUTERWEAR.***

*(a) REPEAL.—Section 601 of the Trade Preferences Extension Act of 2015 (Public Law 114–*

*27; 129 Stat. 387) is repealed, and any provision of law amended by such section is restored as if such section had not been enacted into law.*

*(b) AMENDMENTS TO ADDITIONAL U.S. NOTES.—The additional U.S. notes to chapter 62 of the Harmonized Tariff Schedule of the United States are amended—*

*(1) in additional U.S. note 2—*

*(A) by striking ''For the purposes of subheadings'' and all that follows through ''6211.20.15'' and inserting ''For the purposes of subheadings 6201.92.17, 6201.92.35, 6201.93.47, 6201.93.60, 6202.92.05, 6202.92.30, 6202.93.07, 6202.93.48, 6203.41.01, 6203.41.25, 6203.43.03, 6203.43.11, 6203.43.55, 6203.43.75, 6204.61.05, 6204.61.60, 6204.63.02, 6204.63.09, 6204.63.55, 6204.63.75 and 6211.20.15'';*

*(B) by striking ''(see ASTM designations D 3600-81 and D 3781-79)'' and inserting ''(see current version of ASTM D7017)''; and*

*(C) by striking ''in accordance with AATCC Test Method 35-1985.'' and inserting ''in accordance with the current version of AATCC Test Method 35.''; and*

*(2) by adding at the end the following new note:*

*''3. (a) When used in a subheading of this chapter or immediate superior text thereto, the term 'recreational performance outerwear' means trousers (including, but not limited to, ski or snowboard pants, and ski or snowboard pants intended for sale as parts of ski-suits), coveralls, bib and brace overalls, jackets (including, but not limited to, full zip jackets, ski jackets and ski jackets intended for sale as parts of ski-suits), windbreakers and similar articles (including padded, sleeveless jackets), the foregoing of fabrics of cotton, wool, hemp, bamboo, silk or manmade fibers, or a combination of such fibers; that are either water resistant within the meaning of additional U.S. note 2 to this chapter or treated with plastics, or both; with critically sealed seams, and with 5 or more of the following features (as further provided herein):*

*''(i) insulation for cold weather protection;*

*''(ii) pockets, at least one of which has a zippered, hook and loop, or other type of closure;*

*''(iii) elastic, draw cord or other means of tightening around the waist or leg hems, including hidden leg sleeves with a means of tightening at the ankle for trousers and tightening around the waist or bottom hem for jackets;*

*''(iv) venting, not including grommet(s);*

*''(v) articulated elbows or knees;*

*''(vi) reinforcement in one of the following areas: the elbows, shoulders, seat, knees, ankles or cuffs;*

*''(vii) weatherproof closure at the waist or front;*

*''(viii) multi-adjustable hood or adjustable collar;*

*''(ix) adjustable powder skirt, inner protective skirt or adjustable inner protective cuff at sleeve hem;*

*''(x) construction at the arm gusset that utilizes fabric, design or patterning to allow radial arm movement; or*

*''(xi) odor control technology.*

*The term 'recreational performance outerwear' does not include occupational outerwear.*

*''(b) For purposes of this note, the following terms have the following meanings:*

*''(i) The term 'treated with plastics' refers to textile fabrics impregnated, coated, covered or laminated with plastics, as described in note 2 to chapter 59.*

*''(ii) The term 'sealed seams' means seams that have been covered by means of taping, gluing, bonding, cementing, fusing, welding or a similar process so that air and water cannot pass through the seams when tested in accordance with the current version of AATCC Test Method 35.*

*''(iii) The term 'critically sealed seams' means—*

*''(A) for jackets, windbreakers and similar articles (including padded, sleeveless jackets), sealed seams that are sealed at the front and back yokes, or at the shoulders, arm holes, or both, where applicable; and*

*''(B) for trousers, overalls and bib and brace overalls and similar articles, sealed seams that are sealed at the front (up to the zipper or other means of closure) and back rise.*

*''(iv) The term 'insulation for cold weather protection' means insulation that meets a minimum clo value of 1.5 per ASTM F 2732.*

*''(v) The term 'venting' refers to closeable or permanent constructed openings in a garment (excluding front, primary zipper closures and grommet(s)) to allow increased expulsion of built-up heat during outdoor activities. In a jacket, such openings are often positioned on the underarm seam of a garment but may also be placed along other seams in the front or back of a garment. In trousers, such openings are often positioned on the inner or outer leg seams of a garment but may also be placed along other seams in the front or back of a garment.*

*''(vi) The term 'articulated elbows or knees' refers to the construction of a sleeve (or pant leg) to allow improved mobility at the elbow (or knee) through the use of extra seams, darts, gussets or other means.*

*''(vii) The term 'reinforcement' refers to the use of a double layer of fabric or section(s) of fabric that is abrasion-resistant or otherwise more durable than the face fabric of the garment.*

*''(viii) The term 'weatherproof closure' means a closure (including, but not limited to, laminated or coated zippers, storm flaps or other weatherproof construction) that has been reinforced or engineered in a manner to reduce the penetration or absorption of moisture or air through an opening in the garment.*

*''(ix) The term 'multi-adjustable hood or adjustable collar' means, in the case of a hood, a hood into which is incorporated two or more draw cords, adjustment tabs or elastics, or, in the case of a collar, a collar into which is incorporated at least one draw cord, adjustment tab, elastic or similar component, to allow volume adjustments around a helmet, or the crown of the head, neck or face.*

*''(x) The terms 'adjustable powder skirt' and 'inner protective skirt' refer to a partial lower inner lining with means of tightening around the waist for additional protection from the elements.*

*''(xi) The term 'arm gusset' means construction at the arm of a gusset that utilizes an extra fabric piece in the underarm, usually diamond- or triangular-shaped, designed or patterned to allow radial arm movement.*

*''(xii) The term 'radial arm movement' refers to unrestricted, 180-degree range of motion for the arm while wearing performance outerwear.*

*''(xiii) The term 'odor control technology' means the incorporation into a fabric or garment of materials, including, but not limited to, activated carbon, silver, copper or any combination thereof, capable of adsorbing, absorbing or reacting with human odors, or effective in reducing the growth of odor-causing bacteria.*

*''(xiv) The term 'occupational outerwear' means outerwear garments, including uniforms, of a kind principally used in the work place and specially designed to provide protection from work place hazards such as fire, electrical, abrasion or chemical hazards, or impacts, cuts and punctures.*

*''(c) The importer of goods entered as 'recreational performance outerwear' under a particular subheading of this chapter shall maintain records demonstrating that the entered goods meet the terms of this note, including such information as is necessary to demonstrate the presence of the specific features that render the goods eligible for classification as 'recreational performance outerwear'.''.*

*(c) TARIFF CLASSIFICATIONS.—Chapter 62 of the Harmonized Tariff Schedule of the United States is amended as follows:*

*(1)(A) By striking subheadings 6201.91.10 through 6201.91.20 and inserting the following, with the superior text to subheading 6201.91.03 having the same degree of indentation as the article description for subheading 6201.91.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | *Recreational performance outerwear:* | | | |
| | *6201.91.03* | *Padded, sleeveless jackets* | *8.5%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.5% (OM)* | *58.5%* |
| | *6201.91.05* | *Other* | *49.7¢/kg + 19.7%* | *Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 14.9¢/kg +5.9% (OM)* | *52.9¢/kg + 58.5%* |
| | | *Other:* | | | |
| | *6201.91.25* | *Padded, sleeveless jackets* | *8.5%* | *Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.5% (OM)* | *58.5%* |

| | | | | | |
|---|---|---|---|---|---|
| 6201.91.40 | Other | 49.7¢/kg + 19.7% | Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 14.9¢/kg +5.9% (OM) | 52.9¢/kg + 58.5% | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6201.91.10 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6201.91.03 and 6201.91.25 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(C) The staged reductions in the special rate of duty proclaimed for subheading 6201.91.20 of such Schedule before the effective date of this section shall apply to subheadings 6201.91.05 and 6201.91.40 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(2) By striking subheadings 6201.92.10 through 6201.92.20 and inserting the following, with the superior text to subheading 6201.92.05 having the same degree of indentation as the article description for subheading 6201.92.10 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| '' | | Recreational performance outerwear: | | | | |
| | 6201.92.05 | Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down | 4.4% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 60% | |
| | | Other: | | | | |
| | 6201.92.17 | Water resistant | 6.2% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 37.5% | |
| | 6201.92.19 | Other | 9.4% | Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 90% | |
| | | Other: | | | | |
| | 6201.92.30 | Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down | 4.4% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 60% | |
| | | Other: | | | | |
| | 6201.92.35 | Water resistant | 6.2% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 37.5% | |
| | 6201.92.45 | Other | 9.4% | Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 90% | ''. |

*(3) By striking subheadings 6201.93.10 through 6201.93.35 and inserting the following, with the superior text to subheading 6201.93.15 having the same degree of indentation as the article description for subheading 6201.93.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | Recreational performance outerwear: | | | |
| | 6201.93.15 | Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down | 4.4% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 60% |
| | | Other: | | | |
| | 6201.93.18 | Padded, sleeveless jackets | 14.9% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 76% |
| | | Other: | | | |

| | | | | |
|---|---|---|---|---|
| *6201.93.45* | *Containing 36 percent or more by weight of wool or fine animal hair ...* | *49.5¢/kg + 19.6%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *52.9¢/kg + 58.5%* |
| | *Other:* | | | |
| *6201.93.47* | *Water resistant* | *7.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *65%* |
| *6201.93.49* | *Other* | *27.7%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *90%* |
| | *Other:* | | | |
| *6201.93.50* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *4.4%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *60%* |
| | *Other:* | | | |
| *6201.93.52* | *Padded, sleeveless jackets* | *14.9%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *76%* |
| | *Other:* | | | |
| *6201.93.55* | *Containing 36 percent or more by weight of wool or fine animal hair ...* | *49.5¢/kg + 19.6%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *52.9¢/kg + 58.5%* |
| | *Other:* | | | |
| *6201.93.60* | *Water resistant* | *7.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *65%* |
| *6201.93.65* | *Other* | *27.7%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *90%* |

''.

*(4) By striking subheadings 6201.99.10 through 6201.99.90 and inserting the following, with the superior text to subheading 6201.99.05 having the same degree of indentation as the article description for subheading 6201.99.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | *Recreational performance outerwear:* | | | |
| | *6201.99.05* | *Containing 70 percent or more by weight of silk or silk waste* | *Free* | | *35%* |
| | *6201.99.15* | *Other* | *4.2%* | *Free (AU,BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *35%* |
| | | *Other:* | | | |
| | *6201.99.50* | *Containing 70 percent or more by weight of silk or silk waste* | *Free* | | *35%* |
| | *6201.99.80* | *Other* | *4.2%* | *Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *35%* |

''.

*(5)(A) By striking subheadings 6202.91.10 through 6202.91.20 and inserting the following, with the superior text to subheading 6202.91.03 having the same degree of indentation as the article description for subheading 6202.91.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | *Recreational performance outerwear:* | | | |

| | | | | | |
|---|---|---|---|---|---|
| *6202.91.03* | *Padded, sleeveless jackets* | *14%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.2% (OM)* | *58.5%* | |
| *6202.91.15* | *Other* | *36¢/kg + 16.3%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 10.8¢/kg + 4.8% (OM).* | *46.3¢/kg +58.5%* | |
| | *Other:* | | | | |
| *6202.91.60* | *Padded, sleeveless jackets* | *14%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.2% (OM)* | *58.5%* | |
| *6202.91.90* | *Other* | *36¢/kg + 16.3%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) ... 10.8¢/kg + 4.8% (OM) .....* | *46.3¢/kg + 58.5%* | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6202.91.10 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6202.91.03 and 6202.91.60 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(C) The staged reductions in the special rate of duty proclaimed for subheading 6202.91.20 of such Schedule before the effective date of this section shall apply to subheadings 6202.91.15 and 6202.91.90 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(6) By striking subheadings 6202.92.10 through 6202.92.20 and inserting the following, with the superior text to subheading 6202.92.03 having the same degree of indentation as the article description for subheading 6202.92.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | *Recreational performance outerwear:* | | | |
| | *6202.92.03* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *4.4%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *60%* |
| | | *Other:* | | | |
| | *6202.92.05* | *Water resistant* | *6.2%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *37.5%* |
| | *6202.92.12* | *Other* | *8.9%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX,OM, P, PA,PE, SG)* | *90%* |
| | | *Other:* | | | |
| | *6202.92.25* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *4.4%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *60%* |
| | | *Other:* | | | |
| | *6202.92.30* | *Water resistant* | *6.2%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *37.5%* |
| | *6202.92.90* | *Other* | *8.9%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) .....* | *90%* ''. |

*(7) By striking subheadings 6202.93.10 through 6202.93.50 and inserting the following, with the superior text to subheading 6202.93.01 having the same degree of indentation as the article description for subheading 6202.93.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| " | | *Recreational performance outerwear:* | | | |
| | *6202.93.01* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *4.4%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *60%* |
| | | *Other:* | | | |
| | *6202.93.03* | *Padded, sleeveless jackets* | *14.9%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *76%* |
| | | *Other:* | | | |
| | *6202.93.05* | *Containing 36 percent or more by weight of wool or fine animal hair* | *43.4¢/kg + 19.7%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *46.3¢/kg + 58.5%* |
| | | *Other:* | | | |
| | *6202.93.07* | *Water resistant* | *7.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *65%* |
| | *6202.93.09* | *Other* | *27.7%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *90%* |
| | | *Other:* | | | |
| | *6202.93.15* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *4.4%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *60%* |
| | | *Other:* | | | |
| | *6202.93.25* | *Padded, sleeveless jackets* | *14.9%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *76%* |
| | | *Other:* | | | |
| | *6202.93.45* | *Containing 36 percent or more by weight of wool or fine animal hair* | *43.4¢/kg + 19.7%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *46.3¢/kg + 58.5%* |
| | | *Other:* | | | |
| | *6202.93.48* | *Water resistant* | *7.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *65%* |
| | *6202.93.55* | *Other* | *27.7%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *90%* ". |

*(8) By striking subheadings 6202.99.10 through 6202.99.90 and inserting the following, with the superior text to subheading 6202.99.03 having the same degree of indentation as the article description for subheading 6202.99.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| " | | *Recreational performance outerwear:* | | | |
| | *6202.99.03* | *Containing 70 percent or more by weight of silk or silk waste* | *Free* | | *35%* |

| | | | | | |
|---|---|---|---|---|---|
| 6202.99.15 | Other | 2.8% | Free (AU,BH, CA, CL, CO, E*, IL, JO, KR, MA,MX, OM, P, PA, PE,SG) | 35% | |
| | Other: | | | | |
| 6202.99.60 | Containing 70 percent or more by weight of silk or silk waste | Free | | 35% | |
| 6202.99.80 | Other | 2.8% | Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 35% | ''. |

*(9)(A) By striking subheadings 6203.41 through 6203.41.20 and inserting the following, with the article description for subheading 6203.41 having the same degree of indentation as the article description for subheading 6203.41 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | 6203.41 | Of wool or fine animal hair: | | | |
| | | Recreational performance outerwear: | | | |
| | | Trousers, breeches and shorts: | | | |
| | 6203.41.01 | Trousers, breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 9 kg per dozen | 7.6% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE,SG) 2.2% (OM) | 52.9¢/kg + 58.5% |
| | | Other: | | | |
| | 6203.41.03 | Trousers of worsted wool fabric, made of wool yarn having an average fiber diameter of 18.5 microns or less | 41.9¢/kg + 16.3% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE,SG) 12.5¢/kg + 4.8% (OM) | 52.9¢/kg +58.5% |
| | 6203.41.06 | Other | 41.9¢/kg + 16.3% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE,SG) 12.5¢/kg + 4.8% (OM) | 52.9¢/kg + 58.5% |
| | 6203.41.08 | Bib and brace overalls | 8.5% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE, SG) 2.5% (OM) | 63% |
| | | Other: | | | |
| | | Trousers, breeches and shorts: | | | |
| | 6203.41.25 | Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 9 kg per dozen | 7.6% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE,SG) 2.2% (OM) | 52.9¢/kg +58.5% |
| | | Other: | | | |
| | 6203.41.30 | Trousers of worsted wool fabric, made of wool yarn having an average fiber diameter of 18.5 microns or less | 41.9¢/kg +16.3% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE,SG) 12.5¢/kg + 4.8% (OM) | 52.9¢/kg +58.5% |
| | 6203.41.60 | Other | 41.9¢/kg +16.3% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE,SG) 12.5¢/kg + 4.8% (OM) | 52.9¢/kg +58.5% |

| | | | | | |
|---|---|---|---|---|---|
| *6203.41.80* | *Bib and brace overalls* | *8.5%* | *Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, P, PA, PE,SG) 2.5% (OM)* | *63%* | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6203.41.05 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6203.41.01 and 6203.41.25 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(C) The staged reductions in the special rate of duty proclaimed for subheading 6203.41.12 of such Schedule before the effective date of this section shall apply to subheadings 6203.41.03 and 6203.41.30 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(D) The staged reductions in the special rate of duty proclaimed for subheading 6203.41.18 of such Schedule before the effective date of this section shall apply to subheadings 6203.41.06 and 6203.41.60 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(E) The staged reductions in the special rate of duty proclaimed for subheading 6203.41.20 of such Schedule before the effective date of this section shall apply to subheadings 6203.41.08 and 6203.41.80 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(10)(A) By striking subheadings 6203.42.10 through 6203.42.40 and inserting the following, with the superior text to subheading 6203.42.03 having the same degree of indentation as the article description for subheading 6203.42.10 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| '' | | *Recreational performance outerwear:* | | | | |
| | *6203.42.03* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *Free* | | *60%* | |
| | | *Other:* | | | | |
| | *6203.42.05* | *Bib and brace overalls* | *10.3%* | *Free (AU,BH, CA, CL,CO, IL, JO,KR, MA,MX,OM, P, PA,PE, SG)* | *90%* | |
| | *6203.42.07* | *Other* | *16.6%* | *Free (AU,BH, CA, CL,CO, IL, JO, MA,MX,OM, P, PA,PE, SG) 9.9% (KR)* | *90%* | |
| | | *Other:* | | | | |
| | *6203.42.17* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *Free* | | *60%* | |
| | | *Other:* | | | | |
| | *6203.42.25* | *Bib and brace overalls* | *10.3%* | *Free (AU,BH, CA, CL,CO, IL, JO,KR, MA,MX,OM, P, PA,PE, SG)* | *90%* | |
| | *6203.42.45* | *Other* | *16.6%* | *Free (AU,BH, CA, CL,CO, IL, JO, MA, MX, OM, P, PA,PE, SG) 9.9% (KR)* | *90%* | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6203.42.40 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6203.42.07 and 6203.42.45 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(11)(A) By striking subheadings 6203.43.10 through 6203.43.40 and inserting the following, with the superior text to subheading 6203.43.01 having the same degree of indentation as the article description for subheading 6203.43.10 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| '' | | *Recreational performance outerwear:* | | | | |
| | *6203.43.01* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *Free* | | *60%* | |
| | | *Other:* | | | | |
| | | *Bib and brace overalls:* | | | | |
| | *6203.43.03* | *Water resistant* | *7.1%* | *Free (AU,BH, CA, CL, CO, IL, JO, KR, MA,MX,OM, P, PA,PE,SG)* | *65%* | |
| | *6203.43.05* | *Other* | *14.9%* | *Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX,OM, P, PA, PE,SG)* | *76%* | |
| | | *Other:* | | | | |

| | | | | | |
|---|---|---|---|---|---|
| 6203.43.09 | Containing 36 percent or more by weight of wool or fine animal hair ... | 49.6¢/kg + 19.7% | Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX,OM, P, PA,PE,SG) | 52.9¢/kg + 58.5% | |
| | Other: | | | | |
| 6203.43.11 | Water resistant trousers or breeches | 7.1% | Free (AU,BH, CA, CL, CO, IL, JO, MA, MX,OM, P, PA,PE,SG) 1.4% (KR) | 65% | |
| 6203.43.13 | Other | 27.9% | Free (AU,BH, CA, CL, CO, IL, JO, MA, MX,OM, P, PA, PE,SG) 5.5% (KR) | 90% | |
| | Other: | | | | |
| 6203.43.45 | Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down | Free | | 60% | |
| | Other: | | | | |
| | Bib and brace overalls: | | | | |
| 6203.43.55 | Water resistant | 7.1% | Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX,OM, P, PA, PE,SG) | 65% | |
| 6203.43.60 | Other | 14.9% | Free (AU,BH, CA, CL, CO,IL,JO, KR, MA, MX,OM, P, PA, PE,SG) | 76% | |
| | Other: | | | | |
| 6203.43.65 | Certified hand-loomed and folklore products | 12.2% | Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX,OM, P, PA, PE,SG) | 76% | |
| | Other: | | | | |
| 6203.43.70 | Containing 36 percent or more by weight of wool or fine animal hair | 49.6¢/kg + 19.7% | Free (AU,BH, CA, CL, CO, IL, JO, KR, MA, MX,OM, P, PA, PE,SG) | 52.9¢/kg + 58.5% | |
| | Other: | | | | |
| 6203.43.75 | Water resistant trousers or breeches | 7.1% | Free (AU,BH, CA, CL, CO, IL, JO, MA, MX,OM, P, PA,PE,SG) 1.4% (KR) | 65% | |
| 6203.43.90 | Other | 27.9% | Free (AU,BH, CA, CL, CO, IL, JO, MA, MX,OM, P, PA, PE,SG) 5.5% (KR) | 90% | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6203.43.35 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6203.43.11 and 6203.43.75 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(C) The staged reductions in the special rate of duty proclaimed for subheading 6203.43.40 of such Schedule before the effective date of this section shall apply to subheadings 6203.43.13 and 6203.43.90 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(12)(A) By striking subheadings 6203.49.10 through 6203.49.80 and the immediate superior text to subheading 6203.49.10, and inserting the following, with the superior text to subheading 6203.49.01 having the same degree of indentation as the article description for subheading 6203.49.10 (as in effect on the day before the effective date of this section):*

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| '' | | Recreational performance outerwear: | | | | | |
| | | Of artificial fibers: | | | | | |

| | | | | |
|---|---|---|---|---|
| 6203.49.01 | Bib and brace overalls | 8.5% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX,OM, P, PA,PE, SG) | 76% |
| 6203.49.05 | Trousers, breeches and shorts | 27.9% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX,OM, P,PA,PE, SG) | 90% |
| | Of other textile materials: | | | |
| 6203.49.07 | Containing 70 percent or more by weight of silk or silk waste | Free | | 35% |
| 6203.49.09 | Other | 2.8% | Free (AU,BH, CA, CL, CO, E*, IL, JO,MA, MX,OM, P, PA,PE, SG) 0.5% (KR) | 35% |
| | Other: | | | |
| | Of artificial fibers: | | | |
| 6203.49.25 | Bib and brace overalls | 8.5% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX,OM, P, PA,PE, SG) | 76% |
| | Trousers, breeches and shorts: | | | |
| 6203.49.35 | Certified hand-loomed and folklore products | 12.2% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX,OM, P,PA,PE, SG) | 76% |
| 6203.49.50 | Other | 27.9% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX,OM, P,PA,PE, SG) | 90% |
| | Of other textile materials: | | | |
| 6203.49.60 | Containing 70 percent or more by weight of silk or silk waste | Free | | 35% |
| 6203.49.90 | Other | 2.8% | Free (AU,BH, CA, CL, CO, E*, IL, JO,MA, MX,OM, P,PA,PE, SG) 0.5% (KR) | 35% |

''.

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6203.49.80 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6203.49.09 and 6203.49.90 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(13)(A) By striking subheadings 6204.61.10 through 6204.61.90 and inserting the following, with the superior text to subheading 6204.61.05 having the same degree of indentation as the article description for subheading 6204.61.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | Recreational performance outerwear: | | | |
| | 6204.61.05 | Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 6 kg per dozen | 7.6% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX, P, PA, PE, SG) 2.2% (OM) | 58.5% |
| | 6204.61.15 | Other | 13.6% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX, P, PA, PE, SG) 4% (OM) | 58.5% |
| | | Other: | | | |
| | 6204.61.60 | Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 6 kg per dozen | 7.6% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX, P, PA, PE, SG) 2.2% (OM) | 58.5% |

| | | | | | |
|---|---|---|---|---|---|
| 6204.61.80 | Other | 13.6% | Free (AU,BH, CA, CL, CO, IL,JO, KR, MA, MX, P, PA, PE, SG)<br>4% (OM) | 58.5% | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6204.61.10 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6204.61.05 and 6204.61.60 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(C) The staged reductions in the special rate of duty proclaimed for subheading 6204.61.90 of such Schedule before the effective date of this section shall apply to subheadings 6204.61.15 and 6204.61.80 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(14)(A) By striking subheadings 6204.62.10 through 6204.62.40 and inserting the following, with the superior text to subheading 6204.62.03 having the same degree of indentation as the article description for subheading 6204.62.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | Recreational performance outerwear: | | | |
| | 6204.62.03 | Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down | Free | | 60% |
| | | Other: | | | |
| | 6204.62.05 | Bib and brace overalls | 8.9% | Free (AU,BH, CA, CL,CO, IL, JO,KR, MA,MX, OM, P, PA, PE, SG) | 90% |
| | 6204.62.15 | Other | 16.6% | Free (AU,BH, CA, CL,CO, IL, JO, MA, MX,OM, P, PA,PE, SG)<br>9.9% (KR) | 90% |
| | | Other: | | | |
| | 6204.62.50 | Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down | Free | | 60% |
| | | Other: | | | |
| | 6204.62.60 | Bib and brace overalls | 8.9% | Free (AU,BH, CA, CL,CO, IL, JO,KR, MA,MX, OM, P, PA, PE, SG) | 90% |
| | | Other: | | | |
| | 6204.62.70 | Certified hand-loomed and folklore products | 7.1% | Free (AU,BH, CA, CL,CO, E, IL, JO,KR, MA,MX, OM, P, PA, PE, SG) | 37.5% |
| | 6204.62.80 | Other | 16.6% | Free (AU,BH, CA, CL,CO, IL, JO, MA, MX,OM, P, PA,PE, SG)<br>9.9% (KR) | 90% ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6204.62.40 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6204.62.15 and 6204.62.80 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(15)(A) By striking subheadings 6204.63.10 through 6204.63.35 and inserting the following, with the superior text to subheading 6204.63.01 having the same degree of indentation as the article description for subheading 6204.63.10 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | Recreational performance outerwear: | | | |
| | 6204.63.01 | Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down | Free | | 60% |
| | | Other: | | | |
| | | Bib and brace overalls: | | | |
| | 6204.63.02 | Water resistant | 7.1% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, OM,P, PA,PE, SG) | 65% |
| | 6204.63.03 | Other | 14.9% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, OM,P, PA,PE, SG) | 76% |

| | | | | | |
|---|---|---|---|---|---|
| | *Other:* | | | | |
| *6204.63.08* | *Containing 36 percent or more by weight of wool or fine animal hair* | *13.6%* | *Free (AU, BH, CA, CL, CO,IL, JO,KR, MA, MX, OM, P, PA,PE, SG)* | *58.5%* | |
| | *Other:* | | | | |
| *6204.63.09* | *Water resistant trousers or breeches* | *7.1%* | *Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX,OM,P, PA,PE, SG)* | *65%* | |
| *6204.63.11* | *Other* | *28.6%* | *Free (AU,BH,CA, CL,CO, IL,JO, MA,MX,OM,P, PA,PE, SG) 5.7% (KR)* | *90%* | |
| *Other:* | | | | | |
| *6204.63.50* | *Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down* | *Free* | | *60%* | |
| | *Other:* | | | | |
| | *Bib and brace overalls:* | | | | |
| *6204.63.55* | *Water resistant* | *7.1%* | *Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, OM,P, PA,PE, SG)* | *65%* | |
| *6204.63.60* | *Other* | *14.9%* | *Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, OM,P, PA,PE, SG)* | *76%* | |
| *6204.63.65* | *Certified hand-loomed and folklore products* | *11.3%* | *Free (AU, BH, CA, CL, CO, E, IL, JO,KR, MA,MX,OM,P, PA,PE, SG)* | *76%* | |
| | *Other:* | | | | |
| *6204.63.70* | *Containing 36 percent or more by weight of wool or fine animal hair* | *13.6%* | *Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, OM,P, PA,PE, SG)* | *58.5%* | |
| | *Other:* | | | | |
| *6204.63.75* | *Water resistant trousers or breeches* | *7.1%* | *Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, OM,P, PA,PE, SG)* | *65%* | |
| *6204.63.90* | *Other* | *28.6%* | *Free (AU, BH, CA, CL, CO,IL, JO, MA, MX,OM, P, PA, PE,SG) 5.7% (KR)* | *90%* | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6204.63.35 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6204.63.11 and 6204.63.90 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(16) By striking subheadings 6204.69.10 through 6204.69.90 and the immediate superior text to subheading 6204.69.10, and inserting the following, with the first superior text having the same degree of indentation as the article description of subheading 6204.69.10 (as in effect on the day before the date of enactment of this Act):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | *Recreational performance outerwear:* | | | |
| | | *Of artificial fibers:* | | | |
| | *6204.69.01* | *Bib and brace overalls* | *13.6%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *76%* |
| | | *Trousers, breeches and shorts:* | | | |

| | | | | | |
|---|---|---|---|---|---|
| 6204.69.02 | Containing 36 percent or more by weight of wool or fine animal hair ..... | 13.6% | Free (AU,BH, CA, CL,CO, IL, JO,KR, MA, MX, OM, P, PA, PE, SG) | 58.5% | |
| 6204.69.03 | Other ..... | 28.6% | Free (AU,BH, CA, CL,CO, IL, JO,KR, MA, MX, OM, P, PA, PE, SG) | 90% | |
| | Of silk or silk waste: | | | | |
| 6204.69.04 | Containing 70 percent or more by weight of silk or silk waste ..... | 1.1% | Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 65% | |
| 6204.69.05 | Other ..... | 7.1% | Free (AU,BH, CA, CL,CO, E*, IL, JO, KR,MA,MX, OM, P,PA, PE, SG) | 65% | |
| 6204.69.06 | Other ..... | 2.8% | Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 35% | |
| | Other: | | | | |
| | Of artificial fibers: | | | | |
| 6204.69.15 | Bib and brace overalls ..... | 13.6% | Free (AU,BH, CA, CL,CO, IL, JO,KR, MA, MX, OM, P, PA, PE, SG) | 76% | |
| | Trousers, breeches and shorts: ..... | | | | |
| 6204.69.22 | Containing 36 percent or more by weight of wool or fine animal hair ..... | 13.6% | Free (AU,BH, CA, CL,CO, IL, JO,KR, MA, MX, OM, P, PA, PE, SG) | 58.5% | |
| 6204.69.28 | Other ..... | 28.6% | Free (AU,BH, CA, CL,CO, IL, JO,KR, MA, MX, OM, P, PA, PE, SG) | 90% | |
| | Of silk or silk waste: | | | | |
| 6204.69.45 | Containing 70 percent or more by weight of silk or silk waste ..... | 1.1% | Free (AU,BH, CA, CL,CO, E, IL, JO, KR, MA, MX, OM, P,PA, PE, SG) | 65% | |
| 6204.69.65 | Other ..... | 7.1% | Free (AU,BH, CA, CL,CO, E*,IL, JO, KR,MA,MX, OM, P,PA, PE, SG) | 65% | |
| 6204.69.80 | Other ..... | 2.8% | Free (AU,BH, CA, CL,CO, E*, IL, JO, KR,MA,MX, OM, P,PA, PE, SG) | 35% | ''. |

*(17) By striking subheadings 6210.40.30 through 6210.40.90 and the immediate superior text to subheading 6210.40.30, and inserting the following, with the first superior text having the same degree of indentation as the immediate superior text to subheading 6210.40.30 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| '' | | Recreational performance outerwear: | | | | |
| | | Of man-made fibers: | | | | |

| | | | | | |
|---|---|---|---|---|---|
| 6210.40.15 | *Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric* | 3.8% | Free (AU, BH, CA, CL, CO,IL, JO,KR, MA,MX, OM,P, PA,PE, SG) | 65% | |
| 6210.40.25 | *Other* | 7.1% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 65% | |
| | *Other:* | | | | |
| 6210.40.28 | *Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric* | 3.3% | Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 37.5% | |
| 6210.40.29 | *Other* | 6.2% | Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 37.5% | |
| | *Other:* | | | | |
| | *Of man-made fibers:* | | | | |
| 6210.40.35 | *Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric* | 3.8% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 65% | |
| 6210.40.55 | *Other* | 7.1% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 65% | |
| | *Other:* | | | | |
| 6210.40.75 | *Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric* | 3.3% | Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 37.5% | |
| 6210.40.80 | *Other* | 6.2% | Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 37.5% | ''. |

*(18) By striking subheadings 6210.50.30 through 6210.50.90 and the immediate superior text to subheading 6210.50.30, and inserting the following, with the first superior text having the same degree of indentation as the immediate superior text to subheading 6210.50.30 (as in effect on the day before the effective date of this section):*

| | | | | | |
|---|---|---|---|---|---|
| '' | | *Recreational performance outerwear:* | | | |
| | | *Of man-made fibers:* | | | |
| | 6210.50.03 | *Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric* | 3.8% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM,P, PA, PE, SG) | 65% |
| | 6210.50.05 | *Other* | 7.1% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM,P, PA, PE, SG) | 65% |
| | | *Other:* | | | |

| | | | | | |
|---|---|---|---|---|---|
| *6210.50.12* | *Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric* | *3.3%* | *Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA,PE, SG)* | *37.5%* | |
| *6210.50.22* | *Other* | *6.2%* | *Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P,PA, PE, SG)* | *37.5%* | |
| | *Other:* | | | | |
| | *Of man-made fibers:* | | | | |
| *6210.50.35* | *Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric* | *3.8%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM,P, PA, PE, SG)* | *65%* | |
| *6210.50.55* | *Other* | *7.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM,P, PA, PE, SG)* | *65%* | |
| | *Other:* | | | | |
| *6210.50.75* | *Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric* | *3.3%* | *Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *37.5%* | |
| *6210.50.80* | *Other* | *6.2%* | *Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *37.5%* | ''. |

*(19) By striking subheading 6211.32.00 and inserting the following, with the article description for subheading 6211.32 having the same degree of indentation as the article description for subheading 6211.32.00 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| '' | *6211.32* | *Of cotton:* | | | | |
| | *6211.32.50* | *Recreational performance outerwear* | *8.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *90%* | |
| | *6211.32.90* | *Other* | *8.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *90%* | ''. |

*(20)(A) By striking subheading 6211.33.00 and inserting the following, with the article description for subheading 6211.33 having the same degree of indentation as the article description for subheading 6211.33.00 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| '' | *6211.33* | *Of man-made fibers:* | | | | |
| | *6211.33.50* | *Recreational performance outerwear* | *16%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA ,PE, SG) 4.8% (OM)* | *76%* | |
| | *6211.33.90* | *Other* | *16%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM)* | *76%* | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6211.33.00 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6211.33.50 and 6211.33.90 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(21)(A) By striking subheadings 6211.39.05 through 6211.39.90 and inserting the following, with the first superior text having the same degree of indentation as the article description for subheading 6211.39.05 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| " | | *Recreational performance outerwear:* | | | | |
| | *6211.39.03* | *Of wool or fine animal hair* | *12%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 3.6% (OM)* | *58.5%* | |
| | *6211.39.07* | *Containing 70 percent or more by weight of silk or silk waste* | *0.5%* | *Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *35%* | |
| | *6211.39.15* | *Other* | *2.8%* | *Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PE, SG)* | *35%* | |
| | | *Other:* | | | | |
| | *6211.39.30* | *Of wool or fine animal hair* | *12%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 3.6% (OM)* | *58.5%* | |
| | *6211.39.60* | *Containing 70 percent or more by weight of silk or silk waste* | *0.5%* | *Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *35%* | |
| | *6211.39.80* | *Other* | *2.8%* | *Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PE, SG)* | *35%* | ". |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6211.39.05 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6211.39.03 and 6211.39.30 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(22) By striking subheading 6211.42.00 and inserting the following, with the article description for subheading 6211.42 having the same degree of indentation as the article description for subheading 6211.42.00 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| " | *6211.42* | *Of cotton:* | | | | |
| | *6211.42.05* | *Recreational performance outerwear* | *8.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *90%* | |
| | *6211.42.10* | *Other* | *8.1%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)* | *90%* | ". |

*(23)(A) By striking subheading 6211.43.00 and inserting the following, with the article description for subheading 6211.43 having the same degree of indentation as the article description for subheading 6211.43.00 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| " | *6211.43* | *Of man-made fibers:* | | | | |
| | *6211.43.05* | *Recreational performance outerwear* | *16%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM)* | *90%* | |
| | *6211.43.10* | *Other* | *16%* | *Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM)* | *90%* | ". |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6211.43.00 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6211.43.05 and 6211.43.10 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(24)(A) By striking subheadings 6211.49.10 through 6211.49.90 and inserting the following, with the first superior text having the same degree of indentation as the article description for subheading 6211.49.90 (as in effect on the day before the effective date of this section):*

| | | | | | | |
|---|---|---|---|---|---|---|
| " | | *Recreational performance outerwear:* | | | | |

| | | | | | |
|---|---|---|---|---|---|
| 6211.49.03 | Containing 70 percent or more by weight of silk or silk waste | 1.2% | Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA,PE, SG) | 35% | |
| 6211.49.15 | Of wool or fine animal hair | 12% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA ,MX, P, PA, PE, SG) 3.6% (OM) | 58.5% | |
| 6211.49.25 | Other | 7.3% | Free (AU, BH, CA, CL, CO, E, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.4% (KR) | 35% | |
| | Other: | | | | |
| 6211.49.50 | Containing 70 percent or more by weight of silk or silk waste | 1.2% | Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG) | 35% | |
| 6211.49.60 | Of wool or fine animal hair | 12% | Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE,SG) 3.6% (OM) | 58.5% | |
| 6211.49.80 | Other | 7.3% | Free (AU, BH, CA, CL, CO, E, IL, JO, MA, MX,OM, P, PA, PE, SG) 1.4% (KR) | 35% | ''. |

*(B) The staged reductions in the special rate of duty proclaimed for subheading 6211.49.41 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6211.49.15 and 6211.49.60 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(C) The staged reductions in the special rate of duty proclaimed for subheading 6211.49.90 of such Schedule before the effective date of this section shall apply to subheadings 6211.49.25 and 6211.49.80 of such Schedule, as added by subparagraph (A), on and after such effective date.*

*(d) EFFECTIVE DATE.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section—*

*(A) shall take effect on the 180th day after the date of the enactment of this Act; and*

*(B) shall apply to articles entered, or withdrawn from warehouse for consumption, on or after such 180th day.*

*(2) SUBSECTION (a).—Subsection (a) shall take effect on the date of the enactment of this Act.*

***SEC. 913. MODIFICATIONS TO DUTY TREATMENT OF PROTECTIVE ACTIVE FOOTWEAR.***

*(a) IN GENERAL.—Chapter 64 of the Harmonized Tariff Schedule of the United States is amended—*

*(1) by redesignating the Additional U.S. Note added by section 602(a) of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 413) as Additional U.S. Note 6;*

*(2) in subheading 6402.91.42, by striking the matter in the column 1 special rate of duty column and inserting the following: ''Free (AU, BH, CA, CL, D, IL, JO, MA, MX, P, R, SG) 1%(PA) 6%(OM) 6%(PE) 12%(CO) 20%(KR)''; and*

*(3) in subheading 6402.99.32, by striking the matter in the column 1 special rate of duty column and inserting the following: ''Free (AU, BH, CA, CL, D, IL, JO, MA, MX, P, R, SG) 1%(PA) 6%(OM) 6%(PE) 12%(CO) 20%(KR)''.*

*(b) STAGED RATE REDUCTIONS.—Section 602(c) of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 414) is amended to read as follows:*

*''(c) STAGED RATE REDUCTIONS.—Beginning in calendar year 2016, the staged reductions in special rates of duty proclaimed before the date of the enactment of this Act—*

*''(1) for subheading 6402.91.90 of the Harmonized Tariff Schedule of the United States shall be applied to subheading 6402.91.42 of such Schedule, as added by subsection (b)(1); and*

*''(2) for subheading 6402.99.90 of such Schedule shall be applied to subheading 6402.99.32 of such Schedule, as added by subsection (b)(2).''.*

*(c) EFFECTIVE DATE.—*

*(1) IN GENERAL.—The amendments made by this section shall take effect as if included in the enactment of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 362).*

*(2) RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS.—*

*(A) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to subparagraph (B), any entry of an article classified under subheading 6402.91.42 or 6402.99.32 of the Harmonized Tariff Schedule of the United States, that—*

*(i) was made—*

*(I) after the effective date specified in section 602(d) of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 414), and*

*(II) before the date of the enactment of this Act, and*

*(ii) to which a lower rate of duty would be applicable if the entry were made after such date of enactment,*

*shall be liquidated or reliquidated as though such entry occurred on such date of enactment.*

*(B) REQUESTS.—A liquidation or reliquidation may be made under subparagraph (A) with respect to an entry only if a request therefor is filed with U.S. Customs and Border Protection not later than 180 days after the date of the enactment of this Act that contains sufficient information to enable U.S. Customs and Border Protection—*

*(i) to locate the entry; or*

*(ii) to reconstruct the entry if it cannot be located.*

*(C) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry of an article under subparagraph (A) shall be paid, without interest, not later than 90 days after the date of the liquidation or reliquidation (as the case may be).*

***SEC. 914. AMENDMENTS TO BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY ACT OF 2015.***

*(a) IMMIGRATION LAWS OF THE UNITED STATES.—Section 102(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4201(a)) is amended—*

*(1) in paragraph (12), by striking ''and'' at the end;*

*(2) in paragraph (13), by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following:*

*''(14) to ensure that trade agreements do not require changes to the immigration laws of the United States or obligate the United States to grant access or expand access to visas issued under section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.*

*(b) GREENHOUSE GAS EMISSIONS MEASURES.—Section 102(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4201(a)), as amended by subsection (a) of this section, is further amended—*

*(1) in paragraph (13), by striking ''and'' at the end;*

*(2) in paragraph (14), by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following:*

*''(15) to ensure that trade agreements do not establish obligations for the United States regarding greenhouse gas emissions measures, including obligations that require changes to United States laws or regulations or that would affect the implementation of such laws or regu-*

*lations, other than those fulfilling the other negotiating objectives in this section.''.*

*(c) FISHERIES NEGOTIATIONS.—Section 102(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4201(b)) is amended by adding at the end the following:*

*''(22) FISHERIES NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in fish, seafood, and shellfish products are—*

*''(A) to obtain competitive opportunities for United States exports of fish, seafood, and shellfish products in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports of fish, seafood, and shellfish products in United States markets and to achieve fairer and more open conditions of trade in fish, seafood, and shellfish products, including by reducing or eliminating tariff and nontariff barriers;*

*''(B) to eliminate fisheries subsidies that distort trade, including subsidies of the type referred to in paragraph 9 of Annex D to the Ministerial Declaration adopted by the World Trade Organization at the Sixth Ministerial Conference at Hong Kong, China on December 18, 2005;*

*''(C) to pursue transparency in fisheries subsidies programs; and*

*''(D) to address illegal, unreported, and unregulated fishing.''.*

*(d) ACCREDITATION.—Section 104 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4203) is amended—*

*(1) in subsection (b)(3), by striking ''an official'' and inserting ''a delegate and official''; and*

*(2) in subsection (c)(2)(C)—*

*(A) by striking ''an official'' each place it appears and inserting ''a delegate and official''; and*

*(B) by inserting after the first sentence the following: ''In addition, the chairmen and ranking members described in subparagraphs (A)(i) and (B)(i) shall each be permitted to designate up to 3 personnel with proper security clearances to serve as delegates and official advisers to the United States delegation in negotiations for any trade agreement to which this title applies.''.*

*(e) TRAFFICKING IN PERSONS.—*

*(1) IN GENERAL.—Section 106(b)(6) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4205(b)(6)) is amended by striking subparagraph (B) and inserting the following:*

*''(B) EXCEPTION.—*

*''(i) INVOKING EXCEPTION.—If the President submits to the appropriate congressional committees a letter stating that a country to which subparagraph (A) applies has taken concrete actions to implement the principal recommendations with respect to that country in the most recent annual report on trafficking in persons, the prohibition under subparagraph (A) shall not apply with respect to a trade agreement or trade agreements with that country.*

*''(ii) CONTENT OF LETTER; PUBLIC AVAILABILITY.—A letter submitted under clause (i) with respect to a country shall—*

*''(I) include a description of the concrete actions that the country has taken to implement the principal recommendations described in clause (i);*

*''(II) be accompanied by supporting documentation providing credible evidence of each such concrete action, including copies of relevant laws or regulations adopted or modified, and any enforcement actions taken, by that country, where appropriate; and*

*''(III) be made available to the public.*

*''(C) SPECIAL RULE FOR CHANGES IN CERTAIN DETERMINATIONS.—If a country is listed as a tier 3 country in an annual report on trafficking in persons submitted in calendar year 2014 or any calendar year thereafter and, in the annual report on trafficking in persons submitted in the next calendar year, is listed on the tier 2 watch list, the President shall submit a detailed description of the credible evidence supporting the change in listing of the country, accompanied by copies of documents providing such evidence, where appropriate, to the appropriate congressional committees—*

*''(i) in the case of a change in listing reflected in the annual report on trafficking in persons submitted in calendar year 2015, not later than 90 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015; and*

*''(ii) in the case of a change in listing reflected in an annual report on trafficking in persons submitted in calendar year 2016 or any calendar year thereafter, not later than 90 days after the submission of that report.*

*''(D) SENSE OF CONGRESS.—It is the sense of Congress that the integrity of the process for making the determinations in the annual report on trafficking in persons, including determinations with respect to country rankings and the substance of the assessments in the report, should be respected and not affected by unrelated considerations.*

*''(E) DEFINITIONS.—In this paragraph:*

*''(i) ANNUAL REPORT ON TRAFFICKING IN PERSONS.—The term 'annual report on trafficking in persons' means the annual report on trafficking in persons required under section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)).*

*''(ii) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—*

*''(I) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and*

*''(II) the Committee on Finance and the Committee on Foreign Relations of the Senate.*

*''(iii) TIER 2 WATCH LIST.—The term 'tier 2 watch list' means the list of countries required under section 110(b)(2)(A)(iii) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A)(iii)).*

*''(iv) TIER 3 COUNTRY.—The term 'tier 3 country' means a country on the list of countries required under section 110(b)(1)(C) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)(C)).''.*

*(2) CONFORMING AMENDMENT.—Section 106(b)(6)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4205(b)(6)(A)) is amended by striking ''to which the minimum'' and all that follows through ''7107(b)(1))'' and inserting ''listed as a tier 3 country in the most recent annual report on trafficking in persons''.*

*(f) TECHNICAL AMENDMENTS.—The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 is amended—*

*(1) in section 105(b)(3) (Public Law 114–26; 129 Stat. 346; 19 U.S.C. 4204(b)(3))—*

*(A) in subparagraph (A)(ii), by striking ''section 102(b)(16)'' and inserting ''section 102(b)(17)''; and*

*(B) in subparagraph (B)(ii), by striking ''section 102(b)(16)'' and inserting ''section 102(b)(17)''; and*

*(2) in section 106(b)(5) (Public Law 114–26; 129 Stat. 354; 19 U.S.C. 4205(b)(5)), by striking ''section 102(b)(15)(C)'' and inserting ''section 102(b)(16)(C)''.*

*(g) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 129 Stat. 320; 19 U.S.C. 4201 et seq.).*

***SEC. 915. TRADE PREFERENCES FOR NEPAL.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) Nepal is among the least developed countries in the world, with a per capita gross national income of $730 in 2014.*

*(2) Nepal suffered a devastating earthquake in April 2015, with subsequent aftershocks. More than 9,000 people died and approximately 23,000 people were injured.*

*(b) ELIGIBILITY REQUIREMENTS.—*

*(1) IN GENERAL.—The President may authorize the provision of preferential treatment under this section to articles that are imported directly from Nepal into the customs territory of the United States pursuant to subsection (c) if the President determines—*

*(A) that Nepal meets the requirements set forth in paragraphs (1), (2), and (3) of section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)); and*

*(B) after taking into account the factors set forth in paragraphs (1) through (7) of subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462), that Nepal meets the eligibility requirements of such section 502.*

*(2) WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TREATMENT; MANDATORY GRADUATION.—The provisions of subsections (d) and (e) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462) shall apply with respect to Nepal to the same extent and in the same manner as such provisions apply with respect to beneficiary developing countries under title V of that Act (19 U.S.C. 2461 et seq.).*

*(c) ELIGIBLE ARTICLES.—*

*(1) IN GENERAL.—An article described in paragraph (2) may enter the customs territory of the United States free of duty.*

*(2) ARTICLES DESCRIBED.—*

*(A) IN GENERAL.—An article is described in this paragraph if—*

*(i)(I) the article is the growth, product, or manufacture of Nepal; and*

*(II) in the case of a textile or apparel article, Nepal is the country of origin of the article, as determined under section 102.21 of title 19, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act);*

*(ii) the article is imported directly from Nepal into the customs territory of the United States;*

*(iii) the article is classified under any of the following subheadings of the Harmonized Tariff Schedule of the United States (as in effect on the day before the date of the enactment of this Act):*

| | | |
|---|---|---|
| *4202.11.00* | *4202.22.60* | *4202.92.08* |
| *4202.12.20* | *4202.22.70* | *4202.92.15* |
| *4202.12.40* | *4202.22.80* | *4202.92.20* |
| *4202.12.60* | *4202.29.50* | *4202.92.30* |
| *4202.12.80* | *4202.29.90* | *4202.92.45* |
| *4202.21.60* | *4202.31.60* | *4202.92.60* |
| *4202.21.90* | *4202.32.40* | *4202.92.90* |
| *4202.22.15* | *4202.32.80* | *4202.99.90* |
| *4202.22.40* | *4202.32.95* | *4203.29.50* |
| *4202.22.45* | *4202.91.00* | |
| *5701.10.90* | *5702.91.30* | *5703.10.80* |

| | | |
|---|---|---|
| 5702.31.20 | 5702.91.40 | 5703.90.00 |
| 5702.49.20 | 5702.92.90 | 5705.00.20 |
| 5702.50.40 | 5702.99.15 | |
| 5702.50.59 | 5703.10.20 | |
| 6117.10.60 | 6214.20.00 | 6217.10.85 |
| 6117.80.85 | 6214.40.00 | 6301.90.00 |
| 6214.10.10 | 6214.90.00 | 6308.00.00 |
| 6214.10.20 | 6216.00.80 | |
| 6504.00.90 | 6505.00.30 | 6505.00.90 |
| 6505.00.08 | 6505.00.40 | 6506.99.30 |
| 6505.00.15 | 6505.00.50 | 6506.99.60 |
| 6505.00.20 | 6505.00.60 | |
| 6505.00.25 | 6505.00.80 | |

*(iv) the President determines, after receiving the advice of the United States International Trade Commission in accordance with section 503(e) of the Trade Act of 1974 (19 U.S.C. 2463(e)), that the article is not import-sensitive in the context of imports from Nepal; and*

*(v) subject to subparagraph (C), the sum of the cost or value of the materials produced in, and the direct costs of processing operations performed in, Nepal or the customs territory of the United States is not less than 35 percent of the appraised value of the article at the time it is entered.*

*(B) EXCLUSIONS.—An article shall not be treated as the growth, product, or manufacture of Nepal for purposes of subparagraph (A)(i)(I) by virtue of having merely undergone—*

*(i) simple combining or packaging operations; or*

*(ii) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.*

*(C) LIMITATION ON UNITED STATES COST.—For purposes of subparagraph (A)(v), the cost or value of materials produced in, and the direct costs of processing operations performed in, the customs territory of the United States and attributed to the 35-percent requirement under that subparagraph may not exceed 15 percent of the appraised value of the article at the time it is entered.*

*(3) VERIFICATION WITH RESPECT TO TRANSSHIPMENT FOR TEXTILE AND APPAREL ARTICLES.—*

*(A) IN GENERAL.—Not later than January 1, April 1, July 1, and October 1 of each calendar year, the Commissioner shall verify that textile and apparel articles imported from Nepal to which preferential treatment is extended under this section are not being unlawfully transshipped into the United States.*

*(B) REPORT TO PRESIDENT.—If the Commissioner determines under subparagraph (A) that textile and apparel articles imported from Nepal to which preferential treatment is extended under this section are being unlawfully transshipped into the United States, the Commissioner shall report that determination to the President.*

*(d) TRADE FACILITATION AND CAPACITY BUILDING.—*

*(1) FINDINGS.—Congress makes the following findings:*

*(A) As a land-locked least-developed country, Nepal has severe challenges reaching markets and developing capacity to export goods. As of 2015, exports from Nepal are approximately $800,000,000 per year, with India the major market at $450,000,000 annually. The United States imports about $80,000,000 worth of goods from Nepal, or 10 percent of the total goods exported from Nepal.*

*(B) The World Bank has found evidence that the overall export competitiveness of Nepal has been declining since 2005. Indices compiled by the World Bank and the Organization for Economic Co-operation and Development found that export costs in Nepal are high with respect to both air cargo and container shipments relative to other low-income countries. Such indices also identify particular weaknesses in Nepal with respect to automation of customs and other trade functions, involvement of local exporters and importers in preparing regulations and trade rules, and export finance.*

*(C) Implementation by Nepal of the Agreement on Trade Facilitation of the World Trade Organization could directly address some of the weaknesses described in subparagraph (B).*

*(2) ESTABLISHMENT OF TRADE FACILITATION AND CAPACITY BUILDING PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the President shall, in consultation with the Government of Nepal, establish a trade facilitation and capacity building program for Nepal—*

*(A) to enhance the central export promotion agency of Nepal to support successful exporters and to build awareness among potential exporters in Nepal about opportunities abroad and ways to manage trade documentation and regulations in the United States and other countries;*

*(B) to provide export finance training for financial institutions in Nepal and the Government of Nepal;*

*(C) to assist the Government of Nepal in maintaining publication on the Internet of all trade regulations, forms for exporters and importers, tax and tariff rates, and other documentation relating to exporting goods and developing a robust public-private dialogue, through its National Trade Facilitation Committee, for Nepal to identify timelines for implementation of key reforms and solutions, as provided for under the Agreement on Trade Facilitation of the World Trade Organization; and*

*(D) to increase access to guides for importers and exporters, through publication of such guides on the Internet, including rules and documentation for United States tariff preference programs.*

*(e) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall monitor, review, and report to Congress on the implementation of this section, the compliance of Nepal with subsection (b)(1), and the trade and investment policy of the United States with respect to Nepal.*

*(f) TERMINATION OF PREFERENTIAL TREATMENT.—No preferential treatment extended under this section shall remain in effect after December 31, 2025.*

*(g) EFFECTIVE DATE.—The provisions of this section shall take effect on the date that is 30 days after the date of the enactment of this Act.*

***SEC. 916. AGREEMENT BY ASIA-PACIFIC ECONOMIC COOPERATION MEMBERS TO REDUCE RATES OF DUTY ON CERTAIN ENVIRONMENTAL GOODS.***

*Section 107 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4206) is amended by adding at the end the following:*

*''(c) AGREEMENT BY ASIA-PACIFIC ECONOMIC COOPERATION MEMBERS TO REDUCE RATES OF DUTY ON CERTAIN ENVIRONMENTAL GOODS.—Notwithstanding the notification requirement described in section 103(a)(2), the President may exercise the proclamation authority provided for in section 103(a)(1)(B) to implement an agreement by members of the Asia-Pacific Economic Cooperation (APEC) to reduce any rate of duty on certain environmental goods included in Annex C of the APEC Leaders Declaration issued on September 9, 2012, if (and only if) the President, as soon as feasible after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and before exercising proclamation authority under section 103(a)(1)(B), notifies Congress of the negotiations relating to the agreement and the specific United States objectives in the negotiations.''.*

***SEC. 917. AMENDMENT TO TARIFF ACT OF 1930 TO REQUIRE COUNTRY OF ORIGIN MARKING OF CERTAIN CASTINGS.***

*(a) IN GENERAL.—Section 304(e) of the Tariff Act of 1930 (19 U.S.C. 1304(e)) is amended—*

*(1) in the subsection heading, by striking ''MANHOLE RINGS OR FRAMES, COVERS, AND ASSEMBLIES THEREOF'' and inserting ''CASTINGS'';*

*(2) by inserting ''inlet frames, tree and trench grates, lampposts, lamppost bases, cast utility poles, bollards, hydrants, utility boxes,'' before ''manhole rings,''; and*

*(3) by adding at the end before the period the following: ''in a location such that it will remain visible after installation''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to the importation of castings described in such amendments on or after the date that is 180 days after such date of enactment.*

***SEC. 918. INCLUSION OF CERTAIN INFORMATION IN SUBMISSION OF NOMINATION FOR APPOINTMENT AS DEPUTY UNITED STATES TRADE REPRESENTATIVE.***

*Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended by adding at the end the following:*

*''(5)(A) When the President submits to the Senate for its advice and consent a nomination of an individual for appointment as a Deputy United States Trade Representative under paragraph (2), the President shall include in that submission information on the country, regional offices, and functions of the Office of the United States Trade Representative with respect to which that individual will have responsibility.*

*''(B) The President shall notify the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate not less than 30 days prior to making any change to the responsibilities of any Deputy United States Trade Representative included in a submission under subparagraph (A), including the reason for that change.''.*

***SEC. 919. SENSE OF CONGRESS ON THE NEED FOR A MISCELLANEOUS TARIFF BILL PROCESS.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) As of the date of the enactment of this Act, the Harmonized Tariff Schedule of the United States imposes duties on imported goods for which there is no domestic availability or insufficient domestic availability.*

*(2) The imposition of duties on such goods creates artificial distortions in the economy of the United States that negatively affect United States manufacturers and consumers.*

*(3) It would be in the interests of the United States if the Harmonized Tariff Schedule were updated regularly and predictably to eliminate such artificial distortions by suspending or reducing duties on such goods.*

*(4) The manufacturing competitiveness of the United States around the world would be enhanced if the Harmonized Tariff Schedule were updated regularly and predictably to suspend or reduce duties on such goods.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that, to remove the competitive disadvantage to United States manufacturers and consumers resulting from the imposition of such duties and to promote the competitiveness of United States manufacturers, the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives are urged to advance, as soon as possible, after consultation with the public and Members of the Senate and the House of Representatives, a regular and predictable legislative process for the temporary suspension and reduction of duties that is consistent with the rules of the Senate and the House.*

***SEC. 920. CUSTOMS USER FEES.***

*(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—*

*(1) in subparagraph (A), by striking ''July 7, 2025'' and inserting ''September 30, 2025''; and*

*(2) by striking subparagraph (D).*

*(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 19 U.S.C. 3805 note) is amended—*

*(1) by striking ''June 30, 2025'' and inserting ''September 30, 2025''; and*

*(2) by striking subsection (c).*

***SEC. 921. INCREASE IN PENALTY FOR FAILURE TO FILE RETURN OF TAX.***

*(a) IN GENERAL.—Section 6651(a) of the Internal Revenue Code of 1986 is amended by striking ''$135'' in the last sentence and inserting ''$205''.*

*(b) CONFORMING AMENDMENT.—Section 6651(i) of such Code is amended by striking ''$135'' and inserting ''$205''.*

*(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed in calendar years after 2015.*

***SEC. 922. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND ON MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.***

*(a) PERMANENT MORATORIUM.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''during the period beginning November 1, 2003, and ending October 1, 2015''.*

*(b) TEMPORARY EXTENSION.—Section 1104(a)(2)(A) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''October 1, 2015'' and inserting ''June 30, 2020''.*

And the House agree to the same.

KEVIN BRADY,
DAVID REICHERT,
PAT TIBERI,
*Managers on the Part of the House.*

ORRIN HATCH,
JOHN CORNYN,
JOHN THUNE,
JOHNNY ISAKSON,
RON WYDEN,
DEBBIE STABENOW,
*Managers on the Part of the Senate.*

When said conference report was considered.

After debate,

Pursuant to House Resolution 560, the previous question was ordered on the conference report to its adoption or rejection.

Mr. DOGGETT moved to recommit the conference report on H.R. 644 to the committee of conference with instructions for the managers on the part of the House to —

(1) disagree to subsections (b) and (e) of section 914 of the conference substitute recommended by the committee of conference; and

(2) insist on sections 701 through 706 of the Senate amendment to the bill as passed the House.

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said conference report?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the noes had it.

Mr. DOGGETT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, and the previous order of the House, announced that further proceedings on the question were postponed.

¶153.9 AMENDMENTS OF THE SENATE TO H.R. 2250

Mr. ROGERS of Kentucky, pursuant to House Resolution 560, the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

*That the Continuing Appropriations Act, 2016 (Public Law 114–53) is amended by striking the date specified in section 106(3) and inserting ''December 16, 2015''.*

*This Act may be cited as the ''Further Continuing Appropriations Act, 2016''.*

Amend the title so as to read: ''Further Continuing Appropriations Act, 2016''.

Mr. ROGERS of Kentucky, pursuant to House Resolution 560, moved to agree to the amendments of the Senate.

After debate,

Pursuant to House Resolution 560, the previous question was ordered on the motion.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶153.10 CONFERENCE REPORT TO H.R. 644—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, and the previous order of the House, announced the unfinished business to be the question of agreeing to the motion to recommit the conference report to the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes.

The question being put,

Will the House recommit said conference report?

The vote was taken by electronic device.

It was decided in the negative { Yeas ..... 172 / Nays ..... 239

¶153.11 [Roll No. 692]

YEAS—172

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

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Beyer
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Blumenauer
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte

Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—22

Aguilar
Bishop (UT)
Boyle, Brendan F.
DeFazio
Fincher
Gallego
Green, Gene
Guinta
Harper
Jenkins (KS)
Johnson, Sam
Kildee
Kuster
Meadows
Nolan
Pompeo
Sanchez, Loretta
Schrader
Schweikert
Sessions
Stivers
Westmoreland

So the motion to recommit said conference report was not agreed to.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. HULTGREN, announced that ayes had it.

Mr. LEVIN demanded a recorded vote on agreeing to said conference report, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 256 Noes ..... 158

¶153.12 [Roll No. 693]

AYES—256

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

NOES—158

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

NOT VOTING—19

Aguilar
Boyle, Brendan F.
DeFazio
Fincher
Green, Gene
Harper
Jenkins (KS)
Johnson, Sam
Kildee
Kuster
Meadows
Nolan
Pompeo
Sanchez, Loretta
Schrader
Schweikert
Sessions
Stivers
Westmoreland

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶153.13 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, December 10, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

So the Journal was approved.

¶153.14 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. HULTGREN, laid before the House the following communication from Ms. SPEIER:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, December 11, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena issued in connection with court-martial proceedings.

After consultation with the Office of General Counsel regarding the subpoena, I will

make the determinations required under Rule VIII.

Sincerely,

JACKIE SPEIER,
*Member of Congress.*

¶153.15 ADJOURNMENT OVER

On motion of Mr. MCCARTHY, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet at noon on Tuesday, December 15, 2015, for morning-hour debate and 2 p.m. for legislative business.

¶153.16 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 209. An Act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes; to the Committee on Natural Resources; in addition, to the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 993. An Act to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems; to the Committee on the Judiciary.

¶153.17 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2250. An Act Further Continuing Appropriations Act, 2016.

H.R. 2693. An Act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

¶153.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DEFAZIO, for today;

To Mr. Gene GREEN of Texas, for today; and

To Mr. WESTMORELAND, for today.

And then,

¶153.19 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 2 o'clock and 22 minutes p.m., the House adjourned until noon on Tuesday, December 15, 2015.

¶153.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ZELDIN:

H.R. 4237. A bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of explosives licenses to known or suspected terrorists, and for other purposes; to the Committee on the Judiciary.

By Ms. MENG (for herself, Mr. ROYCE, Mr. BECERRA, Mr. BERA, Ms. BORDALLO, Mr. CÁRDENAS, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. CROWLEY, Ms. DUCKWORTH, Mr. ENGEL, Ms. ESHOO, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HONDA, Ms. LEE, Mr. TED LIEU of California, Ms. MATSUI, Mr. MCDERMOTT, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. TAKAI, Mr. TAKANO, Ms. VELÁZQUEZ, Ms. TITUS, Ms. GABBARD, Mr. SABLAN, and Mr. SWALWELL of California):

H.R. 4238. A bill to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself, Mr. HURD of Texas, Mr. SWALWELL of California, Mr. KATKO, Ms. MCSALLY, Mr. LOUDERMILK, and Mr. RATCLIFFE):

H.R. 4239. A bill to require intelligence community reporting on foreign fighter flows to and from terrorist safe havens abroad, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Ms. JACKSON LEE (for herself, Mr. RATCLIFFE, and Mr. CONYERS):

H.R. 4240. A bill to require an independent review of the operation and administration of the Terrorist Screening Database (TSDB) maintained by the Federal Bureau of Investigation and subsets of the TSDB, and for other purposes; to the Committee on the Judiciary.

By Mr. MARINO (for himself, Ms. JUDY CHU of California, and Mrs. COMSTOCK):

H.R. 4241. A bill to establish the United States Copyright Office as an agency in the legislative branch, and for other purposes; to the Committee on the Judiciary.

By Ms. MAXINE WATERS of California:

H.R. 4242. A bill to strengthen the Federal statutes designed to deter money laundering and terrorism financing, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself, Mr. NEWHOUSE, and Mr. REICHERT):

H.R. 4243. A bill to improve Federal disaster relief and emergency assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PERRY:

H.R. 4244. A bill to prohibit the admission of certain aliens as refugees until the costs of admission and resettlement of such refugees have been addressed, and for other purposes; to the Committee on the Judiciary.

By Ms. PINGREE (for herself and Mr. POLIQUIN):

H.R. 4245. A bill to exempt importation and exportation of sea urchins and sea cucumbers from licensing requirements under the Endangered Species Act of 1973; to the Committee on Natural Resources, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Mr. SCHRADER, Mr. DUNCAN of Tennessee, Mrs. HARTZLER, Mr. JODY B. HICE of Georgia, Mr. ABRAHAM, Mr. HARPER, Mr. KELLY of Mississippi, and Mr. COSTA):

H. Con. Res. 101. Concurrent resolution supporting the Association of American Veterinary Medical Colleges (AAVMC) and recognizing 50 years of organized academic veterinary medicine in the United States; to the Committee on Agriculture.

By Mr. LAMBORN (for himself, Mr. FORBES, Mrs. HARTZLER, Mr. GOODLATTE, Mr. MILLER of Florida, Mr. ADERHOLT, Mr. FLORES, Mr. FLEMING, Mr. HUELSKAMP, Mr. NEUGEBAUER, Mr. WALKER, Mr. KING of Iowa, Mr. BABIN, Mr. GROTHMAN, Mr. TIPTON, Mr. JORDAN, Mr. ROE of Tennessee, Mr. ZINKE, Mr. WALBERG, Mr. WEBER of Texas, Mr. WENSTRUP, Mr. FRANKS of Arizona, Mr. LAMALFA, Mr. PEARCE, Mr. COLE, Mr. FLEISCHMANN, Mr. HULTGREN, Mr. BARR, Mr. GIBBS, Mr. ROKITA, Mr. FORTENBERRY, Mr. KELLY of Mississippi, Mr. HARPER, Mr. ALLEN, Mr. AUSTIN SCOTT of Georgia, and Mr. YOHO):

H. Res. 564. A resolution expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected for use by those who celebrate Christmas; to the Committee on Oversight and Government Reform.

¶153.21 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 228: Mr. PERLMUTTER.
H.R. 383: Mr. SESSIONS.
H.R. 470: Mr. ALLEN.
H.R. 592: Mr. RIGELL.
H.R. 721: Mrs. NAPOLITANO.
H.R. 745: Mr. SCHRADER.
H.R. 775: Mr. GOSAR and Mr. PERLMUTTER.
H.R. 814: Mr. JOHNSON of Ohio.
H.R. 822: Mrs. HARTZLER.
H.R. 911: Mr. BEYER, Mr. CULBERSON, Mr. SALMON, and Mr. BILIRAKIS.
H.R. 985: Mr. NUNES and Mrs. COMSTOCK.
H.R. 986: Mr. MARCHANT.
H.R. 997: Mr. AUSTIN SCOTT of Georgia.
H.R. 1076: Mr. KEATING.
H.R. 1142: Mr. RODNEY DAVIS of Illinois.
H.R. 1174: Ms. PLASKETT, Mr. GRIJALVA, Mrs. BROOKS of Indiana, Mr. POSEY, and Mr. VEASEY.
H.R. 1197: Mr. BUTTERFIELD, Mr. WILSON of South Carolina, and Mr. VEASEY.
H.R. 1217: Mrs. BUSTOS.
H.R. 1218: Mr. BRADY of Pennsylvania.
H.R. 1258: Mr. BERA.
H.R. 1274: Mr. TONKO.
H.R. 1288: Mr. RUIZ.
H.R. 1342: Mr. CRAMER, Ms. WILSON of Florida, Mr. ROTHFUS, Mr. BISHOP of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. WATSON COLEMAN, Mr. ASHFORD, and Mr. DOLD.
H.R. 1399: Mr. GIBSON and Ms. MOORE.
H.R. 1457: Mr. SCHIFF.
H.R. 1460: Ms. BROWN of Florida, Ms. DELBENE, Mr. HIGGINS, Mr. LARSON of Connecticut, Mr. LOEBSACK, Mr. LYNCH, Ms. MATSUI, Mr. NOLAN, Ms. ROYBAL-ALLARD, Mr. SCOTT of Virginia, Mr. SERRANO, and Mr. SHERMAN.
H.R. 1475: Ms. BROWN of Florida and Mr. BILIRAKIS.
H.R. 1571: Mrs. NAPOLITANO and Mr. CARSON of Indiana.
H.R. 1748: Mr. HONDA and Mr. ROYCE.
H.R. 1786: Mr. KLINE and Mr. CLAWSON of Florida.
H.R. 2003: Mr. DOLD.
H.R. 2036: Mr. BRIDENSTINE.
H.R. 2050: Mr. AMODEI and Mr. HECK of Washington.
H.R. 2058: Mr. ZINKE.

H.R. 2067: Mr. MASSIE.
H.R. 2070: Mr. SESSIONS.
H.R. 2072: Ms. EDWARDS.
H.R. 2124: Ms. CLARKE of New York, Mr. QUIGLEY, Mr. FATTAH, Mr. PAYNE, Mr. NEAL, Mr. KEATING, and Mr. SERRANO.
H.R. 2125: Ms. LEE.
H.R. 2142: Ms. BONAMICI.
H.R. 2144: Mrs. COMSTOCK.
H.R. 2205: Mr. COLLINS of New York, Mr. FORTENBERRY, and Mr. MOULTON.
H.R. 2293: Mr. DESJARLAIS, Mr. BILIRAKIS, Mr. NOLAN, and Mr. BERA.
H.R. 2302: Ms. BASS and Mr. RICHMOND.
H.R. 2311: Mr. ROTHFUS.
H.R. 2380: Mr. TAKAI.
H.R. 2412: Miss RICE of New York and Mr. MURPHY of Florida.
H.R. 2493: Ms. EDWARDS and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2540: Mr. TAKANO.
H.R. 2612: Mr. ISRAEL.
H.R. 2624: Ms. SCHAKOWSKY.
H.R. 2680: Mr. BEYER.
H.R. 2698: Mr. BARLETTA.
H.R. 2739: Mrs. COMSTOCK and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2789: Mr. THORNBERRY.
H.R. 2880: Mr. ALLEN, Mr. AUSTIN SCOTT of Georgia, and Mr. SCHIFF.
H.R. 2896: Mr. THORNBERRY, Mr. LUCAS, and Mr. JOHNSON of Ohio.
H.R. 2903: Mr. PALAZZO.
H.R. 2916: Mr. TAKAI.
H.R. 2917: Ms. TSONGAS.
H.R. 2984: Mr. COURTNEY.
H.R. 3024: Ms. MCCOLLUM.
H.R. 3036: Mr. DIAZ-BALART, Mr. TONKO, Mr. BISHOP of Michigan, Mr. MOONEY of West Virginia, Mr. DENT, Mr. SMITH of New Jersey, Mr. JOYCE, Mr. HUDSON, and Mr. THORNBERRY.
H.R. 3040: Mr. WILSON of South Carolina.
H.R. 3136: Mr. GIBSON.
H.R. 3151: Mr. MASSIE, Mr. DESJARLAIS, Mr. DESANTIS, and Mr. BUCK.
H.R. 3222: Mr. ROTHFUS and Mr. STUTZMAN.
H.R. 3268: Mr. LAHOOD.
H.R. 3299: Mr. BURGESS.
H.R. 3314: Mrs. BLACKBURN.
H.R. 3323: Mr. WHITFIELD.
H.R. 3326: Mr. MOOLENAAR.
H.R. 3364: Ms. CLARK of Massachusetts.
H.R. 3381: Ms. VELÁZQUEZ, Mr. MURPHY of Florida, and Mr. DONOVAN.
H.R. 3411: Ms. JUDY CHU of California, Ms. ESHOO, Mr. HASTINGS, and Mr. TAKAI.
H.R. 3437: Mr. CARTER of Georgia.
H.R. 3463: Mr. JOHNSON of Ohio.
H.R. 3513: Mr. DESAULNIER and Mr. COHEN.
H.R. 3516: Mr. LAHOOD.
H.R. 3520: Mr. ROTHFUS.
H.R. 3558: Mr. WEBSTER of Florida.
H.R. 3662: Mr. GIBSON.
H.R. 3666: Mr. PERLMUTTER.
H.R. 3694: Mr. JOHNSON of Ohio.
H.R. 3734: Mr. GOSAR.
H.R. 3756: Ms. BONAMICI.
H.R. 3799: Mr. GRAVES of Georgia.
H.R. 3808: Mr. POLIQUIN and Mr. DOLD.
H.R. 3858: Mr. JOHNSON of Ohio.
H.R. 3885: Ms. BORDALLO.
H.R. 3917: Ms. MATSUI and Mr. BRADY of Pennsylvania.
H.R. 3926: Mr. SCOTT of Virginia, Mr. AGUILAR, and Mr. GUTIÉRREZ.
H.R. 3940: Mr. BOUSTANY, Mr. ZINKE, Mr. JOHNSON of Ohio, Mr. RIGELL, and Mr. DOLD.
H.R. 3952: Mrs. BLACKBURN and Mr. BUCSHON.
H.R. 3961: Ms. LOFGREN.
H.R. 3970: Mr. STIVERS, Ms. NORTON, Ms. JACKSON LEE, Mr. BRADY of Pennsylvania, Mr. HASTINGS, Mr. VARGAS, Mr. MCGOVERN, and Mr. DESAULNIER.
H.R. 3991: Mr. GRIJALVA.
H.R. 4000: Mr. JOHNSON of Ohio.
H.R. 4007: Mr. COLLINS of Georgia.
H.R. 4012: Mr. GARAMENDI.
H.R. 4027: Mr. BEYER.
H.R. 4043: Ms. WILSON of Florida.
H.R. 4055: Ms. MCCOLLUM, Ms. JACKSON LEE, and Ms. BASS.
H.R. 4057: Ms. LOFGREN.
H.R. 4062: Mr. ROSKAM and Mr. BOUSTANY.
H.R. 4085: Mr. CONNOLLY, Mr. KIND, Ms. ESHOO, and Mr. JOHNSON of Ohio.
H.R. 4112: Mr. SESSIONS.
H.R. 4113: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4144: Mr. MCGOVERN, Mr. HIGGINS, Mr. CARTWRIGHT, Mr. VAN HOLLEN, and Mr. TAKAI.
H.R. 4171: Ms. NORTON and Miss RICE of New York.
H.R. 4172: Mr. DOLD.
H.R. 4177: Mr. LAHOOD.
H.R. 4183: Mrs. COMSTOCK.
H.R. 4185: Mr. COLLINS of Georgia, Mr. BILIRAKIS, Mr. BISHOP of Georgia, Mr. MARCHANT, Mr. WELCH, Mr. CARTER of Georgia, Mr. JOHNSON of Ohio, Mr. BARR, Mr. BROOKS of Alabama, and Mr. DAVID SCOTT of Georgia.
H.R. 4186: Mr. COSTELLO of Pennsylvania.
H. Con. Res. 19: Mr. FITZPATRICK, Mr. HUIZENGA of Michigan, Mr. POLIS, and Mrs. COMSTOCK.
H. Con. Res. 75: Mr. POSEY and Mr. FITZPATRICK.
H. Res. 207: Mr. TROTT and Mr. KILMER.
H. Res. 214: Mr. KILDEE.
H. Res. 393: Mrs. KIRKPATRICK.
H. Res. 435: Mr. RUSSELL.
H. Res. 451: Mrs. MILLER of Michigan and Mrs. ELLMERS of North Carolina.
H. Res. 454: Mr. GIBSON.
H. Res. 469: Mr. TROTT, Mr. LAMBORN, Mr. JOHNSON of Ohio, and Mr. BARR.
H. Res. 536: Mrs. TORRES.
H. Res. 540: Mr. HASTINGS.
H. Res. 559: Mr. JOHNSON of Ohio and Mr. REICHERT.
H. Res. 561: Miss RICE of New York.

### ¶153.22 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1301: Mr. ZINKE.

## TUESDAY, DECEMBER 15, 2015 (154)

### ¶154.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. KELLY of Mississippi, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
*December 15, 2015.*

I hereby appoint the Honorable TRENT KELLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker.*

Whereupon, pursuant to the order of the House of January 6, 2015, Members were recognized for morning-hour debate.

### ¶154.2 RECESS—12:25 P.M.

The SPEAKER pro tempore, Mr. KELLY of Mississippi, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 25 minutes p.m., until 2 p.m.

### ¶154.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. WALKER, called the House to order.

### ¶154.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WALKER, announced he had examined and approved the Journal of the proceedings of Friday, December 11, 2015.

Mr. WILSON of South Carolina, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. WALKER, announced that the ayes had it.

Mr. WILSON of South Carolina, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. WALKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

### ¶154.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3764. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Area Risk Protection Insurance (ARPI) Regulations; ARPI Basic Provisions and ARPI Forage Crop Insurance Provisions [Docket No.: FCIC-15-0003] (RIN: 0563-AC49) received December 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3765. A letter from the OSD Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's Major interim final rule — Transition Assistance Program (TAP) for Military Personnel [Docket ID: DOD-2013-OS-0236] (RIN: 0790-AJ17) received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

3766. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Homeless Emergency Assistance and Rapid Transition to Housing: Defining ''Chronically Homeless'' [Docket No.: FR-5809-F-01] (RIN: 2506-AC37) received December 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3767. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of the General Counsel, Department of Energy, transmitting the Department's final determination — Energy Conservation Program: Energy Conservation Standards for High-Intensity Discharge Lamps [Docket No.: EERE-2010-BT-STD-0043] (RIN: 1904-AC36) received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3768. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Transmission Operations Reliability Standards and Interconnection Reliability Operations and Coordination Reliability Standards [Docket No.: RM15-16-000; Order No.: 817] received December 10, 2015, pursuant to 5

U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3769. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revisions to Emergency Operations Reliability Standards; Revisions to Undervoltage Load Shedding Reliability Standards; Revisions to the Definition of ''Remedial Action Scheme'' and Related Reliability Standards [Docket Nos.: RM15-7-000, RM15-12-000, RM15-13-000; Order No.: 818] received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3770. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Ultimate Heat Sink for Nuclear Power Plants, Regulatory Guide 1.27 Revision 3, received December 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3771. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing Activities in the Northwest Training and Testing Study Area [Docket No.: 140109018-5999-02] (RIN: 0648-BD89) received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

### ¶154.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WALKER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 15, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 15, 2015 at 9:29 a.m.:

That the Senate passed H.R. 2270.

That the Senate passed S. 2044.

Appointment:

United States-China Economic Security Review Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

### ¶154.7 HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore, Mr. WALKER, pursuant to 36 United States Code 2302, and the order of the House of January 6, 2015, announced that the Speaker appointed the following Members on the part of the House to the United States Holocaust Memorial Council: Messrs. ISRAEL and DEUTCH.

*Ordered,* That the Clerk notify the Senate of the foregoing appointments.

### ¶154.8 RECESS—2:05 P.M.

The SPEAKER pro tempore, Mr. WALKER, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 5 minutes p.m., until approximately 4 p.m.

### ¶154.9 AFTER RECESS—4 P.M.

The SPEAKER pro tempore, Mr. COLLINS of New York, called the House to order.

### ¶154.10 COMBAT TERRORIST USE OF SOCIAL MEDIA

Mr. ROYCE moved to suspend the rules and pass the bill (H.R. 3654) to require a report on United States strategy to combat terrorist use of social media, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. ROYCE and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. COLLINS of New York, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, December 16, 2015.

The point of no quorum was considered as withdrawn.

### ¶154.11 FREEDOM OF THE PRESS IN LATIN AMERICA AND THE CARIBBEAN

Mr. ROYCE moved to suspend the rules and agree to the following resolution (H. Res. 536); as amended:

Whereas despite the strong tradition of independent and critical media in many countries in Latin America and the Caribbean, journalists in some countries are becoming increasingly vulnerable to violence and government harassment;

Whereas, on July 29, 2015, the Western Hemisphere Subcommittee convened a hearing titled ''Threats to Press Freedom in the Americas'' and Carlos Lauria, Senior Americas Program Coordinator at the Committee to Protect Journalists stated that ''Scores of journalists have been killed and disappeared. Media outlets have been bombed and forced into censorship. . . . Censorship due to violence in Latin America has reached one of its highest points since most of the region was dominated by military rule more than three decades ago.'';

Whereas in 2014, Cuban authorities detained 1,817 members of civil society, 31 of whom were independent journalists;

Whereas in Cuba, independent journalists face sustained harassment, including detention and physical abuse from the Castro regime;

Whereas in Ecuador, in September 2015, the government took steps to close the sole press freedom monitoring organization, Fundamedios, for exceeding its corporate charter, but the government relented in the face of international criticism and potential economic reprisals;

Whereas in the country, forced corrections by the government have become a means of institutional censorship;

Whereas according to the Committee to Protect Journalists, Mexico is one of the most dangerous countries in the world for the press;

Whereas in Mexico, over 50 journalists have been killed or have disappeared since 2007, at least 11 reporters have been killed since 2011, 4 of them in direct reprisal for their work;

Whereas according to the Committee to Protect Journalists, at least 4 journalists have been killed in Brazil in 2015, many times after being tortured and having their bodies mutilated;

Whereas Evany José Metzker, a political blogger in the state of Minas Gerais who had been investigating a child prostitution ring, was found decapitated outside the town of Padre Paraíso;

Whereas according to the Organization of American States (OAS) 2014 Annual Report of the Inter-American Commission on Human rights, journalists covering protests in Venezuela were subject to assaults, obstruction, detention, raids, threats, censorship orders, and confiscation or destruction of equipment;

Whereas, on April 21, 2015, a lawsuit within the 29th District Tribunal of the Metropolitan area of Caracas charged the journal El Nacional and its Chief Editor Miguel Henrique Otero for ''reproducing false information'' and was forced to flee Venezuela;

Whereas the Honduran national human rights commissioner reported that 8 journalists and social communicators were killed as of September, compared with 3 in 2013, and dozens of cases in which journalists reported being victims of threats and persecution;

Whereas according to the OAS 2014 Annual Report of the Inter-American Commission on Human Rights Members of the media and nongovernmental organizations (NGOs) stated the press ''self-censored'' due to fear of reprisal from organized crime or corrupt government officials;

Whereas in Colombia, there were 98 incidents of violence and harassment against journalists, 30 were physically attacked, and 45 were victims of harassment or intimidation due to their reporting;

Whereas members of illegal armed groups sought to inhibit freedom of expression by intimidating, threatening, kidnapping, and killing journalists;

Whereas national and international NGOs reported that local media representatives regularly practiced self-censorship because of threats of violence from these groups;

Whereas according to the OAS 2014 Annual Report of the Inter-American Commission on Human rights, throughout 2014, Guatemala presented accounts of cases of harassment and the filing of several criminal complaints against a newspaper that criticized the Administration;

Whereas according to the Department of State's Country Reports on Human Rights Practices for 2014 in Nicaragua, the government continued to use direct and indirect means to pressure and seek to close independent radio stations, allegedly for political reasons;

Whereas according to the Department of State's Country Reports on Human Rights Practices for 2014 in Argentina, a survey released of 830 journalists throughout the country indicated 53 percent of respondents worked for a media outlet that self-censored content; and

Whereas almost half the journalists surveyed said they self-censored in their reporting on the national government: Now, therefore, be it

*Resolved,* That the House of Representatives—

(1) supports a free press in Latin America and the Caribbean and condemns violations of press freedom and violence against journalists;

(2) urges countries in the region to implement recommendations from the Organization of American States' Office of the Special Rapporteur for Freedom of Expression to its Member States;

(3) urges countries in Latin America and the Caribbean to be vocal in condemning violations of press freedom, violence against journalists, and the culture of impunity that leads to self-censorship;

(4) urges countries in the Western Hemisphere to uphold the principles outlined in the Inter-American Democratic Charter and urges their neighbors in the region to stand by the charter they are a party to; and

(5) urges the United States Agency for International Development and the Department of State to assist, when appropriate, the media in closed societies to promote an open and free press.

The SPEAKER pro tempore, Mr. COLLINS of New York, recognized Mr. ROYCE and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. COLLINS of New York, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. COLLINS of New York, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶154.12 RECESS—4:45 P.M.

The SPEAKER pro tempore, Mr. COLLINS of New York, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock and 45 minutes p.m., until approximately 6:30 p.m.

¶154.13 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. WOODALL, called the House to order.

¶154.14 H. RES. 536—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 536) supporting freedom of the press in Latin America and the Caribbean and condemning violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 399 Nays ..... 2

¶154.15 [Roll No. 694]

YEAS—399

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Neugebauer
Newhouse
Nolan
Norcross
Nugent
Nunes
O'Rourke
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Jones
Massie

NOT VOTING—32

Bridenstine
Brownley (CA)
Cuellar
DeGette
DeSantis
Deutch
Duffy
Granger
Grijalva
Heck (NV)
Herrera Beutler
Issa
Kennedy
Kildee
Labrador
Lamborn
Lipinski
Lummis
Marchant
Moore
Mulvaney
Napolitano
Noem
Olson
Ratcliffe
Rohrabacher
Rush
Simpson
Slaughter
Stivers
Thompson (CA)
Valadao

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶154.16 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GROTHMAN, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Friday, December 11, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. GROTHMAN, announced that the ayes had it.

So the Journal was approved.

¶154.17 CONVENING OF THE SECOND SESSION OF THE 114TH CONGRESS

Mr. MCCARTHY, by unanimous consent, submitted the joint resolution (H.J. Res. 76) appointing the day for the convening of the second session of the One Hundred Fourteenth Congress.

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said joint resolution.

¶154.18 JOINT SESSION TO RECEIVE THE PRESIDENT

Mr. MCCARTHY submitted the following privileged concurrent resolution (H. Con. Res. 102):

*Resolved by the House of Representatives (the Senate concurring)*, That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 12, 2016, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶154.19 HOUR OF MEETING

On motion of Mr. MCCARTHY, by unanimous consent,

*Ordered,* That when the House adjourns today, it adjourn to meet at 9 a.m. on Wednesday, December 16, 2015.

¶154.20 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2044. An Act to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes; to the Committee on Energy and Commerce.

¶154.21 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 808. An Act to establish the Surface Transportation Board as an independent establishment, and for other purposes.

¶154.22 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 11, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 2250. An Act Further Continuing Appropriations Act, 2016.

H.R. 2693. An Act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

¶154.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CUELLAR, for today.

And then,

¶154.24 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 7 o'clock and 51 minutes p.m., the House adjourned until 9 a.m. on Wednesday, December 16, 2015.

¶154.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 3878. A bill to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes; with an amendment (Rept. 114–379, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2285. A bill to improve enforcement against trafficking in cultural property and prevent stolen or illicit cultural property from financing terrorist and criminal networks, and for other purposes; with an amendment (Rept. 114–380, Pt. 1). Ordered to be printed.

Mr. DENT: Committee on Ethics. In the Matter of Allegations Relating to Representative Jared Polis (Rept. 114–381). Referred to the House Calendar.

¶154.26 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 3878 referred to the Committee of the Whole House on the state of the Union.

¶154.27 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COHEN (for himself, Mr. NADLER, Mr. ROHRABACHER, and Mr. FORBES):

H.R. 4246. A bill to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

By Mr. CURBELO of Florida:

H.R. 4247. A bill to provide that certain Cuban entrants are ineligible to receive refugee assistance, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WESTMORELAND (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 4248. A bill to amend the Financial Stability Act to revise the reevaluation procedures with respect to determinations by the Financial Stability Oversight Council that a nonbank financial company shall be supervised by the Board of Governors and shall be subject to prudential standards; to the Committee on Financial Services.

By Mr. JOHNSON of Georgia:

H.R. 4249. A bill to provide an increased Federal capability for civil investigations and litigation, regarding alleged police, prosecutorial, or judicial misconduct, under section 210401 the Violent Crime Control and Law Enforcement Act of 1994, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENAUER:

H.R. 4250. A bill to amend the Internal Revenue Code of 1986 to extend the statute of limitation for credit or refund for taxpayers who receive combat pay; to the Committee on Ways and Means.

By Mr. COFFMAN (for himself, Mr. CARTWRIGHT, Mr. POCAN, Mr. PASCRELL, Mr. LATTA, Mr. HONDA, Ms. ESTY, Mr. NUGENT, Mr. ISRAEL, Mr. LOEBSACK, Mr. COLE, Mr. SEAN PATRICK MALONEY of New York, Ms. BROWNLEY of California, Mr. COSTA, Mr. RYAN of Ohio, Mrs. LOVE, Mr. PALAZZO, Mr. MILLER of Florida, Mr. ZINKE, Mr. BILIRAKIS, Mr. JONES, Miss RICE of New York, Mr. WALKER, Mr. BOST, Mr. KING of Iowa, Mr. ZELDIN, Mr. COSTELLO of Pennsylvania, and Mr. RUIZ):

H.R. 4251. A bill to amend title 10, United States Code, to ensure that the Secretary of Defense affords each member of a reserve component of the Armed Forces with the opportunity for a physical examination before the member separates from the Armed Forces; to the Committee on Armed Services.

By Mr. FINCHER (for himself, Mr. HECK of Washington, and Mr. STIVERS):

H.R. 4252. A bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HASTINGS (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRIJALVA, Mr. MURPHY of Florida, Mr. JOHNSON of Georgia, and Mr. VAN HOLLEN):

H.R. 4253. A bill to establish a grant program to help State and local law enforcement agencies reduce the risk of injury and death relating to the wandering characteristics of some children with autism and other disabilities; to the Committee on the Judiciary.

By Mr. KILMER:

H.R. 4254. A bill to prohibit employers from requiring grocery store employees to enter into covenants not to compete, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 4255. A bill to amend the Act commonly known as the Indian Long-Term Leasing Act to expand certain exceptions for long-term lease limits for the Pueblo of Santa Clara; to the Committee on Natural Resources.

By Mr. MURPHY of Florida:

H.R. 4256. A bill to simplify income-based repayment under the Federal student loan program, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUNES (for himself, Mr. THORNBERRY, Mr. MCCAUL, Mr. MILLER of Florida, Mr. FRELINGHUYSEN, Ms. GRANGER, Mr. KING of New York, Mr. LOBIONDO, Mr. ROONEY of Florida, Mr. HECK of Nevada, Mr. POMPEO, Mr. STEWART, Mr. TIBERI, Mr. ROSKAM, Ms. JENKINS of Kansas, Mr. MARCHANT, Mrs. BLACK, Mr. MEEHAN, Mr. DOLD, and Mr. HOLDING):

H.R. 4257. A bill to protect the American and Iranian peoples as well as the global economy from Iran's systematic abjuration of international legal standards on human and civil rights, its support for international terrorism, and the corrosive economic malfeasance of Iran's Revolutionary Guard Corps, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Rules, Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. NUNES, Mr. POMPEO, and Mr. ZELDIN):

H.R. 4258. A bill to impose sanctions against any entity with respect to which Iran's Revolutionary Guard Corps owns, directly or indirectly, a 20 percent or greater interest in the entity, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. RIBBLE, and Mr. GROTHMAN):

H.R. 4259. A bill to prohibit the Administrator of the Environmental Protection Agency from establishing, implementing, or enforcing any limit on the aggregate emissions of carbon dioxide from a State or any category or subcategory of sources within a State; to the Committee on Energy and Commerce.

By Ms. SINEMA (for herself, Mr. COSTELLO of Pennsylvania, and Mr. COFFMAN):

H.R. 4260. A bill to protect servicemembers in higher education, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Veterans' Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY:

H.J. Res. 76. A joint resolution appointing the day for the convening of the second session of the One Hundred Fourteenth Congress; considered and passed.

By Mr. DEFAZIO (for himself and Mr. JONES):

H.J. Res. 77. A joint resolution to amend the War Powers Resolution; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY:

H. Con. Res. 102. Concurrent resolution providing for a joint session of Congress to receive a message from the President; considered and agreed to.

By Mr. GALLEGO (for himself, Mr. BYRNE, Mr. LEWIS, Mr. JOHNSON of Georgia, Mr. FARR, and Mr. MCGOVERN):

H. Res. 565. A resolution supporting the peace process in Colombia; to the Committee on Foreign Affairs.

### ¶154.28 MEMORIALS

Under clause 3 of rule XII,

163. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Senate Concurrent Resolution No. 132, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

### ¶154.29 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LOEBSACK introduced a bill (H.R. 4261) for the relief of Max Villatoros; which was referred to the Committee on the Judiciary.

### ¶154.30 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 224: Mr. BRADY of Pennsylvania, Ms. WASSERMAN SCHULTZ, Mr. AL GREEN of Texas, Mr. SERRANO, Mr. COURTNEY, Mr. SMITH of Washington, Mr. CARTWRIGHT, Mr. KENNEDY, and Mr. FOSTER.

H.R. 239: Mr. MCNERNEY, Ms. VELÁZQUEZ, Mr. LYNCH, Mr. CLAY, Mrs. DAVIS of California, Mr. LEWIS, Mr. MURPHY of Florida, and Ms. LORETTA SANCHEZ of California.

H.R. 320: Mr. CARTER of Texas.

H.R. 347: Mr. STIVERS.

H.R. 379: Mr. COFFMAN and Mr. VISCLOSKY.

H.R. 448: Mr. TONKO.

H.R. 465: Mr. PEARCE and Mr. LATTA.

H.R. 539: Ms. GRAHAM, Mr. MEEKS, Mr. BRADY of Pennsylvania, Mr. QUIGLEY, Mr. RODNEY DAVIS of Illinois, and Mr. HONDA.

H.R. 556: Mr. BERA

H.R. 592: Mr. POLIQUIN.

H.R. 619: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 667: Mr. VAN HOLLEN.

H.R. 699: Mr. KIND and Mr. ROTHFUS.

H.R. 703: Mr. JODY B. HICE of Georgia.

H.R. 721: Ms. BASS.

H.R. 746: Ms. EDWARDS, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 842: Mr. YOHO, Mr. STUTZMAN, Mr. MEEKS, and Mr. ASHFORD.

H.R. 870: Mr. SEAN PATRICK MALONEY of New York.

H.R. 885: Mr. BERA.

H.R. 911: Mr. FATTAH and Mr. ROSS.

H.R. 921: Ms. BROWN of Florida.

H.R. 953: Mr. BRADY of Pennsylvania.

H.R. 969: Mr. FATTAH and Ms. TITUS.

H.R. 986: Mr. HENSARLING and Mr. MCCLINTOCK.

H.R. 990: Ms. TSONGAS.

H.R. 1076: Ms. KELLY of Illinois, Mr. CARNEY, and Mr. QUIGLEY.

H.R. 1093: Mr. JOHNSON of Ohio.

H.R. 1116: Mr. JOYCE, Mr. DENT, and Mr. ROSKAM.

H.R. 1142: Mr. COSTELLO of Pennsylvania, Mr. BERA, and Ms. FRANKEL of Florida.

H.R. 1153: Mr. CULBERSON.

H.R. 1157: Mr. RUIZ.

H.R. 1220: Mr. RUPPERSBERGER, Mr. HUNTER, and Mr. BOST.

H.R. 1258: Mr. LOWENTHAL, Mr. COURTNEY, and Mr. YODER.

H.R. 1312: Mr. WALDEN.

H.R. 1399: Ms. STEFANIK.

H.R. 1427: Mr. SERRANO.

H.R. 1453: Mr. ROKITA.

H.R. 1457: Ms. MENG and Mr. TIPTON.

H.R. 1475: Mr. KING of Iowa and Mr. GALLEGO.

H.R. 1559: Mrs. MCMORRIS RODGERS.

H.R. 1608: Mr. LYNCH.

H.R. 1692: Mr. KENNEDY.

H.R. 1726: Ms. WILSON of Florida.

H.R. 1728: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1733: Mr. TIPTON.

H.R. 1747: Ms. FRANKEL of Florida.

H.R. 1751: Ms. WILSON of Florida.

H.R. 1818: Mr. PERLMUTTER.

H.R. 1854: Mr. MEEKS.

H.R. 1877: Mr. CARSON of Indiana.

H.R. 1942: Mr. KENNEDY and Mr. LOWENTHAL.

H.R. 1964: Mr. PERLMUTTER.

H.R. 2016: Mr. KILMER and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 2017: Mr. BROOKS of Alabama.

H.R. 2023: Mr. TAKAI.

H.R. 2096: Mr. THOMPSON of California.

H.R. 2123: Mr. KING of New York.

H.R. 2138: Mr. KIND.

H.R. 2191: Mr. TED LIEU of California.

H.R. 2217: Ms. WILSON of Florida.

H.R. 2257: Mrs. NAPOLITANO.

H.R. 2278: Mr. JONES and Mr. DUNCAN of Tennessee.

H.R. 2293: Mr. CULBERSON, Mr. YODER, Mr. LOWENTHAL, Mr. COLE, and Mr. COURTNEY.

H.R. 2302: Mr. SCOTT of Virginia.

H.R. 2315: Mr. CASTRO of Texas.

H.R. 2411: Mr. LOWENTHAL, Mr. TONKO, and Ms. MOORE.

H.R. 2430: Mr. TAKANO, Mr. GRAYSON, and Mr. DANNY K. DAVIS of Illinois.

H.R. 2513: Mr. GALLEGO.

H.R. 2515: Mr. CÁRDENAS and Mr. KELLY of Pennsylvania.

H.R. 2519: Ms. SCHAKOWSKY.

H.R. 2540: Mr. BERA.

H.R. 2635: Ms. MENG.

H.R. 2646: Mr. FRELINGHUYSEN.

H.R. 2680: Mr. LOWENTHAL.

H.R. 2689: Mr. KILMER.

H.R. 2694: Ms. DELBENE.

H.R. 2713: Mr. YOUNG of Alaska.

H.R. 2716: Mr. WEBSTER of Florida.

H.R. 2726: Ms. FRANKEL of Florida.

H.R. 2737: Mr. TROTT, Mrs. WAGNER, and Ms. HAHN.

H.R. 2739: Mr. FORTENBERRY and Mr. SCHIFF.

H.R. 2759: Mr. GRIJALVA and Ms. SINEMA.

H.R. 2763: Mr. KIND.

H.R. 2775: Ms. DUCKWORTH.

H.R. 2849: Ms. EDWARDS, Mr. COFFMAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. BRADY of Pennsylvania.

H.R. 2858: Mr. LOWENTHAL and Mr. LYNCH.

H.R. 2871: Mr. ENGEL.

H.R. 2896: Mr. CONAWAY.

H.R. 2903: Mr. NEWHOUSE, Ms. SEWELL of Alabama, and Ms. SINEMA.

H.R. 3040: Mr. PERLMUTTER.

H.R. 3051: Ms. FUDGE, Mr. CLEAVER, Ms. KELLY of Illinois, Ms. MOORE, Ms. CASTOR of Florida, Ms. MATSUI, and Mr. ISRAEL.

H.R. 3179: Mrs. ELLMERS of North Carolina.

H.R. 3187: Mr. ROHRABACHER.

H.R. 3284: Mr. GRIJALVA, Mr. HASTINGS, Mr. CONYERS, Mr. DOLD, and Mr. ENGEL.

H.R. 3309: Mrs. COMSTOCK.

H.R. 3314: Mr. WOMACK.

H.R. 3326: Mr. POLIQUIN.

H.R. 3339: Mr. FRELINGHUYSEN, Mr. VEASEY, Mr. BEYER, Mrs. KIRKPATRICK, Mr. CÁRDENAS, and Mr. COLLINS of New York.

H.R. 3355: Mr. YARMUTH, Ms. WILSON of Florida, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 3356: Mr. LARSEN of Washington.

H.R. 3366: Ms. WILSON of Florida.

H.R. 3381: Mr. SENSENBRENNER and Ms. SCHAKOWSKY.

H.R. 3384: Mrs. NAPOLITANO.

H.R. 3406: Ms. SLAUGHTER.

H.R. 3411: Ms. JACKSON LEE and Mr. YARMUTH.

H.R. 3437: Mr. MCCLINTOCK.

H.R. 3441: Mrs. BLACK.

H.R. 3497: Mr. COHEN.

H.R. 3514: Ms. DELBENE.

H.R. 3520: Mr. JOHNSON of Ohio.

H.R. 3565: Mr. BERA and Mr. CÁRDENAS.

H.R. 3606: Mr. O'ROURKE.

H.R. 3646: Mr. POMPEO.

H.R. 3654: Mr. CICILLINE, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. JACKSON LEE.

H.R. 3666: Ms. PINGREE.

H.R. 3691: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 3694: Mr. ROYCE.

H.R. 3706: Mr. PITTENGER, Mrs. WATSON COLEMAN, Mr. BEYER, Mr. SENSENBRENNER, and Mr. BERA.

H.R. 3719: Ms. STEFANIK.

H.R. 3722: Mr. HURD of Texas.

H.R. 3742: Mrs. COMSTOCK.

H.R. 3786: Ms. WILSON of Florida.

H.R. 3790: Mr. CÁRDENAS and Mr. RYAN of Ohio.

H.R. 3793: Ms. LEE.
H.R. 3808: Mr. TIBERI and Mr. HUIZENGA of Michigan.
H.R. 3832: Ms. FRANKEL of Florida and Mrs. COMSTOCK.
H.R. 3861: Ms. WILSON of Florida.
H.R. 3870: Mr. PERLMUTTER.
H.R. 3880: Mr. JOHNSON of Ohio and Mr. WEBSTER of Florida.
H.R. 3886: Ms. WILSON of Florida, Mr. KILMER, and Mrs. NAPOLITANO.
H.R. 3914: Mr. CARTER of Georgia.
H.R. 3926: Ms. SCHAKOWSKY, Mr. POLIS, Ms. LOFGREN, Mr. CARSON of Indiana, Mr. TAKANO, Mr. YARMUTH, and Ms. JUDY CHU of California.
H.R. 3927: Ms. BROWNLEY of California.
H.R. 3940: Mr. BERA, Mr. HARPER, Mr. BUCK, Ms. PINGREE, Ms. SEWELL of Alabama, Mr. POSEY, and Mr. ASHFORD.
H.R. 3947: Ms. WILSON of Florida and Ms. FRANKEL of Florida.
H.R. 3948: Ms. WILSON of Florida and Ms. FRANKEL of Florida.
H.R. 3957: Ms. FRANKEL of Florida.
H.R. 3963: Mr. JONES and Mr. LIPINSKI.
H.R. 3965: Mrs. NAPOLITANO.
H.R. 3970: Ms. STEFANIK, Mr. HIGGINS, Mr. CARSON of Indiana, Ms. SLAUGHTER, and Mr. FOSTER.
H.R. 3990: Ms. LEE, Ms. SINEMA, Ms. GABBARD, and Ms. ESHOO.
H.R. 4016: Mr. BOUSTANY.
H.R. 4018: Mr. MILLER of Florida, Mr. ROONEY of Florida, and Mr. PITTENGER.
H.R. 4055: Mr. TAKANO.
H.R. 4058: Ms. STEFANIK.
H.R. 4080: Mr. KILDEE.
H.R. 4087: Mr. DEUTCH.
H.R. 4108: Mr. JONES.
H.R. 4117: Mr. COHEN.
H.R. 4138: Mr. DOLD and Mr. FARENTHOLD.
H.R. 4144: Mr. KEATING.
H.R. 4153: Mr. BILIRAKIS.
H.R. 4162: Mr. POCAN, Mr. PRICE of North Carolina, Mr. CARTWRIGHT, Mr. TONKO, Ms. LEE, and Mr. SWALWELL of California.
H.R. 4177: Mr. MILLER of Florida.
H.R. 4179: Mr. TONKO.
H.R. 4180: Ms. DUCKWORTH.
H.R. 4183: Mr. WALBERG.
H.R. 4184: Mr. FARR, Mr. BLUMENAUER, Mr. GRIJALVA, Mr. MCGOVERN, Mr. POCAN, and Mr. RYAN of Ohio.
H.R. 4185: Mr. ROGERS of Kentucky, Mr. BUCSHON, Mr. WHITFIELD, Mr. LYNCH, Mr. MARINO, and Mrs. ROBY.
H.R. 4186: Mr. ZINKE.
H.R. 4197: Mrs. BLACK and Mr. LATTA.
H.R. 4209: Mr. JEFFRIES, Mr. RANGEL, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 4211: Mr. HIMES and Ms. SINEMA.
H.R. 4229: Ms. SLAUGHTER.
H.R. 4233: Ms. LORETTA SANCHEZ of California.
H.R. 4238: Mrs. BUSTOS, Mr. MEEKS, Mrs. NAPOLITANO, Mr. VARGAS, Ms. SPEIER, Mr. RANGEL, Miss RICE of New York, Mr. CONYERS, Mrs. WATSON COLEMAN, Ms. LORETTA SANCHEZ of California, and Mr. PETERS.
H.R. 4240: Mr. GOODLATTE, Mr. SENSENBRENNER, Mr. RICHMOND, Mr. PIERLUISI, Mr. COHEN, Ms. SINEMA, and Mr. RANGEL.
H.J. Res. 74: Mr. HENSARLING.
H. Con. Res. 56: Mr. HOLDING.
H. Res. 14: Mr. AUSTIN SCOTT of Georgia.
H. Res. 54: Mr. DENHAM.
H. Res. 112: Ms. PINGREE.
H. Res. 265: Mr. GALLEGO.
H. Res. 289: Mr. COHEN.
H. Res. 290: Mr. MILLER of Florida.
H. Res. 394: Mr. COHEN.
H. Res. 417: Mr. GRAVES of Missouri and Mr. BOUSTANY.
H. Res. 432: Mr. COLLINS of New York, Mr. BERA, and Mr. CRAMER.
H. Res. 469: Mr. DIAZ-BALART.
H. Res. 527: Ms. WILSON of Florida.
H. Res. 548: Ms. LOFGREN and Mr. COHEN.
H. Res. 552: Ms. MENG.
H. Res. 554: Mr. TAKANO, Mr. FARENTHOLD, Ms. BONAMICI, and Mr. MEEKS.
H. Res. 558: Mr. HIGGINS.
H. Res. 562: Mr. HUFFMAN and Mr. SWALWELL of California.

## WEDNESDAY, DECEMBER 16, 2015 (155)

The House was called to order by the SPEAKER.

### ¶155.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, December 15, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶155.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3772. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's Semiannual Report to the Congress for the period April 1 through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Armed Services.

3773. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Truth in Lending (Regulation Z) Annual Threshold Adjustments (CARD ACT, HOEPA and ATR/QM) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3774. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold (RIN: 3170-AA11) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3775. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rules — Truth in Lending (Regulation Z) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3776. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rules — Consumer Leasing (Regulation M) (RIN: 3170-AA06) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3777. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting two reports on the Progress of the Federal Government in Meeting the Renewable Energy Goals of the Energy Policy Act of 2005 for fiscal years 2009-2010 and 2011-2012, pursuant to 42 U.S.C. 15852(d); Public Law 109-58, Sec. 203(d); (119 Stat. 653); to the Committee on Energy and Commerce.

3778. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran'', pursuant to 22 U.S.C. 8513a(d)(4); Public Law 112-81, Sec. 1245(d)(4) (as amended by Public Law 112-158, Sec. 503(b)(1)); (126 Stat. 1261); to the Committee on Energy and Commerce.

3779. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed items to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

3780. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d) Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

3781. A letter from the Acting Director, Office of Personnel Management, transmitting a detailed report justifying the reasons for the extension of locality-based comparability payments to non-General Schedule categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); Public Law 89-554, Sec. 5304(h) (as added by Public Law 102-378, Sec. 2(26)(E)(ii)); (106 Stat. 1349); to the Committee on Oversight and Government Reform.

3782. A letter from the Secretary, Department of Energy, transmitting the Department's Semiannual Report to Congress for the period of April 1, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3783. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's FY 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3784. A letter from the Secretary, Department of the Treasury, transmitting the Department's Semiannual Report to Congress for the period of April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3785. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's Semiannual Report to Congress for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3786. A letter from the Chief Financial Officer, National Labor Relations Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3787. A letter from the Acting Director, Office of Personnel Management, transmitting a report regarding the National Security Professional Development Interagency Personnel Rotations 2nd Fiscal Year End Report on Performance Measures, pursuant to 5 U.S.C. prec. 101 note; Public Law 112-239, Sec. 1107(g); (126 Stat. 1976); to the Committee on Oversight and Government Reform.

3788. A letter from the Chief Administrative Officer, transmitting a quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2015 to December 31, 2015, pursuant to 2 U.S.C. 104a (H. Doc. No. 114—82); to the Committee on House Administration and ordered to be printed.

3789. A letter from the Assistant Attorney General, Department of Justice, transmitting the Annual Report to Congress on Investigation, Enforcement and Implementation of Sex Offender Registration and Notification Act Requirements, pursuant to 42 U.S.C. 16991; Public Law 109-248, Sec. 635; (120 Stat. 644); to the Committee on the Judiciary.

3790. A letter from the Secretary, Department of Veterans Affairs, transmitting a draft bill to authorize major medical facility projects for the Department of Veterans Affairs for fiscal year 2016, and other purposes, pursuant to 38 U.S.C. 8104(a)(2); to the Committee on Veterans' Affairs.

3791. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2015-85] received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3792. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Tribal Economic Development Bonds: Use of Volume Cap for Draw-down Loans [Notice 2015-83] received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3793. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only (I.R.B. 2015-49) — Revenue Ruling: 2015 Base Period T-Bill Rate (Rev. Rul. 2015-26) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

## ¶155.3 REMOVAL OF CHIEF ADMINISTRATIVE OFFICER

The SPEAKER laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
*Washington, DC, December 2, 2015.*

Hon. PAUL D. RYAN,
*Speaker, House of Representatives, Washington, DC.*

DEAR SPEAKER RYAN: I am writing to advise you of my intention to retire from federal service in early 2016. Accordingly, I hereby resign as Chief Administrative Officer of the House effective upon the election of my successor, or as you otherwise direct.

It has been a high honor and distinct privilege to serve you and your colleagues, past and present, since the 1970's; and especially so, to serve alongside the extraordinarily dedicated men and women in the Office of the CAO during the 113th and 114th Congresses.

In order to ensure a seamless transition, I am pleased that Clerk of the House Karen Haas has graciously detailed to my office Mr. Will Plaster, a senior member of her staff, to serve on an interim basis as Deputy Chief Administrative Officer.

Mr. Speaker, I appreciate more than words can adequately convey the priceless opportunities afforded me throughout my career to serve this magnificent—and uniquely American—institution we call the people's House.

I congratulate you on your election as Speaker, and wish you all the best in the challenging days ahead.

Sincerely,

ED CASSIDY,
*Chief Administrative Officer.*

The SPEAKER, pursuant to clause 1 of rule II, removed Mr. Ed Cassidy, of the State of Connecticut, effective December 31, 2015.

## ¶155.4 APPOINTMENT OF THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES—WILLIAM PLASTER

The SPEAKER, pursuant to the provisions of section 208(a) of the Legislative Reorganization Act of 1946, appointed William Plaster of the Commonwealth of Virginia to act as and to exercise the duties of Chief Administrative Officer of the House of Representatives, effective December 31, 2015.

Whereupon, Mr. William Plaster presented himself at the bar of the House and took the oath of office prescribed by law.

## ¶155.5 AMENDMENT OF THE SENATE TO H.R. 2820

Mr. PITTS moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2820) to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes:

Strike out all after the enacting clause and insert:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Stem Cell Therapeutic and Research Reauthorization Act of 2015''.*

***SEC. 2. REAUTHORIZATION OF THE C.W. BILL YOUNG CELL TRANSPLANTATION PROGRAM.***

*(a) IN GENERAL.—Section 379(d)(2)(B) of the Public Health Service Act (42 U.S.C. 274k(d)(2)(B)) is amended—*

*(1) by striking ''remote collection'' and inserting ''collection''; and*

*(2) by inserting ''including remote collection,'' after ''cord blood units,''.*

*(b) AUTHORIZATION OF APPROPRIATIONS.—Section 379B of the Public Health Service Act (42 U.S.C. 274m) is amended—*

*(1) by striking ''$30,000,000 for each of fiscal years 2011 through 2014 and''; and*

*(2) by inserting ''and $30,000,000 for each of fiscal years 2016 through 2020'' before the period at the end.*

*(c) SECRETARY REVIEW ON STATE OF SCIENCE.—The Secretary of Health and Human Services, in consultation with the Director of the National Institutes of Health, the Commissioner of the Food and Drug Administration, and the Administrator of the Health Resources and Services Administration, including the Advisory Council on Blood Stem Cell Transplantation established under section 379(a) of the Public Health Service Act (42 U.S.C. 274k(a)), and other stakeholders, where appropriate given relevant expertise, shall conduct a review of the state of the science of using adult stem cells and birthing tissues to develop new types of therapies for patients, for the purpose of considering the potential inclusion of such new types of therapies in the C.W. Bill Young Cell Transplantation Program (established under such section 379) in addition to the continuation of ongoing activities. Not later than June 30, 2019, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives recommendations on the appropriateness of such new types of therapies for inclusion in the C.W. Bill Young Cell Transplantation Program.*

***SEC. 3. CORD BLOOD INVENTORY.***

*Section 2 of the Stem Cell Therapeutic and Research Act of 2005 (42 U.S.C. 274k note) is amended—*

*(1) in subsection (a), by striking ''one-time'';*

*(2) by striking subsection (c);*

*(3) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively;*

*(4) in subsection (d) (as so redesignated)—*

*(A) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)'';*

*(B) in paragraph (2)(B), by striking ''subsection (d)'' and inserting ''subsection (c)''; and*

*(C) by adding at the end the following:*

*''(4) CONSIDERATION OF BEST SCIENCE.—The Secretary shall take into consideration the best scientific information available in order to maximize the number of cord blood units available for transplant when entering into contracts under this section, or when extending a period of funding under such a contract under paragraph (2).*

*''(5) CONSIDERATION OF BANKED UNITS OF CORD BLOOD.—In extending contracts pursuant to paragraph (3), and determining new allocation amounts for the next contract period or contract extension for such cord blood bank, the Secretary shall take into account the number of cord blood units banked in the National Cord Blood Inventory by a cord blood bank during the previous contract period, in addition to consideration of the ability of such cord blood bank to increase the collection and maintenance of additional, genetically diverse cord blood units.'';*

*(5) in subsection (f) (as so redesignated)—*

*(A) by striking paragraph (4); and*

*(B) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and*

*(6) in subsection (g) (as so redesignated)—*

*(A) in paragraph (1)—*

*(i) by striking ''$23,000,000 for each of fiscal years 2011 through 2014 and''; and*

*(ii) by inserting ''and $23,000,000 for each of fiscal years 2016 through 2020'' before the period at the end; and*

*(B) by striking paragraph (2).*

***SEC. 4. DETERMINATION ON THE DEFINITION OF HUMAN ORGAN.***

*Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue determinations with respect to the inclusion of peripheral blood stem cells and umbilical cord blood in the definition of human organ.*

The SPEAKER pro tempore, Mr. PALAZZO, recognized Mr. PITTS and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. PALAZZO, announced that two-thirds of the Members present had voted in the affirmative.

Mr. PITTS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PALAZZO, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

## ¶155.6 NATIONAL GUARD AND RESERVIST DEBT RELIEF EXTENSION

Mr. GOODLATTE moved to suspend the rules and pass the bill (H.R. 4246) to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

The SPEAKER pro tempore, Mr. PALAZZO, recognized Mr. GOODLATTE and Mr. COHEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PALAZZO, announced that two-thirds of the Members present had voted in the affirmative.

Mr. COHEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PALAZZO, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶155.7 EMERGENCY INFORMATION IMPROVEMENT

Mr. COSTELLO of Pennsylvania, moved to suspend the rules and pass the bill of the Senate (S. 1090) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes.

The SPEAKER pro tempore, Mr. PALAZZO, recognized Mr. COSTELLO of Pennsylvania, and Mr. CARSON of Indiana, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PALAZZO, announced that two-thirds of the Members present had voted in the affirmative.

Mr. COSTELLO of Pennsylvania, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PALAZZO, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶155.8 FURTHER CONTINUING APPROPRIATIONS FY 2016

Mr. ROGERS of Kentucky, moved to suspend the rules and pass the joint resolution (H.J. Res. 78) making further continuing appropriations for fiscal year 2016, and for other purposes.

The SPEAKER pro tempore, Mr. PALAZZO, recognized Mr. ROGERS of Kentucky, and Mrs. LOWEY, each for 20 minutes.

The question being put, viva voce,

Will the House suspend the rules and pass said joint resolution?

The SPEAKER pro tempore, Mr. PALAZZO, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said joint resolution.

¶155.9 AMENDMENT OF THE SENATE TO H.R. 2820—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PALAZZO, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 2820) to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 421 / Nays ..... 0

¶155.10 [Roll No. 695]

YEAS—421

| | | |
|---|---|---|
| Abraham | Cicilline | Fincher |
| Adams | Clark (MA) | Fitzpatrick |
| Aderholt | Clarke (NY) | Fleischmann |
| Aguilar | Clawson (FL) | Fleming |
| Allen | Clay | Flores |
| Amash | Cleaver | Forbes |
| Amodei | Clyburn | Fortenberry |
| Ashford | Coffman | Foster |
| Babin | Cohen | Foxx |
| Barletta | Cole | Frankel (FL) |
| Barr | Collins (GA) | Franks (AZ) |
| Barton | Collins (NY) | Frelinghuysen |
| Bass | Comstock | Fudge |
| Beatty | Conaway | Gabbard |
| Becerra | Connolly | Gallego |
| Benishek | Conyers | Garamendi |
| Bera | Cook | Garrett |
| Beyer | Cooper | Gibbs |
| Bilirakis | Costa | Gibson |
| Bishop (GA) | Costello (PA) | Gohmert |
| Bishop (MI) | Courtney | Goodlatte |
| Bishop (UT) | Cramer | Gosar |
| Black | Crawford | Gowdy |
| Blackburn | Crenshaw | Graham |
| Blum | Crowley | Graves (GA) |
| Blumenauer | Culberson | Graves (LA) |
| Bonamici | Cummings | Graves (MO) |
| Bost | Curbelo (FL) | Grayson |
| Boustany | Davis (CA) | Green, Al |
| Boyle, Brendan F. | Davis, Danny | Green, Gene |
| | Davis, Rodney | Griffith |
| Brady (PA) | DeFazio | Grijalva |
| Brady (TX) | Delaney | Grothman |
| Brat | DeLauro | Guinta |
| Bridenstine | DelBene | Guthrie |
| Brooks (AL) | Denham | Gutiérrez |
| Brooks (IN) | Dent | Hahn |
| Brown (FL) | DeSaulnier | Hanna |
| Brownley (CA) | DesJarlais | Hardy |
| Buchanan | Diaz-Balart | Harper |
| Buck | Dingell | Harris |
| Bucshon | Doggett | Hartzler |
| Burgess | Dold | Hastings |
| Bustos | Donovan | Heck (NV) |
| Butterfield | Doyle, Michael F. | Heck (WA) |
| Byrne | | Hensarling |
| Calvert | Duckworth | Hice, Jody B. |
| Capps | Duffy | Higgins |
| Capuano | Duncan (SC) | Hill |
| Cárdenas | Duncan (TN) | Himes |
| Carney | Edwards | Hinojosa |
| Carson (IN) | Ellison | Holding |
| Carter (GA) | Ellmers (NC) | Honda |
| Carter (TX) | Emmer (MN) | Hoyer |
| Cartwright | Engel | Hudson |
| Castor (FL) | Eshoo | Huelskamp |
| Castro (TX) | Esty | Huffman |
| Chabot | Farenthold | Huizenga (MI) |
| Chaffetz | Farr | Hunter |
| Chu, Judy | Fattah | Hurd (TX) |
| Hurt (VA) | Meeks | Sanford |
| Israel | Meng | Sarbanes |
| Issa | Messer | Scalise |
| Jackson Lee | Mica | Schakowsky |
| Jeffries | Miller (FL) | Schiff |
| Jenkins (KS) | Miller (MI) | Schrader |
| Jenkins (WV) | Moolenaar | Schweikert |
| Johnson (GA) | Mooney (WV) | Scott (VA) |
| Johnson (OH) | Moore | Scott, Austin |
| Johnson, E. B. | Moulton | Scott, David |
| Johnson, Sam | Mullin | Sensenbrenner |
| Jolly | Mulvaney | Serrano |
| Jones | Murphy (FL) | Sessions |
| Jordan | Murphy (PA) | Sewell (AL) |
| Joyce | Nadler | Sherman |
| Kaptur | Napolitano | Shimkus |
| Katko | Neal | Shuster |
| Keating | Neugebauer | Simpson |
| Kelly (IL) | Newhouse | Sinema |
| Kelly (MS) | Noem | Sires |
| Kelly (PA) | Nolan | Smith (MO) |
| Kennedy | Norcross | Smith (NE) |
| Kilmer | Nugent | Smith (NJ) |
| Kind | Nunes | Smith (TX) |
| King (IA) | O'Rourke | Smith (WA) |
| King (NY) | Olson | Speier |
| Kinzinger (IL) | Palazzo | Stefanik |
| Kirkpatrick | Pallone | Stewart |
| Kline | Palmer | Stutzman |
| Knight | Pascrell | Swalwell (CA) |
| Kuster | Paulsen | Takai |
| Labrador | Payne | Takano |
| LaHood | Pearce | Thompson (CA) |
| LaMalfa | Pelosi | Thompson (MS) |
| Lamborn | Perlmutter | Thompson (PA) |
| Lance | Perry | Thornberry |
| Langevin | Peters | Tiberi |
| Larsen (WA) | Peterson | Tipton |
| Larson (CT) | Pingree | Titus |
| Latta | Pittenger | Tonko |
| Lawrence | Pitts | Torres |
| Lee | Pocan | Trott |
| Levin | Poe (TX) | Tsongas |
| Lewis | Poliquin | Turner |
| Lieu, Ted | Polis | Upton |
| LoBiondo | Pompeo | Valadao |
| Loebsack | Posey | Van Hollen |
| Lofgren | Price (NC) | Vargas |
| Long | Price, Tom | Veasey |
| Loudermilk | Quigley | Vela |
| Love | Rangel | Velázquez |
| Lowenthal | Ratcliffe | Visclosky |
| Lowey | Reed | Wagner |
| Lucas | Reichert | Walberg |
| Luetkemeyer | Renacci | Walden |
| Lujan Grisham (NM) | Ribble | Walker |
| | Rice (NY) | Walorski |
| Luján, Ben Ray (NM) | Rice (SC) | Walters, Mimi |
| | Richmond | Walz |
| Lummis | Rigell | Wasserman Schultz |
| Lynch | Roby | |
| MacArthur | Roe (TN) | Waters, Maxine |
| Maloney, Carolyn | Rogers (AL) | Watson Coleman |
| | Rogers (KY) | Weber (TX) |
| Maloney, Sean | Rohrabacher | Webster (FL) |
| Marchant | Rokita | Welch |
| Marino | Rooney (FL) | Wenstrup |
| Massie | Ros-Lehtinen | Westerman |
| Matsui | Roskam | Westmoreland |
| McCarthy | Ross | Whitfield |
| McCaul | Rothfus | Williams |
| McClintock | Rouzer | Wilson (SC) |
| McCollum | Roybal-Allard | Wittman |
| McDermott | Royce | Womack |
| McGovern | Ruiz | Woodall |
| McHenry | Ruppersberger | Yarmuth |
| McKinley | Rush | Yoder |
| McMorris Rodgers | Russell | Yoho |
| | Ryan (OH) | Young (AK) |
| McNerney | Salmon | Young (IA) |
| McSally | Sánchez, Linda T. | Young (IN) |
| Meadows | | Zeldin |
| Meehan | Sanchez, Loretta | Zinke |

NOT VOTING—12

| | | |
|---|---|---|
| Cuellar | Granger | Lipinski |
| DeGette | Herrera Beutler | Slaughter |
| DeSantis | Hultgren | Stivers |
| Deutch | Kildee | Wilson (FL) |

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was

agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶155.11 H.R. 4246—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4246) to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 419 / Nays ..... 1

¶155.12 [Roll No. 696]

YEAS—419

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—1

Amash

NOT VOTING—13

Cuellar
DeGette
DeSantis
Deutch
Granger
Herrera Beutler
Huffman
Hultgren
Kildee
Lipinski
Slaughter
Stivers
Waters, Maxine

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶155.13 S. 1090—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. EMMER of Minnesota, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1090) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 420 / Nays ..... 1

¶155.14 [Roll No. 697]

YEAS—420

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur

Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—1

Massie

NOT VOTING—12

Cuellar
DeGette
DeSantis
Deutch
Granger
Herrera Beutler
Huffman
Hultgren
Kildee
Lipinski
Slaughter
Stivers

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶155.15 H.R. 3654—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. EMMER of Minnesota, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3654) to require a report on United States strategy to combat terrorist use of social media, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. EMMER of Minnesota, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶155.16 AMENDMENTS OF THE SENATE TO H.R. 2297

Mr. ROYCE moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 2297) to prevent Hezbollah and associated entities from gaining access to international financial and other institutions, and for other purposes:

Strike all after the enacting clause and insert the following:

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Hizballah International Financing Prevention Act of 2015''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*



***SEC. 2. STATEMENT OF POLICY.***

*It shall be the policy of the United States to—*

*(1) prevent Hizballah's global logistics and financial network from operating in order to curtail funding of its domestic and international activities; and*

*(2) utilize all available diplomatic, legislative, and executive avenues to combat the global criminal activities of Hizballah as a means to block that organization's ability to fund its global terrorist activities.*

***TITLE I—PREVENTION OF ACCESS BY HIZBALLAH TO INTERNATIONAL FINANCIAL AND OTHER INSTITUTIONS***

***SEC. 101. REPORT ON IMPOSITION OF SANCTIONS ON CERTAIN SATELLITE PROVIDERS THAT CARRY AL-MANAR TV.***

*(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report on the following:*

*(1) The activities of all satellite, broadcast, Internet, or other providers that have knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors thereof.*

*(2) With respect to all providers described in paragraph (1)—*

*(A) an identification of those providers that have been sanctioned pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism); and*

*(B) an identification of those providers that have not been sanctioned pursuant to Executive Order 13224 and, with respect to each such provider, any information indicating that the provider has knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors of al-Manar TV.*

*(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—*

*(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and*

*(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.*

***SEC. 102. SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS.***

*(a) PROHIBITIONS AND CONDITIONS WITH RESPECT TO CERTAIN ACCOUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—*

*(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall prescribe regulations to prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines, on or after such date of enactment, engages in an activity described in paragraph (2).*

*(2) ACTIVITIES DESCRIBED.—A foreign financial institution engages in an activity described in this paragraph if the foreign financial institution—*

*(A) knowingly facilitates a significant transaction or transactions for Hizballah;*

*(B) knowingly facilitates a significant transaction or transactions of a person identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, Hizballah;*

*(C) knowingly engages in money laundering to carry out an activity described in subparagraph (A) or (B); or*

*(D) knowingly facilitates a significant transaction or transactions or provides significant financial services to carry out an activity described in subparagraph (A), (B), or (C).*

*(3) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this subsection to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.*

*(4) PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.—*

*(A) IN GENERAL.—If a finding under this subsection, or a prohibition, condition, or penalty imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President may submit such information to the court ex parte and in camera.*

*(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to confer or imply any right to judicial review of any finding under this subsection or any prohibition, condition, or penalty imposed as a result of any such finding.*

*(b) WAIVER.—*

*(1) IN GENERAL.—The President may waive, on a case-by-case basis, the application of a prohibition or condition imposed with respect to a foreign financial institution pursuant to subsection (a) for a period of not more than 180 days, and may renew the waiver for additional periods of not more than 180 days, on and after the date on which the President—*

*(A) determines that such a waiver is in the national security interests of the United States; and*

*(B) submits to the appropriate congressional committees a report describing the reasons for such determination.*

*(2) FORM.—The report required by paragraph (1)(B) shall be submitted in unclassified form, but may contain a classified annex.*

*(c) SPECIAL RULE TO ALLOW FOR TERMINATION OF SANCTIONABLE ACTIVITY.—The President shall not be required to apply sanctions to a foreign financial institution described in subsection (a) if the President certifies in writing to the appropriate congressional committees that—*

*(1) the foreign financial institution—*

*(A) is no longer engaging in the activity described in subsection (a)(2); or*

*(B) has taken and is continuing to take significant verifiable steps toward terminating the activity described in that subsection; and*

*(2) the President has received reliable assurances from the government with primary jurisdiction over the foreign financial institution that the foreign financial institution will not engage in any activity described in subsection (a)(2) in the future.*

*(d) REPORT ON FOREIGN CENTRAL BANKS.—*

*(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that—*

*(A) identifies each foreign central bank that the Secretary determines engages in one or more activities described in subsection (a)(2)(D); and*

*(B) provides a detailed description of each such activity.*

*(2) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.*

*(e) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.*

*(f) DEFINITIONS.—*

*(1) IN GENERAL.—In this section:*

*(A) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.*

*(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—*

*(i) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and*

*(ii) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.*

*(C) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.*

*(D) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations.*

*(E) HIZBALLAH.—The term ''Hizballah'' means—*

*(i) the entity known as Hizballah and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or*

*(ii) any person—*

*(I) the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); and*

*(II) who is identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury as an agent, instrumentality, or affiliate of Hizballah.*

*(F) MONEY LAUNDERING.—The term ''money laundering'' includes the movement of illicit cash or cash equivalent proceeds into, out of, or through a country, or into, out of, or through a financial institution.*

*(2) OTHER DEFINITIONS.—The President may further define the terms used in this section in the regulations prescribed under this section.*

## *TITLE II—REPORTS AND BRIEFINGS ON NARCOTICS TRAFFICKING AND SIGNIFICANT TRANSNATIONAL CRIMINAL ACTIVITIES OF HIZBALLAH*

### *SEC. 201. REPORT AND BRIEFING ON NARCOTICS TRAFFICKING BY HIZBALLAH.*

*(a) REPORT.—*

*(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report on the activities of Hizballah related to narcotics trafficking worldwide.*

*(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.*

*(b) BRIEFING.—Not later than 30 days after the submission of the report required by subsection (a), the President shall provide to the appropriate congressional committees and leadership a briefing on—*

*(1) the report;*

*(2) procedures for designating Hizballah as a significant foreign narcotics trafficker under the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.); and*

*(3) Government-wide efforts to combat the narcotics trafficking activities of Hizballah.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—*

*(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and*

*(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.*

### *SEC. 202. REPORT AND BRIEFING ON SIGNIFICANT TRANSNATIONAL CRIMINAL ACTIVITIES OF HIZBALLAH.*

*(a) REPORT.—*

*(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report on the significant transnational criminal activities of Hizballah, including human trafficking.*

*(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.*

*(b) BRIEFING.—Not later than 30 days after the submission of the report required by subsection (a), the President shall provide to the appropriate congressional committees and leadership a briefing on—*

*(1) the report;*

*(2) procedures for designating Hizballah as a significant transnational criminal organization under Executive Order 13581 (75 Fed. Reg. 44,757); and*

*(3) Government-wide efforts to combat the transnational criminal activities of Hizballah.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—*

*(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and*

*(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.*

### *SEC. 203. REWARDS FOR JUSTICE AND HIZBALLAH'S FUNDRAISING, FINANCING, AND MONEY LAUNDERING ACTIVITIES.*

*(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that details actions taken by the Department of State through the Department of State rewards program under section 36 of the State Department Basic Authorities Act (22 U.S.C. 2708) to obtain information on fundraising, financing, and money laundering activities of Hizballah and its agents and affiliates.*

*(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall provide a briefing to the appropriate congressional committees on the status of the actions described in subsection (a).*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and*

*(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.*

### *SEC. 204. REPORT ON ACTIVITIES OF FOREIGN GOVERNMENTS TO DISRUPT GLOBAL LOGISTICS NETWORKS AND FUNDRAISING, FINANCING, AND MONEY LAUNDERING ACTIVITIES OF HIZBALLAH.*

*(a) REPORT.—*

*(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—*

*(A) a list of countries that support Hizballah or in which Hizballah maintains important portions of its global logistics networks;*

*(B) with respect to each country on the list required by subparagraph (A)—*

*(i) an assessment of whether the government of the country is taking adequate measures to disrupt the global logistics networks of Hizballah within the territory of the country; and*

*(ii) in the case of a country the government of which is not taking adequate measures to disrupt such networks—*

*(I) an assessment of the reasons that government is not taking such adequate measures; and*

*(II) a description of measures being taken by the United States to encourage that government to improve measures to disrupt such networks;*

*(C) a list of countries in which Hizballah, or any of its agents or affiliates, conducts significant fundraising, financing, or money laundering activities;*

*(D) with respect to each country on the list required by subparagraph (C)—*

*(i) an assessment of whether the government of the country is taking adequate measures to disrupt the fundraising, financing, or money laundering activities of Hizballah and its agents and affiliates within the territory of the country; and*

*(ii) in the case of a country the government of which is not taking adequate measures to disrupt such activities—*

*(I) an assessment of the reasons that government is not taking such adequate measures; and*

*(II) a description of measures being taken by the United States to encourage that government to improve measures to disrupt such activities; and*

*(E) a list of methods that Hizballah, or any of its agents or affiliates, utilizes to raise or transfer funds, including trade-based money laundering, the use of foreign exchange houses, and free-trade zones.*

*(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, and may contain a classified annex.*

*(3) GLOBAL LOGISTICS NETWORKS OF HIZBALLAH.—In this subsection, the term ''global logistics networks of Hizballah'', ''global logistics networks'', or ''networks'' means financial, material, or technological support for, or financial or other services in support of, Hizballah.*

*(b) BRIEFING ON HIZBALLAH'S ASSETS AND ACTIVITIES RELATED TO FUNDRAISING, FINANCING, AND MONEY LAUNDERING WORLDWIDE.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, the Secretary of the Treasury, and the heads of other applicable Federal departments and agencies shall provide to the appropriate congressional committees a briefing on the disposition of Hizballah's assets and activities related to fundraising, financing, and money laundering worldwide.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and*

*(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.*

***TITLE III—MISCELLANEOUS PROVISIONS***

***SEC. 301. RULE OF CONSTRUCTION.***

*Nothing in this Act or any amendment made by this Act shall apply to the authorized intelligence activities of the United States.*

***SEC. 302. REGULATORY AUTHORITY.***

*(a) IN GENERAL.—The President shall, not later than 120 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this Act and the amendments made by this Act.*

*(b) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations under subsection (a), the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and*

*(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.*

***SEC. 303. TERMINATION.***

*This Act shall terminate on the date that is 30 days after the date on which the President certifies to Congress that Hizballah—*

*(1) is no longer designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and*

*(2) is no longer designated for the imposition of sanctions pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).*

Amend the title so as to read: ''An Act to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.''.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, recognized Mr. ROYCE and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments of the Senate?

The SPEAKER pro tempore, Mr. EMMER of Minnesota, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶155.17 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 571. An Act to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

¶155.18 FIRST RESPONDERS PASSPORT

Mr. ROYCE moved to suspend the rules and pass the bill (H.R. 3750) to waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster; as amended.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, recognized Mr. ROYCE and Mr. Brendan F. BOYLE of Pennsylvania, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. EMMER of Minnesota, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶155.19 GLOBAL HEALTH INNOVATION

Mr. ROYCE moved to suspend the rules and pass the bill (H.R. 2241) to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency; as amended.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, recognized Mr. ROYCE and Mr. SIRES, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. EMMER of Minnesota, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, December 17, 2015.

The point of no quorum was considered as withdrawn.

¶155.20 TRACKING FOREIGN FIGHTERS IN TERRORIST SAFE HAVENS

Mr. LoBIONDO moved to suspend the rules and pass the bill (H.R. 4239) to require intelligence community reporting on foreign fighter flows to and from terrorist safe havens abroad, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. EMMER of Minnesota, recognized Mr. LoBIONDO and Mr. SWALWELL of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TIPTON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LoBIONDO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. TIPTON, pursuant to clause 8 of rule XX,

announced that further proceedings on the question were postponed.

¶155.21 STRENGTHENING CYBERSECURITY INFORMATION SHARING AND COORDINATION IN OUR PORTS

Mrs. MILLER of Michigan, moved to suspend the rules and pass the bill (H.R. 3878) to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. TIPTON, recognized Mrs. MILLER of Michigan, and Mrs. TORRES, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DONOVAN, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶155.22 RECESS—12:43 P.M.

The SPEAKER pro tempore, Mr. DONOVAN, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 43 minutes p.m., until 2 p.m.

¶155.23 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶155.24 AMENDMENTS OF THE SENATE TO H.R. 2297—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the amendments of the Senate to the bill (H.R. 2297) to prevent Hezbollah and associated entities from gaining access to international financial and other institutions, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendments of the Senate?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 425 Nays ..... 0

¶155.25 [Roll No. 698]

YEAS—425

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Cuellar
DeSantis
Deutch
Herrera Beutler
Joyce
Kildee
Rangel
Rogers (KY)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶155.26 H.R. 3750—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3750) to waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 421 Nays ..... 2

¶155.27 [Roll No. 699]

YEAS—421

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)

Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Amash
Sanford

NOT VOTING—10

Cicilline
Cuellar
DeSantis
Deutch
Herrera Beutler
Hudson
Joyce
Keating
Kildee
Meadows

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶155.28 H.R. 4239—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4239) to require intelligence community reporting on foreign fighter flows to and from terrorist safe havens abroad, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 423 / Nays ..... 0

¶155.29 [Roll No. 700]

YEAS—423

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)

| | | |
|---|---|---|
| Smith (NJ) | Turner | Webster (FL) |
| Smith (TX) | Upton | Welch |
| Smith (WA) | Valadao | Wenstrup |
| Speier | Van Hollen | Westerman |
| Stefanik | Vargas | Westmoreland |
| Stewart | Veasey | Whitfield |
| Stivers | Vela | Williams |
| Stutzman | Velázquez | Wilson (FL) |
| Swalwell (CA) | Visclosky | Wilson (SC) |
| Takano | Wagner | Wittman |
| Thompson (CA) | Walberg | Womack |
| Thompson (MS) | Walden | Woodall |
| Thompson (PA) | Walker | Yarmuth |
| Thornberry | Walorski | Yoder |
| Tiberi | Walters, Mimi | Yoho |
| Tipton | Walz | Young (AK) |
| Titus | Wasserman Schultz | Young (IA) |
| Tonko | Waters, Maxine | Young (IN) |
| Torres | Watson Coleman | Zeldin |
| Trott | Weber (TX) | Zinke |
| Tsongas | | |

NOT VOTING—10

| | | |
|---|---|---|
| Collins (NY) | Herrera Beutler | Simpson |
| Cuellar | Joyce | Takai |
| DeSantis | Keating | |
| Deutch | Kildee | |

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶155.30 HOUR OF MEETING

On motion of Mr. PAULSEN, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, December 17, 2015.

¶155.31 RECESS—5:08 P.M.

The SPEAKER pro tempore, Mr. HILL, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 8 minutes p.m., subject to the call of the Chair.

¶155.32 AFTER RECESS—7:34 P.M.

The SPEAKER pro tempore, Mr. COLLINS of Georgia, called the House to order.

¶155.33 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. COLLINS of Georgia, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 16, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 16, 2015 at 5:21 p.m.:

That the Senate passed S. 238.

That the Senate passed with an amendment H.R. 3594.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶155.34 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. COLLINS of Georgia, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 16, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 16, 2015 at 6:04 p.m.:

That the Senate agreed to without amendment H.J. Res. 78.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶155.35 ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that, pursuant to clause 4 of rule I, the Speaker signed the following enrolled joint resolution on Wednesday, December 16, 2015:

H.J. Res. 78. A joint resolution making further continuing appropriations for fiscal year 2016, and for other purposes.

¶155.36 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO H.R. 2029

Mr. COLE, by direction of the Committee on Rules, reported (Rept. No. 114–382) the resolution (H. Res. 566) providing for consideration of the Senate amendment to the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; providing for proceedings during the period from December 19, 2015, through January 4, 2016; and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶155.37 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 238. An Act to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons; to the Committee on the Judiciary.

S. 571. An Act to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

¶155.38 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2270. An Act to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial with the wildlife refuge, and for other purposes.

¶155.39 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CUELLAR, for today and balance of the week.

And then,

¶155.40 ADJOURNMENT

On motion of Mr. COLE, pursuant to the previous order of the House, at 7 o'clock and 37 minutes p.m., the House adjourned until 9 a.m. on Thursday, December 17, 2015.

¶155.41 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLE: Committee on Rules. House Resolution 566. Resolution providing for consideration of the Senate amendment to the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; providing for proceedings during the period from December 19, 2015, through January 4, 2016; and for other purposes (Rept. 114–382). Referred to the House Calendar.

¶155.42 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ALLEN:

H.R. 4262. A bill to amend title I of the Patient Protection and Affordable Care Act to require that a State awarded a Federal grant to establish an Exchange and that terminates the State operation of such an Exchange provide for an audit of the use of grant funds and return funds to the Federal Government, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOONEY of West Virginia (for himself, Ms. CLARK of Massachusetts, Mr. BERA, Mr. BLUM, Mr. LANGEVIN, Mr. POLIQUIN, Mr. AGUILAR, and Mr. MACARTHUR):

H.R. 4263. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Education and the Workforce.

By Mr. SMITH of New Jersey:

H.R. 4264. A bill to promote United States national security and foreign policy objectives through consolidation and strengthening of the rule of law and respect for human rights in the Republic of Azerbaijan; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON (for himself, Mr. LATTA, Mr. CUELLAR, and Mrs. KIRKPATRICK):

H.R. 4265. A bill to amend the Clean Air Act with respect to national ambient air quality standards, including the 2015 ozone standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONYERS (for himself, Mr. SCOTT of Virginia, Ms. WILSON of Florida, Mr. CLAY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DANNY K. DAVIS of Illinois, Mrs. BEATTY, and Ms. GRAHAM):

H.R. 4266. A bill to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, nurses, and all other health care workers by establishing a safe patient handling, mobility, and injury prevention standard, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS of New York (for himself, Mr. KINZINGER of Illinois, Mr. JOHNSON of Ohio, Mr. BUCSHON, and Mr. LATTA):

H.R. 4267. A bill to provide that no penalty may be imposed on a State for refusing to expend refugee resettlement assistance funds on certain refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. O'ROURKE:

H.R. 4268. A bill to designate the Castner Range in the State of Texas, to establish the Castner Range National Monument, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Ms. ADAMS, Mr. AGUILAR, Ms. BASS, Mr. BECERRA, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Mr. DESAULNIER, Mr. DEUTCH, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEGO, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. HIMES, Mr. HONDA, Mr. HOYER, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. MCDERMOTT, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NORCROSS, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Ms. PINGREE, Ms. PLASKETT, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Miss RICE of New York, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHERMAN, Mr. SIRES, Ms. SLAUGHTER, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. VARGAS, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Mr. YARMUTH):

H.R. 4269. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

By Mr. POMPEO:

H.R. 4270. A bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Missouri:

H.R. 4271. A bill to prohibit the Administrator of the Environmental Protection Agency from awarding contracts for public relations, market research, or other similar activities; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY (for herself, Mrs. WALORSKI, and Mr. COFFMAN):

H.R. 4272. A bill to provide for the issuance of a Families of Fallen Heroes Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas (for himself and Mr. MCDERMOTT):

H.R. 4273. A bill to amend titles XVIII and XIX of the Social Security Act to improve payments for hospital outpatient department services and complex rehabilitation technology and to improve program integrity, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas:

H.R. 4274. A bill to prohibit the admission of K-1 nonimmigrants and to prohibit the issuance of K-1 visas, and for other purposes; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania (for himself, Mr. KIND, Mr. GUTHRIE, and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 4275. A bill to amend title XVIII of the Social Security Act to eliminate a provision under the Medicare Advantage program that inadvertently penalizes Medicare Advantage plans for providing high quality care to Medicare beneficiaries; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Mr. TONKO, Ms. MATSUI, Ms. CLARKE of New York, and Ms. CASTOR of Florida):

H.R. 4276. A bill to strengthen parity in mental health and substance use disorder benefits; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself and Ms. SCHAKOWSKY):

H.R. 4277. A bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. ENGEL, Mr. RANGEL, Ms. EDWARDS, Ms. CLARKE of New York, Ms. NORTON, Mr. FATTAH, Mr. DAVID SCOTT of Georgia, Ms. WILSON of Florida, Mr. SIRES, Mr. MCGOVERN, Mr. VAN HOLLEN, Mr. JEFFRIES, Mr. COHEN, Ms. JACKSON LEE, Mrs. LAWRENCE, Mr. BLUMENAUER, Ms. FUDGE, Mr. QUIGLEY, Ms. SPEIER, Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, and Mr. TAKANO):

H.R. 4278. A bill to authorize the Director of the Bureau of Justice Assistance to make grants to States, units of local government, and gun dealers to conduct gun buyback programs, and for other purposes; to the Committee on the Judiciary.

By Mrs. WALORSKI (for herself and Mrs. BROOKS of Indiana):

H.R. 4279. A bill to direct the Secretary of Veterans Affairs to disclose certain information to State controlled substance monitoring programs; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Kentucky:

H.J. Res. 78. A joint resolution making further continuing appropriations for fiscal year 2016, and for other purposes; to the Committee on Appropriations; considered and passed.

By Mr. HARDY:

H.J. Res. 79. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. ROSKAM, Mr. ENGEL, and Mr. ROYCE):

H. Res. 567. A resolution expressing opposition to the European Commission interpretive notice regarding labeling Israeli products and goods manufactured in the West Bank and other areas, as such actions undermine efforts to achieve a negotiated Israeli-Palestinian peace process; to the Committee on Foreign Affairs.

## ¶155.43 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. CAPPS introduced a bill (H.R. 4280) to authorize the President to award the Medal of Honor to Colonel Philip Conran of the United States Air Force for acts of valor during the Vietnam War; which was referred to the Committee on Armed Services.

¶155.44 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 178: Mr. SESSIONS.
H.R. 201: Mr. TURNER.
H.R. 307: Mr. CÁRDENAS.
H.R. 347: Mr. PITTENGER.
H.R. 391: Mr. MCGOVERN.
H.R. 393: Ms. PINGREE.
H.R. 546: Mr. TIPTON.
H.R. 592: Mr. ENGEL.
H.R. 676: Mr. MCNERNEY and Mrs. NAPOLITANO.
H.R. 721: Mrs. TORRES.
H.R. 752: Mr. CÁRDENAS.
H.R. 793: Mr. ENGEL.
H.R. 815: Mr. TURNER.
H.R. 841: Mr. FLEMING.
H.R. 863: Mr. ROHRABACHER.
H.R. 921: Mr. FORBES.
H.R. 973: Mrs. KIRKPATRICK.
H.R. 986: Mr. WALBERG and Mrs. ROBY.
H.R. 1116: Mr. HUDSON, Mr. BISHOP of Michigan, Mrs. BROOKS of Indiana, Mr. FLORES, and Mr. DOLD.
H.R. 1117: Mr. HUFFMAN.
H.R. 1130: Mr. KELLY of Pennsylvania, Mr. KIND, Mr. YOUNG of Iowa, Ms. JACKSON LEE, and Ms. ESHOO.
H.R. 1192: Mr. KINZINGER of Illinois, Mr. FATTAH, and Ms. WILSON of Florida.
H.R. 1197: Mr. ROONEY of Florida.
H.R. 1220: Ms. BONAMICI.
H.R. 1258: Ms. KELLY of Illinois.
H.R. 1274: Mr. CARTWRIGHT.
H.R. 1288: Ms. KUSTER, Mr. QUIGLEY, and Ms. MENG.
H.R. 1343: Mr. VEASEY.
H.R. 1431: Mrs. BLACKBURN and Mr. FRANKS of Arizona.
H.R. 1432: Mrs. BLACKBURN and Mr. FRANKS of Arizona.
H.R. 1475: Ms. MENG.
H.R. 1567: Ms. GRAHAM.
H.R. 1594: Mr. LATTA.
H.R. 1608: Mr. HASTINGS.
H.R. 1671: Mr. HOLDING, Mr. WENSTRUP, and Mr. PEARCE.
H.R. 1726: Mr. VEASEY.
H.R. 1763: Mr. VISCLOSKY.
H.R. 1769: Mr. AUSTIN SCOTT of Georgia, Mr. BISHOP of Michigan, and Mr. HILL.
H.R. 1784: Mr. ENGEL.
H.R. 1877: Mr. ENGEL.
H.R. 1923: Mrs. BEATTY and Mr. COLLINS of New York.
H.R. 2043: Mr. ENGEL.
H.R. 2216: Mr. CÁRDENAS.
H.R. 2257: Mr. LOEBSACK and Mr. KENNEDY.
H.R. 2302: Ms. JACKSON LEE.
H.R. 2304: Mr. MCCAUL.
H.R. 2411: Ms. ESHOO, Mr. MEEKS, Ms. LEE, Ms. SLAUGHTER, Mr. MCGOVERN, and Mr. MCDERMOTT.
H.R. 2442: Mr. COHEN.
H.R. 2536: Ms. ESTY.
H.R. 2597: Mr. BERA.
H.R. 2649: Mr. GUTHRIE.
H.R. 2713: Ms. GRAHAM.
H.R. 2716: Mr. YODER.
H.R. 2799: Mr. HARRIS and Ms. MATSUI.
H.R. 2817: Mr. POCAN, Mr. PRICE of North Carolina, Mr. COOK, and Mr. ZINKE.
H.R. 2847: Mr. KEATING and Mr. CÁRDENAS.
H.R. 2965: Mr. GRAVES of Missouri.
H.R. 2984: Mr. BOST.
H.R. 3099: Mr. HASTINGS, Mrs. KIRKPATRICK, and Ms. KUSTER.
H.R. 3180: Mr. HURD of Texas, Ms. JACKSON LEE, Mr. ENGEL, and Ms. CLARKE of New York.
H.R. 3222: Mr. OLSON.
H.R. 3229: Mrs. MILLER of Michigan, Mr. COSTELLO of Pennsylvania, Mr. AUSTIN SCOTT of Georgia, Ms. DELBENE, and Mr. RIGELL.
H.R. 3235: Mr. RODNEY DAVIS of Illinois.
H.R. 3323: Mr. SIMPSON and Mr. AUSTIN SCOTT of Georgia.
H.R. 3326: Mr. BOUSTANY and Mrs. HARTZLER.
H.R. 3375: Mr. TAKAI.
H.R. 3381: Ms. MCCOLLUM and Ms. KUSTER.
H.R. 3393: Ms. MCSALLY.
H.R. 3477: Mr. AMODEI.
H.R. 3556: Mr. SCHIFF, Mr. O'ROURKE, and Mr. ISRAEL.
H.R. 3579: Mr. HUFFMAN.
H.R. 3662: Mr. PALMER, Mrs. HARTZLER, Mr. ALLEN, Mr. BISHOP of Michigan, Mr. BOST, Mr. BUCSHON, and Mr. NUNES.
H.R. 3698: Mr. VEASEY.
H.R. 3706: Ms. ESTY and Mr. WOODALL.
H.R. 3722: Mr. HUDSON.
H.R. 3734: Ms. MCSALLY and Mr. GRIFFITH.
H.R. 3782: Mr. SEAN PATRICK MALONEY of New York.
H.R. 3783: Mr. SEAN PATRICK MALONEY of New York.
H.R. 3785: Mr. KEATING, Mr. ISRAEL, and Ms. DUCKWORTH.
H.R. 3805: Mr. MEEKS, Mr. DIAZ-BALART, Mr. SCHIFF, and Mr. KLINE.
H.R. 3852: Ms. PINGREE.
H.R. 3856: Mr. MEEHAN, Mr. AMODEI, and Mr. BARLETTA.
H.R. 3858: Mr. BUCSHON and Mr. JONES.
H.R. 3888: Mr. RANGEL.
H.R. 3940: Mr. TURNER.
H.R. 3990: Mr. FOSTER, Mr. VEASEY, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 4019: Mr. SERRANO and Mr. POLIS.
H.R. 4039: Ms. MENG.
H.R. 4058: Mr. TURNER.
H.R. 4062: Mrs. BLACKBURN.
H.R. 4087: Ms. WILSON of Florida.
H.R. 4101: Mr. HONDA.
H.R. 4121: Mr. RANGEL.
H.R. 4137: Mr. MEEKS and Mr. RANGEL.
H.R. 4152: Mr. BILIRAKIS and Mr. JOHNSON of Ohio.
H.R. 4153: Ms. ESHOO.
H.R. 4162: Ms. TSONGAS.
H.R. 4185: Mrs. BLACK, Mr. GUTHRIE, Mr. BUCK, Ms. SEWELL of Alabama, Mr. KELLY of Pennsylvania, Mr. WESTMORELAND, Ms. PINGREE, Mr. PALAZZO, Mr. BOUSTANY, Mr. DESJARLAIS, Mr. OLSON, and Mr. FORBES.
H.R. 4186: Mr. ROUZER.
H.R. 4211: Mr. PITTENGER.
H.R. 4226: Mr. MURPHY of Florida.
H.R. 4237: Mr. KATKO.
H.R. 4238: Mr. LOWENTHAL.
H.R. 4240: Mr. VELA, Mr. LABRADOR, Mr. BURGESS, Mr. CARTER of Georgia, and Mr. JOHNSON of Georgia.
H.R. 4247: Mr. SIRES.
H.R. 4257: Mr. RUSSELL, Mr. STIVERS, and Mr. BOUSTANY.
H.J. Res. 9: Mr. SESSIONS.
H.J. Res. 74: Mr. TURNER.
H. Con. Res. 17: Mr. AL GREEN of Texas.
H. Con. Res. 19: Mr. ROKITA.
H. Con. Res. 75: Mr. MCCAUL and Mr. BOUSTANY.
H. Con. Res. 88: Mr. BURGESS.
H. Con. Res. 97: Mr. ISSA.
H. Con. Res. 100: Mr. JOHNSON of Ohio, Mr. MACARTHUR, Mr. ALLEN, and Mr. TOM PRICE of Georgia.
H. Res. 265: Ms. WILSON of Florida.
H. Res. 290: Mrs. HARTZLER.
H. Res. 318: Mr. SESSIONS.
H. Res. 428: Mr. KEATING and Mr. SCOTT of Virginia.
H. Res. 467: Mr. CÁRDENAS.
H. Res. 510: Mr. ROSKAM.
H. Res. 523: Ms. WILSON of Florida and Mr. HIGGINS.

## THURSDAY, DECEMBER 17, 2015 (156)

The House was called to order by the SPEAKER.

¶156.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, December 16, 2015.

Mr. LAMALFA, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. LAMALFA objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶156.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3794. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Consumer Financial Protection Bureau's annual report to Congress on college credit card agreements, pursuant to 15 U.S.C. 1637; Public Law 111-24, Sec. 305(a)(3); (123 Stat. 1750); to the Committee on Financial Services.

3795. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; NH; Infrastructure State Implementation Plan Requirements for Ozone, Lead, and Nitrogen Dioxide [EPA-R01-OAR-2012-0950; A-1-FRL-9940-15-Region 1] received December 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3796. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Implementation Plan Approval; Illinois; Illinois Power Holdings and AmerenEnergy Medina Valley Cogen Variance [EPA-R05-OAR-2014-0705; FRL-9939-75-Region 5] received December 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3797. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Idaho: Interstate Transport of Ozone [EPA-R10-OAR-2015-0258; FRL-9940-32-Region 10] received December 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3798. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oregon: Interstate Transport of Ozone [EPA-R10-OAR-2015-0259; FRL-9940-35-Region 10] received December 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3799. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas and Okla-

homa; Regional Haze State Implementation Plans; Interstate Visibility Transport State Implementation Plan to Address Pollution Affecting Visibility and Regional Haze; Federal Implementation Plan for Regional Haze [EPA-R06-OAR-2014-0754; FRL-9940-21-Region 6] received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3800. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Pesticide Residue Tolerances for Emergency Exemptions (Multiple Chemicals) [EPA-HQ-OPP-2015-0766; FRL-9939-95] received December 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3801. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerances [EPA-HQ-OPP-2014-0397; FRL-9937-18] received December 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3802. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Texas: Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program [EPA-R06-RCRA-2015-0110; FRL-9939-51-Region 6] received December 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3803. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-117, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3804. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-024, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3805. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance, Transmittal No.: 15-27, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106 -113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3806. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States, Transmittal No.: 16-05, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106 -113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3807. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States, Transmittal No.: 16-01, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106 -113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3808. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States, Transmittal No.: 16-06, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106 -113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3809. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States, Transmittal No.: 15-74, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106 -113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3810. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States, Transmittal No.: 15-72, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106 -113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3811. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States, Transmittal No.: 15-45, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106 -113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3812. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States, Transmittal No.: 15-44, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106 -113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3813. A letter from the Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards: Conforming Amendments [Docket No.: FR-5783-F-02] (RIN: 2501-AD66) received December 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

## ¶156.3 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO H.R. 2029

Mr. COLE, by direction of the Committee on Rules, called up the following resolution (H. Res. 566):

*Resolved,* That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with each of the two amendments specified in section 3 of this resolution. The Senate amendment and the motion shall be considered as read. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question except as specified in section 2 of this resolution. Clause 5(b) of rule XXI shall not apply to the motion.

SEC. 2. (a) The question of adoption of the motion shall be divided between the two House amendments specified in section 3 of this resolution. The two portions of the divided question shall be considered in the order specified by the Chair. Either portion of the divided question may be subject to postponement as though under clause 8 of rule XX.

(b) The portion of the divided question comprising the amendment specified in section 3(a) of this resolution shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The portion of the divided question comprising the amendment specified in section 3(b) of this resolution shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

SEC. 3. The amendments referred to in the first and second sections of this resolution are as follows:

(a) An amendment consisting of the text of Rules Committee Print 114-39 modified by the amendment printed in the report of the Committee on Rules accompanying this resolution.

(b) An amendment consisting of the text of Rules Committee Print 114-40.

SEC. 4. If only the portion of the divided question comprising the amendment specified in section 3(b) of this resolution is adopted, that portion shall be engrossed as an amendment in the nature of a substitute to the Senate amendment to H.R. 2029.

SEC. 5. The chair of the Committee on Appropriations may insert in the Congressional Record at any time during the remainder of the first session of the 114th Congress such material as he may deem explanatory of the Senate amendment and the motion specified in the first section of this resolution.

SEC. 6. On any legislative day of the first session of the One Hundred Fourteenth Congress after December 18, 2015—

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

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

SEC. 7. On any legislative day of the second session of the One Hundred Fourteenth Congress before January 5, 2016—

(a) the Speaker may dispense with organizational and legislative business;

(b) the Journal of the proceedings of the previous day shall be considered as approved if applicable; and

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

SEC. 8. The Speaker may appoint Members to perform the duties of the Chair for the duration of the periods addressed by sections 6 and 7 of this resolution as though under clause 8(a) of rule I.

SEC. 9. Each day during the periods addressed by sections 6 and 7 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 10. Each day during the periods addressed by sections 6 and 7 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 11. It shall be in order at any time through the legislative day of December 18, 2015, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of

any matter for consideration pursuant to this section.

SEC. 12. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of December 18, 2015.

When said resolution was considered.

After debate,

Mr. COLE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 244 Nays ..... 177

¶156.4 [Roll No. 701]

YEAS—244

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

NAYS—177

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

NOT VOTING—12

Collins (NY)
Cuellar
DeSantis
Deutch
Joyce
Kennedy
Kildee
Moore
Nadler
Payne
Rogers (KY)
Russell

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 240 Noes ..... 185

¶156.5 [Roll No. 702]

AYES—240

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

NOES—185

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

NOT VOTING—8

| | | |
|---|---|---|
| Collins (NY) | Deutch | Kildee |
| Cuellar | Joyce | Nadler |
| DeSantis | Kennedy | |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to, was, by unanimous consent, laid on the table.

¶156.6 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, without amendment, a bill of the House of the following title:

H.R. 3831. An Act to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage.

The message also announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 1616. An Act to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards.

¶156.7 AMENDMENT OF THE SENATE TO H.R. 2029

Mr. BRADY of Texas, pursuant to House Resolution 566, the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:*

*TITLE I*

*DEPARTMENT OF DEFENSE*

*MILITARY CONSTRUCTION, ARMY*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $663,245,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed $109,245,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,619,699,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed $91,649,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, AIR FORCE*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,389,185,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed $89,164,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, DEFENSE-WIDE*

*(INCLUDING TRANSFER OF FUNDS)*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,290,767,000, to remain available until September 30, 2020: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount appropriated, not to exceed $160,404,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $197,237,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $20,337,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $138,738,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $5,104,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, ARMY RESERVE*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $113,595,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $9,318,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, NAVY RESERVE*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $36,078,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $2,208,000*

*shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, AIR FORCE RESERVE*

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $65,021,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed $13,400,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM*

*For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $120,000,000, to remain available until expended.*

*FAMILY HOUSING CONSTRUCTION, ARMY*

*For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $99,695,000, to remain available until September 30, 2020.*

*FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

*For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $393,511,000.*

*FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS*

*For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $16,541,000, to remain available until September 30, 2020.*

*FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS*

*For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $353,036,000.*

*FAMILY HOUSING CONSTRUCTION, AIR FORCE*

*For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $160,498,000, to remain available until September 30, 2020.*

*FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE*

*For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $331,232,000.*

*FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE*

*For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $58,668,000.*

*DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT*

*For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $251,334,000, to remain available until expended.*

*ADMINISTRATIVE PROVISIONS*

*SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.*

*SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.*

*SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.*

*SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.*

*SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.*

*SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.*

*SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.*

*SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.*

*SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.*

*SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.*

*SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.*

*SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.*

*SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.*

*SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.*

*SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.*

*SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.*

*SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 118. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.*

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 120. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 121. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'', to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 125. For an additional amount for ''Military Construction, Army'', $34,500,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 126. For an additional amount for ''Military Construction, Navy and Marine Corps'', $34,320,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Navy's Unfunded Priority List for fiscal year 2016: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Navy shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 127. For an additional amount for ''Military Construction, Army National Guard'', $51,300,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 128. For an additional amount for ''Military Construction, Army Reserve'', $34,200,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 129. Of the unobligated balances available from prior Appropriations Acts (other than appropriations that were designated by the Congress as an emergency requirement or as being for Overseas Contingency Operations/Global War on Terrorism pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985) the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Military Construction, Army'', $45,000,000;

''Military Construction, Air Force'', $46,400,000; and

''Military Construction, Defense-Wide'', $80,500,000.

(RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances made available in prior appropriations Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), $65,000,000 are hereby rescinded.

SEC. 131. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress (''the Committees'') a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: Provided, That the term ''United States'' in this section does not include any territory or possession of the United States.

SEC. 132. For an additional amount for ''Military Construction, Air Force'', $21,000,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 133. For an additional amount for ''Military Construction, Air National Guard'', $6,100,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 134. For an additional amount for ''Military Construction, Air Force Reserve'', $10,400,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $166,271,436,000, to remain available until expended, of which $87,146,761,000 shall become available on October

*1, 2016: Provided, That not to exceed $15,562,000 of the amount appropriated for fiscal year 2016 and $16,021,000 of the amount made available for fiscal year 2017 under this heading shall be reimbursed to ''General Operating Expenses, Veterans Benefits Administration'', and ''Information Technology Systems'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and Pensions'' appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical Care Collections Fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.*

*READJUSTMENT BENEFITS*

*For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, $32,088,826,000, to remain available until expended, of which $16,743,904,000 shall become available on October 1, 2016: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.*

*VETERANS INSURANCE AND INDEMNITIES*

*For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $169,080,000, to remain available until expended, of which $91,920,000 shall become available on October 1, 2016.*

*VETERANS HOUSING BENEFIT PROGRAM FUND*

*For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2016, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.*

*In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $164,558,000.*

*VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT*

*For the cost of direct loans, $31,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,952,381.*

*In addition, for administrative expenses necessary to carry out the direct loan program, $367,000, which may be paid to the appropriation for ''General Operating Expenses, Veterans Benefits Administration''.*

*NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT*

*For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,134,000.*

*VETERANS HEALTH ADMINISTRATION*

*MEDICAL SERVICES*

*For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $3,104,197,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2015; and, in addition, $51,673,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made available on October 1, 2016, under this heading, $1,400,000,000 shall remain available until September 30, 2018: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That, of the amount made available on October 1, 2016, under this heading, not less than $900,000,000 shall be available for highly effective Hepatitis C Virus (HCV) clinical treatments including clinical treatments with modern medications that have significantly higher cure rates than older medications, are easier to prescribe, and have fewer and milder side effects: Provided further, That the Secretary of Veterans Affairs shall ensure that amounts appropriated to the Department of Veterans Affairs for medical supplies and equipment are allocated to ensure the provision of gender appropriate prosthetics.*

*MEDICAL SUPPORT AND COMPLIANCE*

*For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $6,524,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made available on October 1, 2016, under this heading, $100,000,000 shall remain available until September 30, 2018.*

*MEDICAL FACILITIES*

*For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $5,074,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made available on October 1, 2016, under this heading, $250,000,000 shall remain available until September 30, 2018.*

*MEDICAL AND PROSTHETIC RESEARCH*

*For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $621,813,000, plus reimbursements, shall remain available until September 30, 2017: Provided, That such sums are allocated to ensure the provision of gender appropriate prosthetics and to conduct research related to toxic exposure.*

*NATIONAL CEMETERY ADMINISTRATION*

*For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $266,220,000, of which not to exceed $26,600,000 shall remain available until September 30, 2017.*

*DEPARTMENTAL ADMINISTRATION*

*GENERAL ADMINISTRATION*

*(INCLUDING TRANSFER OF FUNDS)*

*For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $311,591,000, of which not to exceed $10,000,000 shall remain available until September 30, 2017: Provided, That funds provided under this heading may be transferred to ''General Operating Expenses, Veterans Benefits Administration''.*

*BOARD OF VETERANS APPEALS*

*For necessary operating expenses of the Board of Veterans Appeals, $107,884,000, of which not to exceed $10,788,000 shall remain available until September 30, 2017.*

*GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION*

*For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,697,734,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed $160,000,000 shall remain available until September 30, 2017.*

*INFORMATION TECHNOLOGY SYSTEMS*

*For necessary expenses for information technology systems and telecommunications support,*

*including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $4,106,363,000, plus reimbursements: Provided, That $1,115,757,000 shall be for pay and associated costs, of which not to exceed $34,800,000 shall remain available until September 30, 2017: Provided further, That $2,512,863,000 shall be for operations and maintenance, of which not to exceed $175,000,000 shall remain available until September 30, 2017: Provided further, That $477,743,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2017: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the ''Information Technology Systems'' account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to develop a standard data reference terminology model: Provided further, That, of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a report that describes: (1) the status of and changes to the VistA Evolution program plan dated March 24, 2014 (hereinafter referred to as the ''Plan''), the VistA 4 product roadmap dated February 26, 2015 (''Roadmap''), and the VistA 4 Incremental Life Cycle Cost Estimate, dated October 26, 2014; (2) any changes to the scope or functionality of projects within the VistA Evolution program as established in the Plan; (3) actual program costs incurred to date; (4) progress in meeting the schedule milestones that have been established in the Plan; (5) a Project Management Accountability System (PMAS) Dashboard Progress report that identifies each VistA Evolution project being tracked through PMAS, what functionality it is intended to provide, and what evaluation scores it has received throughout development; (6) the definition being used for interoperability between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs, the metrics to measure the extent of interoperability, the milestones and timeline associated with achieving interoperability, and the baseline measurements associated with interoperability; (7) progress toward developing and implementing all components and levels of interoperability, including semantic interoperability; (8) the change management tools in place to facilitate the implementation of VistA Evolution and interoperability; and (9) any changes to the governance structure for the VistA Evolution program and its chain of decisionmaking authority: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.*

*OFFICE OF INSPECTOR GENERAL*

*For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $126,766,000, of which $12,676,000 shall remain available until September 30, 2017.*

*CONSTRUCTION, MAJOR PROJECTS*

*For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $1,027,064,000, of which $967,064,000 shall remain available until September 30, 2020, and of which $60,000,000 shall remain available until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2016, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2016; and (2) by the awarding of a construction contract by September 30, 2017: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That, of the amount made available on October 1, 2016, under this heading, $490,700,000 for Veterans Health Administration major construction projects shall not be available until the Secretary of Veterans Affairs:*

*(1) Enters into an agreement with the U.S. Army Corps of Engineers, to serve as the design and construction agent for Veterans Health Administration projects with a Total Estimated Cost of $250,000,000 or above.*

*(2) That such an agreement will designate the U.S. Army Corps of Engineers as the design and construction agent to serve as—*

*(A) the overall construction project manager, with a dedicated project delivery team including engineers, medical facility designers, and professional project managers;*

*(B) the facility design manager, with a dedicated design manager and technical support;*

*(C) the design agent, with standardized and rigorous facility designs;*

*(D) the architect/engineer designer; and*

*(E) the overall construction agent, with a dedicated construction and technical team during pre-construction, construction, and commissioning phases.*

*(3) Certifies in writing that such an agreement is in effect and will prevent subsequent major construction project cost overruns, provides a copy of the agreement entered into (and any required supplementary information) to the Committees on Appropriations of both Houses of Congress, and a period of 60 days has elapsed.*

*CONSTRUCTION, MINOR PROJECTS*

*For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $378,080,000, to remain available until September 30, 2020, along with unobligated balances of previous ''Construction, Minor Projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.*

*GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES*

*For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $100,000,000, to remain available until expended.*

*GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES*

*For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.*

*ADMINISTRATIVE PROVISIONS*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 201. Any appropriation for fiscal year 2016 for ''Compensation and Pensions'', ''Readjustment Benefits'', and ''Veterans Insurance and Indemnities'' may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2016, in this Act or any other Act, under the ''Medical Services'', ''Medical support and com-*

*pliance'', and ''Medical Facilities'' accounts may be transferred among the accounts: Provided, That any transfers between the ''Medical Services'' and ''Medical Support and Compliance'' accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers between the ''Medical Services'' and ''Medical Support and Compliance'' accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the ''Medical Facilities'' account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.*

*SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.*

*SEC. 204. No appropriations in this title (except the appropriations for ''Construction, Major Projects'', and ''Construction, Minor Projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.*

*SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the ''Medical Services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.*

*SEC. 206. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2015.*

*SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from ''Compensation and Pensions''.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 208. Notwithstanding any other provision of law, during fiscal year 2016, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the ''General operating expenses, Veterans Benefits Administration'' and ''Information Technology Systems'' accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2016 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That, if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2016 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.*

*SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $43,700,000 for the Office of Resolution Management and $3,400,000 for the Office of Employment Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the ''General Administration'' and ''Information Technology Systems'' accounts for use by the office that provided the service.*

*(TRANSFER OF FUNDS)*

*SEC. 211. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016 for the Office of Rural Health under the heading ''Medical Services'', including any advance appropriation for fiscal year 2016 provided in prior appropriation Acts, up to $20,000,000 may be transferred to and merged with funds appropriated under the heading ''Grants for Construction of State Extended Care Facilities''.*

*SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, Major Projects'' and ''Construction, Minor Projects'' accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, Major Projects'' and ''Construction, Minor Projects''.*

*SEC. 214. Amounts made available under ''Medical Services'' are available—*

*(1) for furnishing recreational facilities, supplies, and equipment; and*

*(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical Services'', to remain available until expended for the purposes of that account: Provided, That, for fiscal year 2016, up to $27,000,000 deposited in the Department of Veterans Affairs Medical Care Collections Fund shall be transferred to ''Information Technology Systems'', to remain available until expended, for development of the Medical Care Collections Fund electronic data exchange provider and payer system.*

*SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term ''rural Alaska'' shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, Major Projects'' and ''Construction, Minor Projects'' accounts, to remain available until expended for the purposes of these accounts.*

*SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.*

*SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 220. Amounts made available under the ''Medical Services'', ''Medical Support and Compliance'', ''Medical Facilities'', ''General Operating Expenses, Veterans Benefits Administration'', ''General Administration'', and ''National Cemetery Administration'' accounts for fiscal year 2016 may be transferred to or from the ''Information Technology Systems'' account: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.*

*SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.*

*SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016, in this Act or any other Act, under the ''Medical Facilities'' account for nonrecurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2016 for ''Medical Services'', ''Medical Support and Compliance'', ''Medical Facilities'', ''Construction, Minor Projects'', and ''Information Technology Systems'', up to $266,303,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 223 of Title II of Division I of Public Law 113–235 is repealed.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2016, for ''Medical Services'', ''Medical Support and Compliance'', and ''Medical Facilities'', up to $265,675,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.*

*(INCLUDING TRANSFER OF FUNDS)*

*SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).*

*(TRANSFER OF FUNDS)*

*SEC. 226. Of the amounts available in this title for ''Medical Services'', ''Medical Support and Compliance'', and ''Medical Facilities'', a minimum of $15,000,000 shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.*

*(INCLUDING RESCISSIONS OF FUNDS)*

*SEC. 227. (a) Of the funds appropriated in division I of Public Law 113–235, the following amounts which become available on October 1, 2015, are hereby rescinded from the following accounts in the amounts specified:*

*(1) ''Department of Veterans Affairs, Medical Services'', $1,400,000,000.*

*(2) ''Department of Veterans Affairs, Medical Support and Compliance'', $150,000,000.*

*(3) ''Department of Veterans Affairs, Medical Facilities'', $250,000,000.*

*(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2017:*

*(1) ''Department of Veterans Affairs, Medical Services'', $1,400,000,000.*

*(2) ''Department of Veterans Affairs, Medical Support and Compliance'', $100,000,000.*

*(3) ''Department of Veterans Affairs, Medical Facilities'', $250,000,000.*

*SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.*

*SEC. 229. The scope of work for a project included in ''Construction, Major Projects'' may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.*

*SEC. 230. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: Provided, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.*

*SEC. 231. Of the funds provided to the Department of Veterans Affairs for fiscal year 2016 for ''Medical Services'' and ''Medical Support and Compliance'', a maximum of $5,000,000 may be obligated from the ''Medical Services'' account and a maximum of $154,596,000 may be obligated from the ''Medical Support and Compliance'' account for the VistA Evolution and electronic health record interoperability projects: Provided, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.*

*SEC. 232. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.*

*SEC. 233. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.*

*SEC. 234. Not more than $4,400,000 of the funds provided in this Act under the heading ''Department of Veterans Affairs—Departmental Administration—General Administration'' may be used for the Office of Congressional and Legislative Affairs.*

*SEC. 235. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.*

*(RESCISSIONS OF FUNDS)*

*SEC. 236. Of the discretionary funds made available in title II of division I of Public Law 113–235 for the Department of Veterans Affairs for fiscal year 2016, $198,000,000 are rescinded from ''Medical Services'', $42,000,000 are rescinded from ''Medical Support and Compliance'', and $15,000,000 are rescinded from ''Medical Facilities''.*

*(RESCISSIONS OF FUNDS)*

*SEC. 237. (a) There is hereby rescinded an aggregate amount of $55,000,000 from the total budget authority provided for fiscal year 2016 for discretionary accounts of the Department of Veterans Affairs in—*

*(1) this Act; or*

*(2) any advance appropriation for fiscal year 2016 in prior appropriation Acts.*

*(b) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 30 days following enactment of this Act.*

*(RESCISSION OF FUNDS)*

*SEC. 238. Of the unobligated balances available within the ''DOD–VA Health Care Sharing Incentive Fund'', $50,000,000 are hereby rescinded.*

*(RESCISSIONS OF FUNDS)*

*SEC. 239. Of the discretionary funds made available in title II of division I of Public Law 113–235 for the Department of Veterans Affairs for fiscal year 2015, $1,052,000 are rescinded from ''General Administration'', and $5,000,000 are rescinded from ''Construction, Minor Projects''.*

*(RESCISSIONS OF FUNDS)*

*SEC. 240. (a) There is hereby rescinded an aggregate amount of $90,293,000 from prior year unobligated balances available within discretionary accounts of the Department of Veterans Affairs;*

*(b) No funds may be rescinded from amounts provided under the following headings:*

*(1) ''Medical Services'';*

*(2) ''Medical and Prosthetic Research'';*

*(3) ''National Cemetery Administration'';*

*(4) ''Board of Veterans Appeals'';*

*(5) ''General Operating Expenses, Veterans Benefits Administration'';*

*(6) ''Office of Inspector General'';*

*(7) ''Grants for Construction of State Extended Care Facilities''; and*

*(8) ''Grants for Construction of Veterans Cemeteries''.*

*(c) No amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*(d) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 30 days following enactment of this Act.*

*SEC. 241. Section 2302(a)(2)(A)(viii) of title 5, United States Code, is amended by inserting ''or under title 38'' after ''of this title''.*

*SEC. 242. The Department of Veterans Affairs is authorized to administer financial assistance*

*grants and enter into cooperative agreements with organizations, utilizing a competitive selection process, to train and employ homeless and at-risk veterans in natural resource conservation management.*

*SEC. 243. Section 312 of title 38, United States Code, is amended by adding at the end the following new subsection:*

*''(c)(1) Whenever the Inspector General, in carrying out the duties and responsibilities established under the Inspector General Act of 1978 (5 U.S.C. App.), issues a work product that makes a recommendation or otherwise suggests corrective action, the Inspector General shall—*

*''(A) submit the work product to—*

*''(i) the Secretary;*

*''(ii) the Committee on Veterans' Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate;*

*''(iii) the Committee on Veterans' Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives;*

*''(iv) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and*

*''(v) any Member of Congress upon request; and*

*''(B) the Inspector General shall submit all final work products to—*

*''(i) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and*

*''(ii) any Member of Congress upon request; and*

*''(C) not later than 3 days after the work product is submitted in final form to the Secretary, post the work product on the Internet website of the Inspector General.*

*''(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law.''.*

*SEC. 244. None of the funds provided in this Act may be used to pay the salary of any individual who (a) was the Executive Director of the Office of Acquisition, Logistics and Construction, and (b) who retired from Federal service in the midst of an investigation, initiated by the Department of Veterans Affairs, into delays and cost overruns associated with the design and construction of the new medical center in Aurora, Colorado.*

*SEC. 245. Of the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the ''Medical Services'' account for fiscal year 2016 in this Act of any other Act, not less than $10,000,000 shall be used to hire additional caregiver support coordinators to support the programs of assistance and support for caregivers of veterans under section 1720G of title 38, United States Code.*

*SEC. 246. None of the funds appropriated or otherwise made available to the Department of Veterans Affairs in this Act may be used in a manner that would—*

*(1) interfere with the ability of a veteran to participate in a State-approved medicinal marijuana program;*

*(2) deny any services from the Department to a veteran who is participating in such a program; or*

*(3) limit or interfere with the ability of a health care provider of the Department to make appropriate recommendations, fill out forms, or take steps to comply with such a program.*

*SEC. 247. The Comptroller General of the United States shall conduct random, periodic audits of medical facilities of the Department of Veterans Affairs and the Veterans Integrated Service Networks to assess whether such facilities and Networks are complying with all standards imposed by law or by the Secretary of Veterans Affairs with respect to the timely access of veterans to hospital care, medical services, and other health care from the Department.*

*SEC. 248. None of the amounts appropriated or otherwise made available by this title may be used to transfer any amount from the Filipino Veterans Equity Compensation Fund to any other account in the Treasury of the United States.*

*SEC. 249. None of the amounts appropriated or otherwise made available by title II may be used to carry out the Home Marketing Incentive Program of the Department of Veterans Affairs or to carry out the Appraisal Value Offer Program of the Department with respect to an employee of the Department in a senior executive position (as defined in section 713(g) of title 38, United States Code).*

*SEC. 250. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional veterans committees a report evaluating the implementation by the Department of Veterans Affairs of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note).*

*(b) The report required by subsection (a) shall include, with respect to the implementation of such section 101, an evaluation of the following:*

*(1) The effect of such implementation on the reduction in the use of purchased care by the Department, including delays or denials of care and interruptions in courses and continuity of care.*

*(2) The ability of health care providers to meet the demand for primary, specialty, and behavioral health care under such section 101 that cannot reasonably be provided in medical facilities of the Department.*

*(3) The efforts of the Department to recruit health care providers to provide health care under such section 101.*

*(4) The accuracy of the information provided to veterans through call centers regarding the receipt of health care under such section 101.*

*(5) The timeliness of referrals of veterans by the Department to health care providers under such section 101.*

*(6) Unique issues and difficulties in the implementation of section 101 with respect to veterans residing in rural areas, the States of Alaska and Hawaii and states lacking a full service VA Hospital.*

*(7) With respect to rural areas: (A) an identification of the average wait times for veterans in rural areas to receive health care under such section 101, measured from when the veteran first calls the Department or contracted call center to request an appointment; (B) an assessment of utilization rates for health care provided under such section 101 in rural areas; (C) an assessment of the accessibility of veterans in rural areas to primary and specialty care at medical centers of the Department and from non-Department health care providers under such section 101; (D) an assessment of the status of any pilot programs created by the Department to provide care under such section 101; (E) an identification of the number of health care providers providing health care under such section 101 to veterans in rural areas, broken out by primary care providers, specialty and subspecialty providers, and behavioral health providers in each Veterans Integrated Service Network.*

*(8) Recommendations for such improvements to the provision of health care under such section 101 as the Comptroller General considers appropriate.*

*(c) In this section, the term ''congressional veterans committees'' means the Veterans Affairs Committees of the United States Senate and the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committees on Appropriations of the United States Senate and the House of Representatives.*

*SEC. 251. Not later than February 1, 2016, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that supplements the report required under section 4002(c) of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114–41) and that contains the following:*

*(1) A description of the changes in access, if any, of veterans in Alaska to purchased care from the Department of Veterans Affairs that have resulted from implementation of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146), including denials of care and interruptions in the course and continuity of care.*

*(2) An assessment of the performance of the Department in providing health care under such section 101 in Alaska, including—*

*(A) the performance of call center service provided to veterans;*

*(B) the accuracy of call center information provided to veterans and health care providers;*

*(C) whether health care providers are agreeing to provide health care under such section 101 in each of the major communities in Alaska;*

*(D) gaps in the availability of health care providers, disaggregated by primary, specialty, subspecialty, and behavioral health care;*

*(E) impediments to the provision of health care under such section 101; and*

*(F) plans to mitigate those impediments.*

*(3) An assessment of the status of health care provider vacancies at the VA Alaska Healthcare System as of the date of submittal of the report under this section, including impediments to filling those vacancies and plans to mitigate those impediments.*

*(4) A description of the manner in which the Department plans to serve the primary, specialty, and behavioral health care needs of veterans in Alaska if the plan and recommendations set forth in the report submitted under such section 4002(c) are implemented, including a description of specific strategies to be employed by the Department to address gaps in the provision of health care to veterans and the supply and demand of health care providers for veterans, including the roles of tribal health providers and community providers in addressing those gaps.*

*SEC. 252. None of the amounts appropriated or otherwise made available by this title may be used—*

*(1) to carry out the memorandum of the Veterans Benefits Administration known as ''Fast Letter 13–10'', issued on May 20, 2013; or*

*(2) to create or maintain any patient recordkeeping system other than those currently approved by the Department of Veterans Affairs Central Office in Washington, District of Columbia.*

*SEC. 253. (a) Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the recruitment and retention of health care providers by the Department of Veterans Affairs.*

*(b) The report required by subsection (a) shall include the following:*

*(1) An identification of the ratio of veterans to health care providers of the Department, disaggregated by State.*

*(2) An analysis of the workload of primary and specialty care providers of the Department, disaggregated by State.*

*(3) An assessment of initiatives carried out by the Veterans Health Administration to recruit and retain health care providers of the Department.*

*(4) An assessment of the extent to which the Veterans Health Administration oversees health care providers of the Department.*

*(5) Such recommendations for improving the recruitment and retention of health care providers of the Department as the Comptroller General considers appropriate.*

*SEC. 254. (a) Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the implementation by the Department*

*of Veterans Affairs of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) in rural areas.*

*(b) The report required by subsection (a) shall include the following:*

*(1) An identification of average wait times for veterans in rural areas to receive health care under such section 101, measured from when the veteran first calls the Department to schedule an appointment.*

*(2) An assessment of utilization rates for health care provided under such section 101 in rural areas.*

*(3) An assessment of the accessibility of veterans in rural areas to primary and specialty care at medical centers of the Department and from non-Department health care providers under such section 101.*

*(4) An identification of the number of health care providers providing health care under such section 101 in each Veterans Integrated Service Network.*

*(5) An assessment of the status of any pilot programs created by the Department to provide care under such section 101 in rural areas.*

*SEC. 255. REPORT ON USE OF SOCIAL SECURITY NUMBERS BY DEPARTMENT OF VETERANS AFFAIRS. (a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the use of social security numbers by the Department of Veterans Affairs and the plans of the Secretary to discontinue the unnecessary use.*

*(b) CONTENTS.—The report required by subsection (a) shall include the following:*

*(1) A list of documents and records of the Department of Veterans Affairs that contain social security numbers.*

*(2) A list of all government and non-government entities and the numbers of their employees that have access to the social security numbers of veterans that are stored by the Department.*

*(3) A description of how the Department, other governmental entities, and persons use social security numbers they obtain from the Department, including a description of any information sharing arrangements that the Secretary may have with the heads of other governmental entities.*

*(4) The number of data breaches of Department of Veterans Affairs information systems that involved social security numbers that occurred during the five-year period ending on the date of the enactment of this Act that the Secretary discovered or that were reported to the Secretary, a description and status of the investigations conducted by the Secretary regarding such breaches, and a description of the plans of the Secretary to remediate such breaches.*

*(5) The plans of the Secretary, including a timeline, to discontinue the unnecessary use by the Department of social security numbers.*

*(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—*

*(1) the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate; and*

*(2) the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives.*

*SEC. 256. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report that includes, with respect to the South Texas Veterans Health Care System of the Department of Veterans Affairs, the following:*

*(1) A description of the nature and scope of any foreseeable increase in wait times for medical appointments.*

*(2) An assessment of whether a shortage of health care providers is the primary cause of any such increase in wait times.*

*(3) An identification of any other causes of any such increase in wait times.*

*(4) A description of any action taken by the Department to correct any such increase in wait times.*

*(5) An assessment of any issues relating to access to care.*

*(6) A plan for how the Secretary will remedy any such increase in wait times, including a detailed description of steps to be taken and a timeline for completion.*

*(b) In this section, the term ''appropriate committees of Congress'' means—*

*(1) the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate; and*

*(2) the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives.*

*SEC. 257. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, enter into a contract with an independent third party described in subsection (b) to carry out a study on the impact of participation in combat during service in the Armed Forces on suicides and other mental health issues among members of the Armed Forces and veterans.*

*(b) An independent third party described in this subsection is an independent third party that has appropriate credentials to access information in the possession of the Department of Defense and the Department of Veterans Affairs that is necessary to carry out the study required under subsection (a).*

*SEC. 258. (a) The amount appropriated or otherwise made available by this title under the heading ''MEDICAL AND PROSTHETIC RESEARCH'' under the heading ''VETERANS HEALTH ADMINISTRATION'' is hereby increased by $8,922,462.*

*(b) The amount appropriated or otherwise made available by this title for fiscal year 2016 under the heading ''MEDICAL SERVICES'' under the heading ''VETERANS HEALTH ADMINISTRATION'' is hereby reduced by $8,922,462.*

*SEC. 259. Of the amounts appropriated or otherwise made available by this title for ''MEDICAL SERVICES'', not more than $5,000,000 shall be available to the Secretary of Veterans Affairs to carry out a pilot program to assess the feasibility and advisability of awarding grants to veterans service agencies, veterans service organizations, and nongovernmental organizations to provide furniture, household items, and other assistance to formerly homeless veterans who are moving into permanent housing to facilitate the settlement of such veterans in such housing.*

*SEC. 260. DEPARTMENT OF VETERANS AFFAIRS ACTION PLAN TO IMPROVE VOCATIONAL REHABILITATION AND EDUCATION. (a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and publish an action plan for improving the services and assistance provided under chapter 31 of title 38, United States Code.*

*(b) ELEMENTS.—The plan required by subsection (a) shall include each of the following:*

*(1) A comprehensive analysis of, and recommendations and a proposed implementation plan for remedying workload management challenges at regional offices of the Department of Veterans Affairs, including steps to reduce counselor caseloads of veterans participating in a rehabilitation program under such chapter, particularly for counselors who are assisting veterans with traumatic brain injury and post-traumatic stress disorder and counselors with educational and vocational counseling workloads.*

*(2) A comprehensive analysis of the reasons for the disproportionately low percentage of veterans with service-connected disabilities who served in the Armed Forces after September 11, 2001, who opt to participate in a rehabilitation program under such chapter relative to the percentage of such veterans who use their entitlement to educational assistance under chapter 33 of title 38, United States Code, including an analysis of barriers to timely enrollment in rehabilitation programs under chapter 31 of such title and of any barriers to a veteran enrolling in the program of that veteran's choice.*

*(3) Recommendations and a proposed implementation plan for encouraging more veterans with service-connected disabilities who served in the Armed Forces after September 11, 2001, to participate in rehabilitation programs under chapter 31 of such title.*

*(4) A national staff training program for vocational rehabilitation counselors of the Department that includes the provision of—*

*(A) training to assist counselors in understanding the very profound disorientation experienced by veterans with service-connected disabilities whose lives and life-plans have been upended and out of their control because of such disabilities;*

*(B) training to assist counselors in working in partnership with veterans on individual rehabilitation plans; and*

*(C) training on post-traumatic stress disorder and other mental health conditions and on moderate to severe traumatic brain injury that is designed to improve the ability of such counselors to assist veterans with these conditions, including by providing information on the broad spectrum of such conditions and the effect of such conditions on an individual's abilities and functional limitations.*

## *TITLE III*

## *RELATED AGENCIES*

### *AMERICAN BATTLE MONUMENTS COMMISSION*

#### *SALARIES AND EXPENSES*

*For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $75,100,000, to remain available until expended.*

#### *FOREIGN CURRENCY FLUCTUATIONS ACCOUNT*

*For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.*

### *UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS*

#### *SALARIES AND EXPENSES*

*For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $32,141,000: Provided, That $2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.*

### *DEPARTMENT OF DEFENSE—CIVIL*

### *CEMETERIAL EXPENSES, ARMY*

#### *SALARIES AND EXPENSES*

*For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $70,800,000, of which not to exceed $28,000,000 shall remain available until September 30, 2018. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the ''Lease of Department of Defense Real Property for Defense Agencies'' account.*

*ARMED FORCES RETIREMENT HOME TRUST FUND*

*For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $64,300,000, of which $1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.*

*ADMINISTRATIVE PROVISIONS*

*SEC. 301. Funds appropriated in this Act under the heading ''Department of Defense—Civil, Cemeterial Expenses, Army'', may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.*

*SEC. 302. Amounts deposited during the current fiscal year to the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.*

*SEC. 303. For an additional amount for ''Department of Defense—Civil Cemeterial Expenses, Army'' in this title, $30,000,000: Provided, That notwithstanding any other provision of law, such funds may be transferred to the Federal Highway Administration, Department of Transportation, for construction of access roads adjacent to Arlington National Cemetery to support land acquisition for the expansion of the cemetery.*

*TITLE IV*

*GENERAL PROVISIONS*

*SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.*

*SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.*

*SEC. 403. Such sums as may be necessary for fiscal year 2016 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.*

*SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.*

*SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.*

*SEC. 406. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.*

*SEC. 407. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.*

*SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.*

*(b) Subsection (a) shall not apply to a report if—*

*(1) the public posting of the report compromises national security; or*

*(2) the report contains confidential or proprietary information.*

*(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.*

*SEC. 409. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.*

*(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.*

*SEC. 410. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.*

*(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.*

*(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—*

*(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and*

*(2) is—*

*(A) in the custody or under the effective control of the Department of Defense; or*

*(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.*

*This Act may be cited as the ''Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016''.*

Mr. BRADY of Texas, pursuant to House Resolution 566, moved to agree to the amendment of the Senate with the following amendments specified in section 3 of House Resolution 566:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Consolidated Appropriations Act, 2016''.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents of this Act is as follows:

**SEC. 3. REFERENCES.**

Except as expressly provided otherwise, any reference to ''this Act'' contained in any division of this Act shall be treated as referring only to the provisions of that division.

**SEC. 4. EXPLANATORY STATEMENT.**

The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about December 17, 2015 by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through L of this Act as if it were a joint explanatory statement of a committee of conference.

**SEC. 5. STATEMENT OF APPROPRIATIONS.**

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016.

**SEC. 6. AVAILABILITY OF FUNDS.**

Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

**SEC. 7. TECHNICAL ALLOWANCE FOR ESTIMATING DIFFERENCES.**

If, for fiscal year 2016, new budget authority provided in appropriations Acts exceeds the discretionary spending limit for any category set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 due to estimating differences with the Congressional Budget Office, an adjustment to the discretionary spending limit in such category for fiscal year 2016 shall be made by the Director of the Office of Management and Budget in the amount of the excess but the total of all such adjustments shall not exceed 0.2 percent of the sum of the adjusted discretionary spending limits for all categories for that fiscal year.

**SEC. 8. CORRECTIONS.**

The Continuing Appropriations Act, 2016 (Public Law 114–53) is amended—

(1) by changing the long title so as to read: ''Making continuing appropriations for the fiscal year ending September 30, 2016, and for other purposes.'';

(2) by inserting after the enacting clause (before section 1) the following: ''**DIVISION A—TSA OFFICE OF INSPECTION ACCOUNTABILITY ACT OF 2015**'';

(3) by inserting after section 8 (before the statement of appropriations) the following: ''**DIVISION B—CONTINUING APPROPRIATIONS RESOLUTION, 2016**''; and

(4) by inserting after section 150 (before the short title) the following new section: ''SEC. 151. Except as expressly provided otherwise, any reference in this division to 'this Act' shall be treated as referring only to the provisions of this division.''.

**SEC. 9. ADJUSTMENTS TO COMPENSATION.**

Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2016.

## DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

### TITLE I

### AGRICULTURAL PROGRAMS

#### PRODUCTION, PROCESSING, AND MARKETING

#### OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $45,555,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary, of which not to exceed $250,000 shall be available for the Military Veterans Agricultural Liaison; not to exceed $502,000 shall be available for the Office of Tribal Relations; not to exceed $1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed $1,209,000 shall be available for the Office of Advocacy and Outreach; not to exceed $25,928,000 shall be available for the Office of the Assistant Secretary for Administration, of which $25,124,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,500,000 shall be available for the Office of Communications: *Provided*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That within 180 days of the date of enactment of this Act, the Secretary shall submit to Congress the report required in section 7 U.S.C. 6935(b)(3).

#### EXECUTIVE OPERATIONS

#### OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $17,777,000, of which $4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155, and of which $1,000,000, to remain available until September 30, 2017, shall be for the purpose set forth under this heading in the explanatory statement described in section 4 (in the matter preceding division A of the consolidated Act).

#### NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $13,317,000.

#### OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,392,000.

#### OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $44,538,000, of which not less than $28,000,000 is for cybersecurity requirements of the Department.

#### OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,028,000.

#### OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $898,000.

#### OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,070,000.

#### AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $64,189,000, to remain available until expended, for buildings operations and maintenance expenses: *Provided*, That the Secretary may use unobligated prior year balances of an agency or office that are no longer available for new obligation to cover shortfalls incurred in prior or current year rental payments for such agency or office.

#### HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,618,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for

Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $95,738,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $44,383,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $3,654,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $893,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $85,373,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $168,443,000, of which up to $42,177,000 shall be available until expended for the Census of Agriculture: *Provided*, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,143,825,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: *Provided further*, That of the appropriations hereunder, $57,192,000 may not be obligated until 30 days after the Secretary of Agriculture certifies in writing to the Committees on Appropriations of both Houses of Congress that the Agricultural Research Service has updated its animal care policies and that all Agricultural Research Service research facilities at which animal research is conducted have a fully functioning Institutional Animal Care and Use Committee, including all appropriate and necessary record keeping: *Provided further*, That such certification shall set forth in detail the factual basis for the certification and the Department's plan for ensuring these changes are maintained in the future: *Provided further*, That such certification shall be subject to prior consultation with the Committees on Appropriations of both Houses of Congress.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $212,101,000 to remain available until expended.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $819,685,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Research and Education Activities'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: *Provided further*, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $475,891,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Extension Activities'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $30,900,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Integrated Activities'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2017: *Provided further*, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $893,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $894,415,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (''contingency fund'') to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $35,339,000, to remain available until expended, shall be for Animal Health Technical Services; of which $697,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $55,340,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $158,000,000, to remain available until expended, shall be for specialty crop pests; of

which, $8,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $54,000,000, to remain available until expended, shall be for tree and wood pests; of which $3,973,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2016, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $81,223,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,982,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $20,489,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,235,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $43,057,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $55,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $816,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,014,871,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2016 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246 as further clarified by the amendments made in section 12106 of Public Law 113–79: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, $898,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,200,180,000: *Provided*, That not more than 50 percent of the $129,546,000 made available under this heading for information technology related to farm program delivery, including the Modernize and Innovate the Delivery of Agricultural Systems and other farm program delivery systems, may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: *Provided further*, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2016 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval

of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,404,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,000,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,393,443,000 for unsubsidized guaranteed operating loans and $1,252,004,000 for direct operating loans; emergency loans, $34,667,000; Indian tribe land acquisition loans, $2,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $60,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm operating loans, $53,961,000 for direct operating loans, $14,352,000 for unsubsidized guaranteed operating loans, and emergency loans, $1,262,000, to remain available until expended.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $314,918,000, of which $306,998,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, $74,829,000: *Provided*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $898,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $850,856,000, to remain available until September 30, 2017: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities: *Provided further*, That of the amounts made available under this heading, $5,000,000 shall remain available until expended for the authorities under section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) for authorized ongoing projects with a primary purpose of watershed protection by stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $12,000,000 is provided.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, $893,000.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $225,835,000: *Provided*, That no less than $19,500,000 shall be for the Comprehensive Loan Accounting System: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business–Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $900,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $26,278,000 for section 504 housing repair loans; $28,398,000 for section 515 rental housing; $150,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $60,750,000 shall be for direct loans; section 504 housing repair loans, $3,424,000; and repair, rehabilitation, and new construc-

tion of section 515 rental housing, $8,414,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2016.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $15,125,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $417,854,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $1,389,695,000; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2016 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act: *Provided further*, That of the total amount provided, up to $75,000,000 shall be available until September 30, 2017, for renewal of rental assistance agreements within the 12-month contract period: *Provided further*, That the Secretary shall provide to the Committees on Appropriations of both Houses of Congress quarterly reports on the number of renewals approved pursuant to the preceding proviso, on the amount of rental assistance available, and the anticipated need for rental assistance for the remainder of the fiscal year: *Provided further*, That except as provided in the second proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2016 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs as well as unmet rental assistance needs from fiscal year 2015.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $37,000,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $15,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $22,000,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $27,500,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $32,239,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,200,000,000 for direct loans and $148,305,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $3,500,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $38,778,000, to remain available until expended: *Provided*, That $4,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further*, That for the purposes of determining eligibility or level of program assistance the Secretary shall not include incarcerated prison populations.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B

of the Consolidated Farm and Rural Development Act, $62,687,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That for purposes of determining eligibility or level of program assistance the Secretary shall not include incarcerated prison populations: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), $18,889,000.

For the cost of direct loans, $5,217,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $531,000 shall be available through June 30, 2016, for Federally Recognized Native American Tribes; and of which $1,021,000 shall be available through June 30, 2016, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, $4,468,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $179,000,000 shall not be obligated and $179,000,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $22,050,000, of which $2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $10,750,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $500,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $522,365,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That not to exceed $10,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act: *Provided further*, That $64,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $20,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $6,500,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $16,397,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $4,000,000 shall be for solid waste management grants: *Provided further*, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: loans made pursuant to section 306 of that Act, rural electric, $5,500,000,000; guaranteed underwriting loans pursuant to section 313A, $750,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

For the cost of direct loans as authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, $104,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,707,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $20,576,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $22,000,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,500,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $811,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $22,149,746,000 to remain available through September 30, 2017, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, $25,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That of the total amount available, $16,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80): *Provided further*, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking ''2010 through 2015'' and inserting ''2010 through 2016''.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,350,000,000, to remain available through September 30, 2017: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, and $13,600,000 shall be used for infrastructure: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $80,849,383,000, of which $3,000,000,000, to remain available through December 31, 2017, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds available for the contingency reserve under the heading ''Supplemental Nutrition Assistance Program'' of division A of Public Law 113–235 shall be available until December 31, 2016: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available through September 30, 2017: *Provided further*, That funds made available under this heading for section 28(d)(1) and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2017: *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $296,217,000, to remain available through September 30, 2017: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2016 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2017: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $150,824,000: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

## TITLE V
## FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $191,566,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $2,528,000, shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,466,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $201,626,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: *Provided further*, That of the amount made available under this heading, $5,000,000, shall remain available until expended for necessary expenses to carry out the provisions of section 3207 of the Agricultural Act of 2014 (7 U.S.C. 1726c).

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, $6,748,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,394,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $354,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

## TITLE VI
## RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $4,681,392,000: *Provided*, That of the amount provided under this heading, $851,481,000 shall be derived from prescription

drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $137,677,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $318,363,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $21,540,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $22,818,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $9,705,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $599,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: *Provided further*, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2016 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and animal generic drug assessments for fiscal year 2016, including any such fees collected prior to fiscal year 2016 but credited for fiscal year 2016, shall be subject to the fiscal year 2016 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2016 of user fees specified under this heading and authorized for fiscal year 2017, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2017 for which the Secretary accepts payment in fiscal year 2016 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $987,328,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,394,136,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $354,901,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $187,825,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $430,443,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $63,331,000 shall be for the National Center for Toxicological Research; (7) $564,117,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $171,418,000 shall be for Rent and Related activities, of which $52,346,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $238,274,000 shall be for payments to the General Services Administration for rent; and (10) $289,619,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That of the amounts that are made available under this heading for ''other activities'', and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for ''Department of Health and Human Services—Office of Inspector General'' for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), and third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), and third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $8,788,000, to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, $250,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $50,000,000, to remain available until September 30, 2017, shall be for the purchase of information technology and of which not less than $2,620,000 shall be for expenses of the Office of the Inspector General: *Provided*, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: *Provided further*, That for the purpose of recording any obligations that should have been recorded against accounts closed pursuant to 31 U.S.C. 1552, these accounts may be reopened solely for the purpose of correcting any violations of 31 U.S.C. 1501(a)(1), and balances canceled pursuant to 31 U.S.C. 1552(a) in any accounts reopened pursuant to this authority shall remain unavailable to liquidate any outstanding obligations.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $65,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 717 of this Act: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as deter-

mined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113–235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2017, for information technology expenses: *Provided*, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2017, for information technology expenses.

SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113–79), other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 712. Of the funds made available by this Act, not more than $2,000,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 714. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Watershed Rehabilitation program authorized by section 14(h)(1) of the Watershed and Flood Protection Act (16 U.S.C. 1012(h)(1));

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of $1,329,000,000: *Provided*, That this limitation shall apply only to funds provided by section 1241(a)(5)(C) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(5)(C));

(3) The Biomass Crop Assistance Program authorized by section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) in excess of $3,000,000 in new obligational authority; and

(4) The Biorefinery, Renewable Chemical and Biobased Product Manufacturing Assistance program as authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) in excess of $27,000,000 of the funding appropriated by subsection (g)(1)(A)(ii) of that section for fiscal year 2016.

SEC. 715. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(viii) of section 14222 of Public Law 110–246 in excess of $884,980,000, as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, except in an amount that excludes the transfer of $125,000,000 of the funds to be transferred under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2016: *Provided further*, That $125,000,000 made available on October 1, 2016, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, shall be excluded from the limitation described in subsection (b)(2)(A)(ix) of section 14222 of Public Law 110–246: *Provided further*, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: *Provided further*, That the available unobligated balances under (b)(2)(A)(viii) of section 14222 of Public Law 110–246 in excess of the limitation set forth in this section, except for the amounts to be transferred pursuant to the first proviso, are hereby permanently rescinded.

SEC. 716. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2017 appropriations Act.

SEC. 717. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of $500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 718. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, non-Commodity Futures Trading Commission, or non-Farm Credit Administration employee.

SEC. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 of the Agricultural Act of 2014 (Public Law 113–79).

SEC. 723. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, the Chairman of the Commodity Futures Trading Commission, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 724. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator of the U.S. Agency for International Development, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 725. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 726. The Secretary shall establish an intermediary loan packaging program based on the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall enter into agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 727. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 728. There is hereby appropriated for the ''Emergency Watershed Protection Program'', $157,000,000, to remain available until expended; for the ''Emergency Forestry Restoration Program'', $6,000,000, to remain available until expended; and for the ''Emergency Conservation Program'', $108,000,000, to remain available until expended: *Provided*, That $37,000,000 made available for the ''Emergency Watershed Protection Program''; $2,000,000 made available for the ''Emergency Forestry Restoration Program''; and $91,000,000 made available for the ''Emergency Conservation Program'' under this section are for necessary expenses resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), and are designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 729. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

SEC. 730. None of the funds made available by this Act may be used to procure processed poultry products imported into the United States from the People's Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Food Care Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 731. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

SEC. 732. Funds provided by this or any prior Appropriations Act for the Agriculture

and Food Research Initiative under 7 U.S.C. 450i(b) shall be made available without regard to section 7128 of the Agricultural Act of 2014 (7 U.S.C. 3371 note), under the matching requirements in laws in effect on the date before the date of enactment of such section: *Provided*, That the requirements of 7 U.S.C. 450i(b)(9) shall continue to apply.

SEC. 733. (a) For the period beginning on the date of enactment of this Act through school year 2016–2017, with respect to the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) and final regulations published by the Department of Agriculture in the Federal Register on January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Secretary shall allow States to grant an exemption from the whole grain requirements that took effect on or after July 1, 2014, and the States shall establish a process for evaluating and responding, in a reasonable amount of time, to requests for an exemption: *Provided*, That school food authorities demonstrate hardship, including financial hardship, in procuring specific whole grain products which are acceptable to the students and compliant with the whole grain-rich requirements: *Provided further*, That school food authorities shall comply with the applicable grain component or standard with respect to the school lunch or school breakfast program that was in effect prior to July 1, 2014.

(b) None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to implement any regulations under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111–296), or any other law that would require a reduction in the quantity of sodium contained in federally reimbursed meals, foods, and snacks sold in schools below Target 1 (as described in section 220.8(f)(3) of title 7, Code of Federal Regulations (or successor regulations)) until the latest scientific research establishes the reduction is beneficial for children.

SEC. 734. None of the funds made available by this or any other Act may be used to release or implement the final version of the eighth edition of the Dietary Guidelines for Americans, revised pursuant to section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341), unless the Secretary of Agriculture and the Secretary of Health and Human Services ensure that each revision to any nutritional or dietary information or guideline contained in the 2010 edition of the Dietary Guidelines for Americans and each new nutritional or dietary information or guideline to be included in the eighth edition of the Dietary Guidelines for Americans—

(1) is based on significant scientific agreement; and

(2) is limited in scope to nutritional and dietary information.

SEC. 735. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Agriculture shall engage the National Academy of Medicine to conduct a comprehensive study of the entire process used to establish the Advisory Committee for the Dietary Guidelines for Americans and the subsequent development of the Dietary Guidelines for Americans, most recently revised pursuant to section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341). The panel of the National Academy of Medicine selected to conduct the study shall include a balanced representation of individuals with broad experiences and viewpoints regarding nutritional and dietary information.

(b) The study required by subsection (a) shall include the following:

(1) An analysis of each of the following:

(A) How the Dietary Guidelines for Americans can better prevent chronic disease, ensure nutritional sufficiency for all Americans, and accommodate a range of individual factors, including age, gender, and metabolic health.

(B) How the advisory committee selection process can be improved to provide more transparency, eliminate bias, and include committee members with a range of viewpoints.

(C) How the Nutrition Evidence Library is compiled and utilized, including whether Nutrition Evidence Library reviews and other systematic reviews and data analysis are conducted according to rigorous and objective scientific standards.

(D) How systematic reviews are conducted on longstanding Dietary Guidelines for Americans recommendations, including whether scientific studies are included from scientists with a range of viewpoints.

(2) Recommendations to improve the process used to establish the Dietary Guidelines for Americans and to ensure the Dietary Guidelines for Americans reflect balanced sound science.

(c) There is hereby appropriated $1,000,000 to conduct the study required by subsection (a).

SEC. 736. The unobligated balances identified by the Treasury Appropriation Fund Symbol 12X0113 are rescinded.

SEC. 737. None of the funds made available by this Act may be used by the Secretary of Agriculture, acting through the Food and Nutrition Service, to commence any new research and evaluation projects until the Secretary submits to the Committees on Appropriations of both Houses of Congress a research and evaluation plan for fiscal year 2016, prepared in coordination with the Research, Education, and Economics mission area of the Department of Agriculture, and a period of 30 days beginning on the date of the submission of the plan expires to permit Congressional review of the plan.

SEC. 738. Of the unobligated prior year funds identified by Treasury Appropriation Fund Symbol 12X1980 where obligations have been cancelled, $13,000,000 is rescinded.

SEC. 739. The unobligated balances identified by the Treasury Appropriation Fund Symbol 12X3318, 12X1010, 12X1090, 12X1907, 12X0402, 12X3508, and 12X3322 are rescinded.

SEC. 740. Section 166 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7286) is amended—

(1) by striking ''and title I of the Food, Conservation, and Energy Act of 2008'' both places it appears and inserting ''title I of the Food, Conservation, and Energy Act of 2008, and Subtitle B of title I of the Agricultural Act of 2014''; and

(2) by amending paragraph (3) of subsection (c) to read as follows:

''(3) APPLICATION OF AUTHORITY.—Beginning with the 2015 crop marketing year, the Secretary shall carry out paragraph (1) under the same terms and conditions as were in effect for the 2008 crop year for loans made to producers under subtitle B of title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.).''.

SEC. 741. (a) There is hereby appropriated $5,000,000 to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program, to remain available until expended.

(b) There is hereby appropriated $7,000,000 to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80), to remain available until expended.

SEC. 742. Of the unobligated balances identified by the Treasury Appropriation Fund Symbol 12X1072, $20,000,000 is hereby rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by Congress as an emergency requirement or for disaster relief requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 743. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 744. There is hereby appropriated $8,000,000, to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary launch the program authorized by this section during the 2016 fiscal year and that it be carried out through the Rural Utilities Service: *Provided further*, That, within 60 days of enactment of this Act, the Secretary shall provide a report to the Committees on Appropriations of both Houses of Congress on how the Rural Utilities Service will implement section 6407 during the 2016 fiscal year.

SEC. 745. Of the unobligated balances of appropriations in Public Law 108–199, Public Law 109–234, and Public Law 110–28 made available for the ''Emergency Watershed Protection Program'', $2,400,000 shall be available for the purposes of such program for any disaster occurring fiscal year 2016 or fiscal year 2017, and shall remain available until expended.

SEC. 746. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 747. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule entitled ''Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments'' published by the Food and Drug Administration in the Federal Register on December 1, 2014 (79 Fed. Reg. 71156 et seq.) until the later of—

(1) December 1, 2016; or

(2) the date that is one year after the date on which the Secretary of Health and Human Services publishes Level 1 guidance with respect to nutrition labeling of standard menu items in restaurants and similar retail food establishments in accordance with paragraphs (g)(1)(i), (g)(1)(ii), (g)(1)(iii), and (g)(1)(iv) of section 10.115 of title 21, Code of Federal Regulations.

SEC. 748. In addition to funds appropriated in this Act, there is hereby appropriated $250,000,000, to remain available until expended, under the heading ''Food for Peace Title II Grants'': *Provided*, That the funds made available under this section shall be used for the purposes set forth in the Food for Peace Act for both emergency and non-emergency purposes: *Provided further*, That the funds made available by this section used for emergency programs may be prioritized

to respond to emergency food needs involving conflict in the Middle East and to address other urgent food needs around the world: *Provided further*, That of the funds made available under this section, $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1).

SEC. 749. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 750. None of the funds made available by this or any other Act may be used to implement or enforce any provision of the FDA Food Safety Modernization Act (Public Law 111–353), including the amendments made thereby, with respect to the regulation of the distribution, sale, or receipt of dried spent grain byproducts of the alcoholic beverage production process, irrespective of whether such byproducts are solely intended for use as animal feed.

SEC. 751. (a) Of the unobligated balances from amounts made available in fiscal year 2015 for the supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $220,000,000 are hereby rescinded.

(b) In addition to amounts provided elsewhere in this Act, there is hereby appropriated for ''Special Supplemental Nutrition Program for Women, Infants, and Children'', $220,000,000, to remain available until expended, for management information systems, including WIC electronic benefit transfer systems and activities.

SEC. 752. (a) The Secretary of Agriculture shall—

(1) within 4 months of the date of enactment of this Act, establish a prioritization process for APHIS to conduct audits or reviews of countries or regions that have received animal health status recognitions by APHIS and provide a description of this process to the Committee on Appropriations of the House, Committee on Appropriations of the Senate, Committee on Agriculture of the House, and Committee on Agriculture, Nutrition, and Forestry of the Senate;

(2) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable:

(A) veterinary control and oversight;

(B) disease history and vaccination practices;

(C) livestock demographics and traceability;

(D) epidemiological separation from potential sources of infection;

(E) surveillance practices;

(F) diagnostic laboratory capabilities; and

(G) emergency preparedness and response.

(3) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (2); and

(b) This section shall be applied in a manner consistent with United States obligations under its international trade agreements.

SEC. 753. None of the funds made available by this Act may be used to carry out any activities or incur any expense related to the issuance of licenses under section 3 of the Animal Welfare Act (7 U.S.C. 2133), or the renewal of such licenses, to class B dealers who sell dogs and cats for use in research, experiments, teaching, or testing.

SEC. 754. No partially hydrogenated oils as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.) shall be deemed unsafe within the meaning of section 409(a) and no food that is introduced or delivered for introduction into interstate commerce that bears or contains a partially hydrogenated oil shall be deemed adulterated under sections 402(a)(1) or 402(a)(2)(C)(i) by virtue of bearing or containing a partially hydrogenated oil until the compliance date as specified in such order (June 18, 2018).

SEC. 755. Notwithstanding any other provision of law—

(1) the Secretary of Agriculture shall implement section 12106 of the Agricultural Act of 2014 and the amendments made by such section (21 U.S.C. 601 note; Public Law 113–79), including any regulation or guidance the Secretary of Agriculture issues to carry out such section or the amendments made by such section; and

(2) the Secretary of Health and Human Services shall implement section 403(t) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343(t)), including any regulation or guidance the Secretary of Health and Human Services issues to carry out such section.

SEC. 756. There is hereby appropriated $600,000 for the purposes of section 727 of division A of Public Law 112–55.

SEC. 757. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement nonrenewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 758. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2016, an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account, equal to the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones.

SEC. 759. (a) Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) by striking paragraphs (1) and (7);

(2) by redesignating paragraphs (2), (3), (4), (5), (6), (8), and (9) as paragraphs (1), (2), (3), (4), (5), (6), and (7), respectively; and

(3) in paragraph (1)(A) (as so redesignated)—

(A) in clause (i), by striking ''beef,'' and '', pork,''; and

(B) in clause (ii), by striking ''ground beef,'' and '', ground pork,''.

(b) Section 282 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a) is amended—

(1) in subsection (a)(2)—

(A) in the heading, by striking ''BEEF,'' and ''PORK,'';

(B) by striking ''beef,'' and ''pork,'' each place it appears in subparagraphs (A), (B), (C), and (D); and

(C) in subparagraph (E)—

(i) in the heading, by striking ''BEEF, PORK,''; and

(ii) by striking ''ground beef, ground pork,'' each place it appears; and

(2) in subsection (f)(2)—

(A) by striking subparagraphs (B) and (C); and

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

SEC. 760. The Secretary of Agriculture and the Secretary's designees are hereby granted the same access to information and subject to the same requirements applicable to the Secretary of Housing and Urban Development as provided in section 453(j) of the Social Security Act (42 U.S.C. 653(j)) and section 6103(l)(7)(D)(ix) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(l)(7)(D)(ix)) to verify the income for individuals participating in sections 502, 504, 521, and 542 of the Housing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and 1490r).

SEC. 761. (a) During fiscal year 2016, the Food and Drug Administration (FDA) shall not allow the introduction or delivery for introduction into interstate commerce of any food that contains genetically engineered salmon until FDA publishes final labeling guidelines for informing consumers of such content; and

(b) Of the amounts made available to the Food and Drug Administration, Salaries and Expenses, not less than $150,000 shall be used to develop labeling guidelines and implement a program to disclose to consumers whether salmon offered for sale to consumers is a genetically engineered variety.

SEC. 762. The Secretary may charge a fee for lenders to access Department loan guarantee systems in connection with such lenders' participation in loan guarantee programs of the Rural Housing Service: *Provided*, That the funds collected from such fees shall be made available to the Secretary without further appropriation and such funds shall be deposited into the Rural Development Salaries and Expense Account and shall remain available until expended for obligation and expenditure by the Secretary for administrative expenses of the Rural Housing Service Loan Guarantee Program in addition to other available funds: *Provided further*, That such fees collected shall not exceed $50 per loan.

SEC. 763. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940); or

(2) to prohibit the transportation, processing, sale, or use of industrial hemp that is grown or cultivated in accordance with subsection section 7606 of the Agricultural Act of 2014, within or outside the State in which the industrial hemp is grown or cultivated.

SEC. 764. For an additional amount for ''Animal and Plant Health Inspection Service, Salaries and Expenses'', $5,500,000, to remain available until September 30, 2017, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 765. Section 529(b)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff(b)(5)) is amended by striking ''the last day'' and all that follows through the period at the end and inserting ''September 30, 2016.''.

SEC. 766. Notwithstanding any other provision of law, for purposes of applying the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.)—

(1) the acceptable market name of Gadus chalcogrammus, formerly known as Theragra chalcogramma, is ''pollock''; and

(2) the term ''Alaskan Pollock'' or '''Alaska Pollock'' may be used in labeling to refer solely to ''pollock'' harvested in the State waters of Alaska or the exclusive economic zone (as that term is defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802)) adjacent to Alaska.

SEC. 767. None of the funds appropriated or otherwise made available by this Act shall

be used to pay the salaries and expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

This division may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2016''.

**DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016**

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $493,000,000, to remain available until September 30, 2017, of which $10,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That of the amounts provided for the International Trade Administration under this title, $5,000,000 shall not be available for obligation or expenditure until 15 days after the Undersecretary of Commerce for International Trade submits to the Committees on Appropriations of the House of Representatives and the Senate the report and certification detailed in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $112,500,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, and for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $222,000,000, to remain available until expended, of which $15,000,000 shall be for grants under such section 27.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $39,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $32,000,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $109,000,000, to remain available until September 30, 2017.

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $270,000,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That the Bureau of the Census shall collect and analyze data for the Annual Social and Economic Supplement to the Current Population Survey using the same health insurance questions included in previous years, in addition to the revised questions implemented in the Current Population Survey beginning in February 2014.

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs provided for by law, $1,100,000,000, to remain available until September 30, 2017: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $1,551,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the Bureau of the Census: *Provided further*, That not more than 50 percent of the amounts made available under this heading for information technology related to 2020 census delivery, including the Census Enterprise Data Collection and Processing (CEDCaP) program, may be obligated until the Secretary submits to the Committees on Appropriations of the House of Representatives and the Senate a plan for expenditure that: (1) identifies for each CEDCaP project/investment over $25,000: (A) the functional and performance capabilities to be delivered and the mission benefits to be realized; (B) the estimated lifecycle cost, including estimates for development as well as maintenance and operations; and (C) key milestones to be met; (2) details for each project/investment: (A) reasons for any cost and schedule variances; and (B) top risks and mitigation strategies; and (3) has been submitted to the Government Accountability Office.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $39,500,000, to remain available until September 30, 2017: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $3,272,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2016, so as to result in a fiscal year 2016 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2016, should the total amount of such offsetting collections be less than $3,272,000,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $3,272,000,000 in fiscal year 2016 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office ''Salaries and Expenses'' account: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2016 for official reception and representation expenses: *Provided further*, That in fiscal year 2016 from the amounts made available for ''Salaries and Expenses'' for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $2,000,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the National Institute of Standards and Technology (NIST), $690,000,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the ''Working Capital Fund'': *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $155,000,000, to remain available until expended, of which $130,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $25,000,000 shall be for the National Network for Manufacturing Innovation.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $119,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,305,813,000, to remain available until September 30, 2017, except that funds provided for cooperative enforcement shall remain available until September 30, 2018: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $130,164,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: *Provided further*, That of the $3,453,477,000 provided for in direct obligations under this heading, $3,305,813,000 is appropriated from the general fund, $130,164,000 is provided by transfer and $17,500,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $226,300,000: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $2,400,416,000, to remain available until September 30, 2018, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: *Provided*, That of the $2,413,416,000 provided for in direct obligations under this heading, $2,400,416,000 is appropriated from the general fund and $13,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That within the amounts appropriated, $80,050,000 shall not be available for obligation or expenditure until 15 days after the Under Secretary of Commerce for Oceans and Atmosphere submits to the Committees on Appropriations of the House of Representatives and the Senate a fleet modernization and recapitalization plan: *Provided further*, That, within the amounts appropriated, $1,302,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2017: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and

steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $58,000,000: *Provided*, That within amounts provided, the Secretary of Commerce may use up to $2,500,000 to engage in activities to provide businesses and communities with information about and referrals to relevant Federal, State, and local government programs.

RENOVATION AND MODERNIZATION

For necessary expenses for the renovation and modernization of Department of Commerce facilities, $19,062,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $32,000,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 2016: *Provided*, That the life cycle cost for the Joint Polar Satellite System is $11,322,125,000 and the life cycle cost for the Geostationary Operational Environmental Satellite R-Series Program is $10,828,059,000.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 109. The Secretary of Commerce may waive the requirement for bonds under 40 U.S.C. 3131 with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Coast and Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).

SEC. 110. (a) None of the funds made available by this Act or any other appropriations Act may be used by the Secretary of Commerce for management activities pursuant to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico or any amendment to such Plan unless such management is conducted beyond the seaward boundary of a coastal State as set out under subsection (b).

(b) Notwithstanding any other provision of law, for the purpose of carrying out activities pursuant to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico or any amendment to such Plan, the seaward boundary of a coastal State in the Gulf of Mexico is a line 9 nautical miles seaward from the baseline from which the territorial sea of the United States is measured.

SEC. 111. To carry out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with; (2) use on a non-reimbursable basis land, services, equipment, personnel, and facilities provided by; and (3) receive and expend funds made available on a consensual basis from: a Federal agency, State or subdivision thereof, local government, tribal government, territory, or possession or any subdivisions thereof: *Provided*, That funds received for permitting and related regulatory activities pursuant to this section shall be deposited under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' and shall remain available until September 30, 2018, for such purposes: *Provided further*, That all funds within this section and their corresponding uses are subject to section 505 of this Act.

SEC. 112. Amounts provided by this Act or by any prior appropriations Act that remain available for obligation, for necessary expenses of the programs of the Economics and Statistics Administration of the Department of Commerce, including amounts provided for programs of the Bureau of Economic Analysis and the U.S. Census Bureau, shall be available for expenses of cooperative agreements with appropriate entities, including any Federal, State, or local governmental unit, or institution of higher education, to aid and promote statistical, research, and methodology activities which further the purposes for which such amounts have been made available.

This title may be cited as the ''Department of Commerce Appropriations Act, 2016''.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $111,500,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $31,000,000, to remain available until expended: *Provided*, That the Attorney General may transfer up to $35,400,000 to this account, from funds available to the Department of Justice for information technology, to remain available until expended, for enterprise-wide information technology initiatives: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $426,791,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the ''Immigration Examinations Fee'' account: *Provided*, That of the amount available for the Executive Office for Immigration Review, not to exceed $15,000,000 shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $93,709,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $13,308,000: *Provided*, That, notwithstanding any other provision of law, upon the expiration of a term of office of a Commissioner, the Commissioner may continue to act until a successor has been appointed.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $893,000,000, of which not to exceed $20,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the amount provided for INTERPOL Washington dues payments, not to exceed $685,000 shall remain available until expended: *Provided further*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $9,358,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $164,977,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $124,000,000 in fiscal year 2016), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at $40,977,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $2,000,000,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $225,908,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, deposits to the United States Trustee System Fund and amounts herein appropriated shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, fees collected pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That to the extent that fees collected in fiscal year 2016, net of amounts necessary to pay refunds due depositors, exceed $225,908,000, those excess amounts shall be available in future fiscal years only to the extent provided in advance in appropriations Acts: *Provided further*, That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2016, net of amounts necessary to pay refunds due depositors, (estimated at $162,400,000) and (2) to the extent that any remaining general fund appropriations can be derived from amounts deposited in the Fund in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,374,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $13,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses: *Provided*, That amounts made available under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $14,446,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,514,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,230,581,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $15,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,454,414,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered ''funds appropriated for State and local law enforcement assistance'' pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading ''General Administration, Detention Trustee'' shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the activities of the National Security Division, $95,000,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for

the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $512,000,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $8,489,786,000, of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of federally owned buildings; and preliminary planning and design of projects; $308,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,080,000,000, of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,240,000,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $6,948,500,000: *Provided*, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2017: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $530,000,000, to remain available until expended, of which $444,000,000 shall be available only for costs related to construction of new facilities: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and the Rape Survivor Child Custody Act of 2015 (Public Law 114–22) (''the 2015 Act''); and for related victims services, $480,000,000, to remain available until expended, of which $379,000,000 shall be derived by transfer from amounts available for obligation in this Act from the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601), notwithstanding section 1402(d) of such Act of 1984, and merged with the amounts otherwise made available under this heading: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $215,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $30,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $5,000,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(4) $11,000,000 is for a grant program to provide services to advocate for and respond to

youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303, and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $51,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $35,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $34,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $20,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $45,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $5,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $16,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: *Provided*, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) $6,000,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: *Provided*, That such funds may be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(15) $500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women;

(16) $2,500,000 is for grants to assist tribal governments in exercising special domestic violence criminal jurisdiction, as authorized by section 904 of the 2013 Act: *Provided*, That the grant conditions in section 40002(b) of the 1994 Act shall apply to this program; and

(17) $2,500,000 for the purposes authorized under the 2015 Act.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and other programs, $116,000,000, to remain available until expended, of which—

(1) $41,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act;

(2) $36,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act;

(3) $35,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act; and

(4) $4,000,000 is for activities to strengthen and enhance the practice of forensic sciences, of which $3,000,000 is for transfer to the National Institute of Standards and Technology to support Scientific Area Committees.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and other programs, $1,408,500,000, to remain available until expended as follows—

(1) $476,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $15,000,000 is for an Officer Robert Wilson III memorial initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), $4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention, $5,000,000 is for an initiative to support evidence-based policing, $2,500,000 is for an initiative to enhance prosecutorial decision-making, $100,000,000 is for grants for law enforcement activities associated with the presidential nominating conventions, and $2,400,000 is for the operationalization, maintenance and expansion of the National Missing and Unidentified Persons System;

(2) $210,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $45,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, for programs authorized under Public Law 109–164, or programs authorized under Public Law 113–4;

(4) $42,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(5) $10,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(6) $12,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(7) $2,500,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review;

(8) $13,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403;

(9) $2,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315;

(10) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(11) $8,000,000 for an initiative relating to children exposed to violence;

(12) $22,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(13) $1,000,000 for the National Sex Offender Public Website;

(14) $6,500,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(15) $73,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, of which no less than $25,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110–180);

(16) $13,500,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(17) $125,000,000 for DNA-related and forensic programs and activities, of which—

(A) $117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made

available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108–405;

(18) $45,000,000 for a grant program for community-based sexual assault response reform;

(19) $9,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(20) $30,000,000 for assistance to Indian tribes;

(21) $68,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed $6,000,000 is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, $5,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy, and $4,000,000 is for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model: *Provided*, That up to $7,500,000 of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to $5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(22) $6,000,000 for a veterans treatment courts program;

(23) $13,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(24) $10,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79);

(25) $75,000,000 for the Comprehensive School Safety Initiative: *Provided*, That section 213 of this Act shall not apply with respect to the amount made available in this paragraph; and

(26) $70,000,000 for initiatives to improve police-community relations, of which $22,500,000 is for a competitive matching grant program for purchases of body-worn cameras for State, local and tribal law enforcement, $27,500,000 is for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, $5,000,000 is for research and statistics on body-worn cameras and community trust issues, and $15,000,000 is for an Edward Byrne Memorial criminal justice innovation program:

*Provided*, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and other juvenile justice programs, $270,160,000, to remain available until expended as follows—

(1) $58,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: *Provided*, That of the amounts provided under this paragraph, $500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) $90,000,000 for youth mentoring grants;

(3) $17,500,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $10,000,000 shall be for the Tribal Youth Program;

(B) $5,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities;

(C) $500,000 shall be for an Internet site providing information and resources on children of incarcerated parents; and

(D) $2,000,000 shall be for competitive grants focusing on girls in the juvenile justice system;

(4) $20,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $8,000,000 for community-based violence prevention initiatives, including for public health approaches to reducing shootings and violence;

(6) $72,160,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act);

(7) $2,000,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(8) $2,500,000 for a program to improve juvenile indigent defense:

*Provided*, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (4) and (7) may be used for training and technical assistance: *Provided further*, That the two preceding provisos shall not apply to grants and projects administered pursuant to sections 261 and 262 of the 1974 Act and to missing and exploited children programs.

PUBLIC SAFETY OFFICER BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to ''Public Safety Officer Benefits'' from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''), $212,000,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided under this heading—

(1) $11,000,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) $187,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd–3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That within the amounts appropriated under this paragraph, $30,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities: *Provided further*, That of the amounts appropriated under this paragraph, $10,000,000 is for community policing development activities in furtherance of the purposes in section 1701: *Provided further*, That within the amounts appropriated under this paragraph, $10,000,000 is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701;

(3) $7,000,000 is for competitive grants to State law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures: *Provided*, That funds appropriated under this paragraph shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers; and

(4) $7,000,000 is for competitive grants to statewide law enforcement agencies in States with high rates of primary treatment admissions for heroin and other opioids: *Provided*, That these funds shall be utilized for investigative purposes to locate or investigate illicit activities, including activities related to the distribution of heroin or unlawful distribution of prescription opioids, or unlawful heroin and prescription opioid traffickers through statewide collaboration.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. In addition to amounts otherwise made available in this title for official recep-

tion and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. Funds appropriated by this or any other Act, with respect to any fiscal year, under the heading ''Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses'' shall be available for retention pay for any employee who would otherwise be subject to a reduction in pay upon termination of the Bureau's Personnel Management Demonstration Project (as transferred to the Attorney General by section 1115 of the Homeland Security Act of 2002, Public Law 107–296 (28 U.S.C. 599B)): *Provided*, That such retention pay shall comply with section 5363 of title 5, United States Code, and related Office of Personnel Management regulations, except as provided in this section: *Provided further*, That such retention pay shall be paid at the employee's rate of pay immediately prior to the termination of the demonstration project and shall not be subject to the limitation set forth in section 5304(g)(1) of title 5, United States Code, and related regulations.

SEC. 207. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 208. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 209. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 210. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 211. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 212. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 213. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings ''Research, Evaluation and Statistics'', ''State and Local Law Enforcement Assistance'', and ''Juvenile Justice Programs''—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 214. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2013 through 2016 for the following programs, waive the following requirements:

(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w–2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q–3), the requirements under section 2904 of such part.

(4) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 215. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 216. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 217. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2016, except up to $40,000,000 may be obligated for implementation of a unified Department of Justice financial management system.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2016, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed $10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2016, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Subsections (a) through (c) of this section shall sunset on September 30, 2016.

SEC. 218. (a) Of the funds appropriated by this Act under each of the headings ''General Administration—Salaries and Expenses'', ''United States Marshals Service—Salaries and Expenses'', ''Federal Bureau of Investigation—Salaries and Expenses'', ''Drug Enforcement Administration—Salaries and Expenses'', and ''Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses'', $20,000,000 shall not be available for obligation until the Attorney General demonstrates to the Committees on Appropriations of the House of Representatives and the Senate that all recommendations included in the Office of Inspector General of the Department of Justice, Evaluation and Inspections Division Report 15–04 entitled ''The Handling of Sexual Harassment and Misconduct Allegations by the Department's Law Enforcement Components'', dated March, 2015, have been implemented or are in the process of being implemented.

(b) The Inspector General of the Department of Justice shall report to the Committees on Appropriations of the House of Representatives and the Senate not later than 90 days after the date of enactment of this Act on the status of the Department's implementation of recommendations included in the report specified in subsection (a).

SEC. 219. Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized

under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016.

This title may be cited as the ''Department of Justice Appropriations Act, 2016''.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,555,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,589,400,000, to remain available until September 30, 2017: *Provided*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104: *Provided further*, That, of the amounts provided, $175,000,000 is for an orbiter with a lander to meet the science goals for the Jupiter Europa mission as outlined in the most recent planetary science decadal survey: *Provided further*, That the National Aeronautics and Space Administration shall use the Space Launch System as the launch vehicle for the Jupiter Europa mission, plan for a launch no later than 2022, and include in the fiscal year 2017 budget the 5-year funding profile necessary to achieve these goals.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $640,000,000, to remain available until September 30, 2017.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space technology research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $686,500,000, to remain available until September 30, 2017: *Provided*, That $133,000,000 shall be for the RESTORE satellite servicing program for completion of pre-formulation and initiation of formulation activities for RESTORE and such funds shall not support activities solely needed for the asteroid redirect mission.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $4,030,000,000, to remain available until September 30, 2017: *Provided*, That not less than $1,270,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $2,000,000,000 shall be for the Space Launch System (SLS) launch vehicle, which shall have a lift capability not less than 130 metric tons and which shall have core elements and an enhanced upper stage developed simultaneously: *Provided further*, That of the amounts provided for SLS, not less than $85,000,000 shall be for enhanced upper stage development: *Provided further*, That $410,000,000 shall be for exploration ground systems: *Provided further*, That the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate, concurrent with the annual budget submission, a 5-year budget profile and funding projection that adheres to a 70 percent Joint Confidence Level and is consistent with the Key Decision Point C (KDP–C) for the SLS and with the management agreement contained in the KDP–C for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That $350,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $5,029,200,000, to remain available until September 30, 2017.

EDUCATION

For necessary expenses, not otherwise provided for, in the conduct and support of aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $115,000,000, to remain available until September 30, 2017, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 shall be for the National Space Grant College program.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,768,600,000, to remain available until September 30, 2017.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $388,900,000, to remain available until September 30, 2021: *Provided*, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2016 in an amount not to exceed $9,470,300: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of title 51, United States Code.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $37,400,000, of which $500,000 shall remain available until September 30, 2017.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Bal-

ances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

The unexpired balances for Commercial Spaceflight Activities contained within the Exploration account may be transferred to the Space Operations account for such activities. Balances so transferred shall be merged with the funds in the Space Operations account and shall be available under the same terms, conditions and period of time as previously appropriated.

For the closeout of all Space Shuttle contracts and associated programs, amounts that have expired but have not been cancelled in the Exploration, Space Operations, Human Space Flight, Space Flight Capabilities, and Exploration Capabilities appropriations accounts shall remain available through fiscal year 2025 for the liquidation of valid obligations incurred during the period of fiscal year 2001 through fiscal year 2013.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $6,033,645,000, to remain available until September 30, 2017, of which not to exceed $540,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $200,310,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $880,000,000, to remain available until September 30, 2017.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $330,000,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2016 for maintenance and operation of facilities and for other services to be provided during the next fiscal year: *Provided further*, That of the amount provided for costs associated with the acquisition, occupancy, and related costs of new headquarters space, not more than $30,770,000 shall remain available until expended.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,370,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $15,160,000, of which $400,000 shall remain available until September 30, 2017.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the ''Science Appropriations Act, 2016''.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,200,000: *Provided*, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $364,500,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $88,500,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $385,000,000, of which $352,000,000 is for basic field programs and required independent audits; $5,000,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $19,000,000 is for management and grants oversight; $4,000,000 is for client self-help and information technology; $4,000,000 is for a Pro Bono Innovation Fund; and $1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, ex-

cept that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2015 and 2016, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,431,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $54,500,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $124,000 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) $5,121,000, of which $500,000 shall remain available until September 30, 2017: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds by agencies (excluding agencies of the Department of Justice) funded by this Act and 45 days in advance of such reprogramming of funds by agencies of the Department of Justice funded by this Act.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term ''promotional items'' has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601) in any fiscal year in excess of $3,042,000,000 shall not be available for obligation until the following fiscal year: *Provided*, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation, $10,000,000 shall remain available until expended to the Department of Justice Office of Inspector General for oversight and auditing purposes.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(d) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office

of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 515. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, ''Standards for Security Categorization of Federal Information and Information Systems'' unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation (FBI) and other appropriate agencies; and

(3) in consultation with the FBI or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined that the acquisition of such system is in the national interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate and the agency Inspector General.

(c) During fiscal year 2016—

(1) the FBI shall develop best practices for supply chain risk management; and

(2) the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall incorporate such practices into their information technology procurement practices to the maximum extent practicable.

SEC. 516. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 517. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 518. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 519. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 520. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; USA FREEDOM Act of 2015; and the laws amended by these Acts.

SEC. 521. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 522. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

SEC. 523. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 524. (a) Of the unobligated balances from prior year appropriations available to the Department of Commerce's Economic Development Administration, Economic Development Assistance Programs, $10,000,000 are rescinded, not later than September 30, 2016.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2016, from the following accounts in the specified amounts—

(1) ''Working Capital Fund'', $69,000,000;

(2) ''United States Marshals Service, Federal Prisoner Detention'', $195,974,000;

(3) ''Federal Bureau of Investigation, Salaries and Expenses'', $80,767,000 from fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;

(4) ''State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs'', $15,000,000;

(5) ''State and Local Law Enforcement Activities, Office of Justice Programs'', $40,000,000;

(6) ''State and Local Law Enforcement Activities, Community Oriented Policing Services'', $10,000,000; and

(7) ''Legal Activities, Assets Forfeiture Fund'', $458,000,000.

(c) The Departments of Commerce and Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2016, specifying the amount of each rescission made pursuant to subsections (a) and (b).

SEC. 525. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency, who are stationed in the United States, at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 527. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 528. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 529. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are ''Energy Star'' qualified or have the ''Federal Energy Management Program'' designation.

SEC. 530. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 531. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) None of the funds made available by this Act may be used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate, and the Federal Bureau of Investigation, no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 532. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 533. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication, or other law enforcement- or victim assistance-related activity.

SEC. 534. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 535. (a) The head of any executive branch department, agency, board, commission, or office funded by this Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2016 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days of the date of a conference held by any executive branch department, agency, board, commission, or office funded by this Act during fiscal year 2016 for which the cost to the United States Government was more than $20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 536. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 537. The head of any executive branch department, agency, board, commission, or office funded by this Act shall require that all contracts within their purview that provide award fees link such fees to successful acquisition outcomes, specifying the terms of cost, schedule, and performance.

SEC. 538. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or for performance that does not meet the basic requirements of a contract.

SEC. 539. (a) None of the funds made available by this Act may be used to relinquish the responsibility of the National Telecommunications and Information Adminis-

tration, during fiscal year 2016, with respect to Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the Internet Assigned Numbers Authority functions.

(b) Nothwithstanding any other law, subsection (a) of this section shall not apply in fiscal year 2017.

SEC. 540. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978, or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access. A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 541. The Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation shall provide a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of such Department or agency, including the purpose of such travel.

SEC. 542. None of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming, or with respect to the District of Columbia, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

SEC. 543. None of the funds made available by this Act may be used in contravention of section 7606 (''Legitimacy of Industrial Hemp Research'') of the Agricultural Act of 2014 (Public Law 113–79) by the Department of Justice or the Drug Enforcement Administration.

This division may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016''.

## DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016

### TITLE I

### MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,045,562,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,835,183,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,859,152,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,679,066,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,463,164,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,866,891,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $702,481,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,682,942,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,892,327,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,201,890,000.

### TITLE II

### OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, $32,399,440,000: *Provided*, That not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, $39,600,172,000: *Provided*, That not to exceed $15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be

made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,718,074,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, $35,727,457,000: *Provided*, That not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $32,105,040,000: *Provided*, That not more than $15,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $35,045,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $9,031,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,646,911,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $998,481,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $274,526,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,980,768,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,595,483,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,820,569,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $14,078,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $234,829,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $300,000,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $368,131,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $8,232,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which trans-

ferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $231,217,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $103,266,000, to remain available until September 30, 2017.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components, and weapons technology and expertise, and for defense and military contacts, $358,496,000, to remain available until September 30, 2018.

## TITLE III

## PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,866,367,000, to remain available for obligation until September 30, 2018.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,600,957,000, to remain available for obligation until September 30, 2018.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,951,646,000, to remain available for obligation until September 30, 2018.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,245,426,000, to remain available for obligation until September 30, 2018.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,718,811,000, to remain available for obligation until September 30, 2018.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $17,521,209,000, to remain available for obligation until September 30, 2018.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,049,542,000, to remain available for obligation until September 30, 2018.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $651,920,000, to remain available for obligation until September 30, 2018.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $1,569,571,000;

Carrier Replacement Program (AP), $862,358,000;

Virginia Class Submarine, $3,346,370,000;

Virginia Class Submarine (AP), $1,971,840,000;

CVN Refueling Overhauls, $637,588,000;

CVN Refueling Overhauls (AP), $14,951,000;

DDG–1000 Program, $433,404,000;

DDG–51 Destroyer, $4,132,650,000;

Littoral Combat Ship, $1,331,591,000;

LPD–17, $550,000,000;

Afloat Forward Staging Base, $635,000,000;

LHA Replacement (AP), $476,543,000;

LX(R) (AP), $250,000,000;

Joint High Speed Vessel, $225,000,000;

TAO Fleet Oiler, $674,190,000;

T–ATS(X) Fleet Tug, $75,000,000;

LCU Replacement, $34,000,000;

Moored Training Ship (AP), $138,200,000;

Ship to Shore Connector, $210,630,000;

Service Craft, $30,014,000;

LCAC Service Life Extension Program, $80,738,000;

YP Craft Maintenance/ROH/SLEP, $21,838,000; and

For outfitting, post delivery, conversions, and first destination transportation, $613,758,000.

Completion of Prior Year Shipbuilding Programs, $389,305,000.

In all: $18,704,539,000, to remain available for obligation until September 30, 2020: *Provided*, That additional obligations may be incurred after September 30, 2020, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $6,484,257,000, to remain available for obligation until September 30, 2018.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,186,812,000, to remain available for obligation until September 30, 2018.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $15,756,853,000, to remain available for obligation until September 30, 2018.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $2,912,131,000, to remain available for obligation until September 30, 2018.

SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $2,812,159,000, to remain available for obligation until September 30, 2018.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,744,993,000, to remain available for obligation until September 30, 2018.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $18,311,882,000, to remain available for obligation until September 30, 2018.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $5,245,443,000, to remain available for obligation until September 30, 2018.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $76,680,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $7,565,327,000, to remain available for obligation until September 30, 2017.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $18,117,677,000, to remain available for obligation until September 30, 2017: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $25,217,148,000, to remain available for obligation until September 30, 2017.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $18,695,955,000, to remain available for obligation until September 30, 2017: *Provided*, That, of the funds made available in this paragraph, $250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing

and evaluation; and administrative expenses in connection therewith, $188,558,000, to remain available for obligation until September 30, 2017.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,738,768,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $474,164,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That none of the funds provided in this paragraph shall be used to award a new contract for the construction, acquisition, or conversion of vessels, including procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $32,329,490,000; of which $29,842,167,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2017, and of which up to $14,579,612,000 may be available for contracts entered into under the TRICARE program; of which $365,390,000, to remain available for obligation until September 30, 2018, shall be for procurement; and of which $2,121,933,000, to remain available for obligation until September 30, 2017, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided under this heading for research, development, test and evaluation, not less than $943,300,000 shall be made available to the United States Army Medical Research and Materiel Command to carry out the congressionally directed medical research programs.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $699,821,000, of which $118,198,000 shall be for operation and maintenance, of which no less than $50,743,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $21,289,000 for activities on military installations and $29,454,000, to remain available until September 30, 2017, to assist State and local governments; $2,281,000 shall be for procurement, to remain available until September 30, 2018, of which $2,281,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $579,342,000, to remain available until September 30, 2017, shall be for research, development, test and evaluation, of which $569,339,000 shall only be for the Assembled Chemical Weapons Alternatives program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,050,598,000, of which $716,109,000 shall be for counter-narcotics support; $121,589,000 shall be for the drug demand reduction program; $192,900,000 shall be for the National Guard counter-drug program; and $20,000,000 shall be for the National Guard counter-drug schools program: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $312,559,000, of which $310,459,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $2,100,000, to remain available until September 30, 2017, shall be for research, development, test and evaluation.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $505,206,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,500,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item

for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2016: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled ''Explanation of Project Level Adjustments'' in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2016: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement: *Provided*, That this subsection shall not apply to transfers from the following appropriations accounts:

(1) ''Environmental Restoration, Army'';

(2) ''Environmental Restoration, Navy'';

(3) ''Environmental Restoration, Air Force'';

(4) ''Environmental Restoration, Defense-wide''; and

(5) ''Environmental Restoration, Formerly Used Defense Sites''.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer: *Provided further*, That except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 30-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2016, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2017 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2017 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2017.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. Of the amounts appropriated for ''Working Capital Fund, Army'', $145,000,000 shall be available to maintain competitive rates at the arsenals.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8019. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. Of the funds made available in this Act, $15,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8023. (a) Of the funds made available in this Act, not less than $39,500,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $27,400,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) $10,400,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $1,700,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8024. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2016 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development: *Provided*, That up to 1 percent of funds provided in this Act for support of defense FFRDCs may be used for planning and design of scientific or engineering facilities: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees 15 days in advance of exercising the authority in the previous proviso.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2016, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That, of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2017 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $65,000,000.

SEC. 8025. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8026. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8027. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8028. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the

United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2016. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 8029. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8030. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8031. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8032. None of the funds made available by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled ''Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria'', dated January 27, 2014.

SEC. 8033. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: *Provided*, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

SEC. 8034. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2017 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2017 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2017 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8035. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2017: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2017.

SEC. 8036. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8037. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8038. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8039. None of the funds appropriated by this Act and hereafter shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8040. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8041. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8042. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

''Cooperative Threat Reduction Account'', 2014/2016, $15,000,000;

''Aircraft Procurement, Army'', 2014/2016, $9,295,000;

''Other Procurement, Army'', 2014/2016, $40,000,000;

''Aircraft Procurement, Navy'', 2014/2016, $53,415,000;

''Weapons Procurement, Navy'', 2014/2016, $888,000;

''Aircraft Procurement, Air Force'', 2014/2016, $2,300,000;

''Procurement of Ammunition, Air Force'', 2014/2016, $6,300,000;

''Other Procurement, Air Force'', 2014/2016, $90,000,000;

''Aircraft Procurement, Army'', 2015/2017, $25,000,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army'', 2015/2017, $7,500,000;

''Other Procurement, Army'', 2015/2017, $30,000,000;

''Aircraft Procurement, Navy'', 2015/2017, $11,702,000;

''Weapons Procurement, Navy'', 2015/2017, $15,422,000;

''Procurement of Ammunition, Navy and Marine Corps'', 2015/2017, $8,906,000;

''Procurement, Marine Corps'', 2015/2017, $66,477,000;

''Aircraft Procurement, Air Force'', 2015/2017, $199,046,000;

''Missile Procurement, Air Force'', 2015/2017, $212,000,000;

''Other Procurement, Air Force'', 2015/2017, $17,000,000;

''Research, Development, Test and Evaluation, Army'', 2015/2016, $9,299,000;

''Research, Development, Test and Evaluation, Navy'', 2015/2016, $228,387,000;

''Research, Development, Test and Evaluation, Air Force'', 2015/2016, $718,500,000; and

''Research, Development, Test and Evaluation, Defense-Wide'', 2015/2016, $2,500,000.

SEC. 8043. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8044. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8045. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8046. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8047. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8048. None of the funds made available by this Act for Evolved Expendable Launch Vehicle service competitive procurements may be used unless the competitive procurements are open for award to all certified providers of Evolved Expendable Launch Vehicle-class systems: *Provided*, That the award shall be made to the provider that offers the best value to the government: *Provided further*, That notwithstanding any other provision of law, award may be made to a launch service provider competing with any certified launch vehicle in its inventory regardless of the country of origin of the rocket engine that will be used on its launch vehicle, in order to ensure robust competition and continued assured access to space.

SEC. 8049. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations and $24,000,000 to the Red Cross.

SEC. 8050. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8051. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program set-asides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

SEC. 8052. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8053. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8054. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8055. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8056. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of United States Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act: *Provided further*, That this section does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8057. Of the funds appropriated in this Act under the heading ''Operation and Maintenance, Defense-wide'', $25,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims' Counsel Program: *Provided*, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: *Provided further*, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8058. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8059. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section XI (chapters 50–65) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8060. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force—

(1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States;

(2) provides to the congressional defense committees a report detailing the findings of the cost analysis; and

(3) certifies in writing to the congressional defense committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force:

*Provided*, That the term ''United States'' in this section does not include any territory or possession of the United States.

SEC. 8061. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8062. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8063. The Secretary of Defense shall continue to provide a classified quarterly report to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8064. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8065. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a centerfire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8066. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8067. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That, in a case in which the military installation is located in more

than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $76,611,750 shall remain available until expended: *Provided*, That, notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8069. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P–1, R–1, and O–1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(c) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(d) Upon development of the detailed proposals defined under subsection (c), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

(e) This section shall not be construed to alter or affect the application of section 1633 of the National Defense Authorization Act for Fiscal Year 2016 to the amounts made available by this Act.

SEC. 8070. In addition to amounts provided elsewhere in this Act, $5,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $487,595,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $55,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; $286,526,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $150,000,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, of which not more than $90,000,000, subject to previously established transfer procedures, may be obligated or expended until establishment of a U.S.-Israeli production agreement for SRBMD; $89,550,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which not more than $15,000,000, subject to previously established transfer procedures, may be obligated or expended until establishment of a U.S.-Israeli production agreement; and $56,519,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $389,305,000 shall be available until September 30, 2016, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading ''Shipbuilding and Conversion, Navy'', 2008/2016: Carrier Replacement Program $123,760,000;

(2) Under the heading ''Shipbuilding and Conversion, Navy'', 2009/2016: LPD–17 Amphibious Transport Dock Program $22,860,000;

(3) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2016: CVN Refueling Overhauls Program $20,029,000;

(4) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2016: DDG–51 Destroyer $75,014,000;

(5) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2016: Littoral Combat Ship $82,674,000;

(6) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2016: LPD–17 Amphibious Transport Dock Program $38,733,000;

(7) Under the heading ''Shipbuilding and Conversion, Navy'', 2012/2016: Joint High Speed Vessel $22,597,000; and

(8) Under the heading ''Shipbuilding and Conversion, Navy'', 2013/2016: Joint High Speed Vessel $3,638,000.

SEC. 8073. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for Fiscal Year 2016.

SEC. 8074. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8075. The budget of the President for fiscal year 2017 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8076. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8077. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by $1,500,789,000.

SEC. 8078. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8079. None of the funds provided in this Act shall be available for integration of

foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $20,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further,* That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8081. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8082. Up to $15,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8083. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2017.

SEC. 8084. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8085. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2016: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8086. None of the funds made available by this Act may be used to eliminate, restructure, or realign Army Contracting Command–New Jersey or make disproportionate personnel reductions at any Army Contracting Command–New Jersey sites without 30-day prior notification to the congressional defense committees.

SEC. 8087. None of the funds made available by this Act may be used to retire, divest, realign, or transfer RQ–4B Global Hawk aircraft, or to disestablish or convert units associated with such aircraft.

SEC. 8088. None of the funds made available by this Act for excess defense articles, assistance under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8091. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8092. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8093. The Department of Defense shall continue to report incremental contingency operations costs for Operation Inherent Resolve, Operation Freedom's Sentinel, and any named successor operations, on a monthly basis and any other operation designated and identified by the Secretary of Defense for the purposes of section 127a of title 10, United States Code, on a semi-annual basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8095. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfer to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8096. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8097. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $121,000,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8099. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8100. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code (as added by section 1671 of the National Defense Authorization Act for Fiscal Year 2016).

SEC. 8101. The Secretary of Defense shall report quarterly the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8102. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $1,500,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2016.

SEC. 8103. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8104. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8105. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with sections 1033 and 1034 of the National Defense Authorization Act for Fiscal Year 2016.

SEC. 8106. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8107. Of the amounts appropriated for ''Operation and Maintenance, Navy'', up to $1,000,000 shall be available for transfer to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105).

SEC. 8108. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for any agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8109. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronexport or any subsidiary of Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic;

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine; and

(3) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 8110. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 8111. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the ''Foreign Claims Act''); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

SEC. 8112. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to reduce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 8113. The Secretary of Defense shall post grant awards on a public Web site in a searchable format.

SEC. 8114. None of the funds made available by this Act may be used to realign forces at Lajes Air Force Base, Azores, Portugal, until the Secretary of Defense certifies to the congressional defense committees that the Secretary of Defense has determined, based on an analysis of operational requirements, that Lajes Air Force Base is not an optimal location for the Joint Intelligence Analysis Complex.

SEC. 8115. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: *Provided*, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8116. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8117. In addition to amounts provided elsewhere in this Act for basic allowance for housing for military personnel, including active duty, reserve and National Guard personnel, $300,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to military personnel accounts: *Provided*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8118. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 8119. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of any agency funded by this Act who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8120. None of the funds appropriated or otherwise made available by this Act may be used in contravention of section 1054 of the National Defense Authorization Act for Fiscal Year 2016, regarding transfer of AH–64 Apache helicopters from the Army National Guard to regular Army.

SEC. 8121. None of the funds made available in this Act may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112–81; 125 Stat. 1621) to initiate support for, or expand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: *Provided*, That none of the funds made available in this Act may be used under section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: *Provided further*, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8122. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8123. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any A–10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

SEC. 8124. Of the funds provided for ''Research, Development, Test and Evaluation, Defense-Wide'' in this Act, not less than $2,800,000 shall be used to support the Department's activities related to the implementation of the Digital Accountability and Transparency Act (Public Law 113–101; 31 U.S.C. 6101 note) and to support the implementation of a uniform procurement instrument identifier as described in subpart 4.16 of Title 48, Code of Federal Regulations, to include changes in business processes, workforce, or information technology.

SEC. 8125. None of the funds provided in this Act for the T–AO(X) program shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided*, That the Secretary of the military department responsible for such procurement may waive these restrictions on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely and cost competitive basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8126. The amounts appropriated in title II of this Act are hereby reduced by $389,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows:

(1) From ''Operation and Maintenance, Army'', $138,000,000;

(2) From ''Operation and Maintenance, Air Force'', $251,000,000.

(RESCISSION)

SEC. 8127. Of the unobligated balances available to the Department of Defense, the following funds are permanently rescinded from the following accounts and programs in the specified amounts to reflect excess cash balances in Department of Defense Working Capital Funds: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

From ''Defense Working Capital Fund, Defense, X'', $1,037,000,000.

SEC. 8128. Notwithstanding any other provision of this Act, to reflect savings due to lower than anticipated fuel costs, the total amount appropriated in title II of this Act is hereby reduced by $2,576,000,000.

SEC. 8129. None of the funds made available by this Act may be used to divest or retire, or to prepare to divest or retire, KC–10 aircraft.

SEC. 8130. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any EC–130H aircraft.

SEC. 8131. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 8132. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

## TITLE IX

## OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM

### MILITARY PERSONNEL

#### MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $1,846,356,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $251,011,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $171,079,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $726,126,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $24,462,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $12,693,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $3,393,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $18,710,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $166,015,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $2,828,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

### OPERATION AND MAINTENANCE

#### OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $14,994,833,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $7,169,611,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,372,534,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $11,128,813,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $5,665,633,000: *Provided*, That of the funds provided under this heading, not to exceed $1,160,000,000, to remain available until September 30, 2017, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used to support the Governments of Jordan and Lebanon, in such amounts as the Secretary of Defense may determine, to enhance the ability of the armed forces of Jordan to increase or sustain security along its borders and the ability of the armed forces of Lebanon to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the expenses incurred: *Provided further*, That of the funds provided under this heading, up to $30,000,000 shall be for Operation Observant Compass: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $99,559,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $31,643,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $3,455,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $58,106,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'',

$135,845,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $19,900,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COUNTERTERRORISM PARTNERSHIPS FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Counterterrorism Partnerships Fund'', $1,100,000,000, to remain available until September 30, 2017: *Provided*, That such funds shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism and crisis response activities: *Provided further*, That the Secretary of Defense shall transfer the funds provided herein to other appropriations provided for in this Act to be merged with and to be available for the same purposes and subject to the same authorities and for the same time period as the appropriation to which transferred: *Provided further*, That the transfer authority under this heading is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That the funds available under this heading are available for transfer only to the extent that the Secretary of Defense submits a prior approval reprogramming request to the congressional defense committees: *Provided further*, That the Secretary of Defense shall comply with the appropriate vetting standards and procedures established in division C of the Consolidated and Further Continuing Appropriations Act of 2015 (Public Law 113–235) for any recipient of training, equipment, or other assistance: *Provided further*, That the amount provided under this heading is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $3,652,257,000, to remain available until September 30, 2017: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: *Provided further*, That the Secretary of Defense may obligate and expend funds made available to the Department of Defense in this title for additional costs associated with existing projects previously funded with amounts provided under the heading ''Afghanistan Infrastructure Fund'' in prior Acts: *Provided further*, That such costs shall be limited to contract changes resulting from inflation, market fluctuation, rate adjustments, and other necessary contract actions to complete existing projects, and associated supervision and administration costs and costs for design during construction: *Provided further*, That the Secretary may not use more than $50,000,000 under the authority provided in this section: *Provided further*, That the Secretary shall notify in advance such contract changes and adjustments in annual reports to the congressional defense committees: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That of the funds provided under this heading, not less than $10,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

IRAQ TRAIN AND EQUIP FUND

For the ''Iraq Train and Equip Fund'', $715,000,000, to remain available until September 30, 2017: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; logistics support, supplies, and services; stipends; infrastructure repair, renovation, and sustainment, to military and other security forces of or associated with the Government of Iraq, including Kurdish and tribal security forces or other local security forces, with a national security mission, to counter the Islamic State of Iraq and the Levant: *Provided further*, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces such elements are appropriately vetted, including at a minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: *Provided further*, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq, and other entities, to carry out assistance authorized under this heading: *Provided further*, That contributions of funds for the purposes provided herein from any foreign government or other entities, may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That not more than 25 percent of the funds appropriated under this heading may be obligated or expended until not fewer than 15 days after: (1) the Secretary of Defense submits a report to the appropriate congressional committees, describing the plan for the provision of such training and assistance and the forces designated to receive such assistance; and (2) the President submits a report to the appropriate congressional committees on how assistance provided under this heading supports a larger regional strategy: *Provided further*, That of the amount provided under this heading, not more than 60 percent may be obligated or expended until not fewer than 15 days after the date on which the Secretary of Defense certifies to the appropriate congressional committees that an amount equal to not less than 40 percent of the amount provided under this heading has been contributed by other countries and entities for the purposes for which funds are provided under this heading, of which at least 50 percent shall have been contributed or provided by the Government of Iraq: *Provided further*, That the limitation in the preceding proviso shall not apply if the Secretary of Defense determines, in writing, that the national security objectives of the United States will be compromised by the application of the limitation to such assistance, and notifies the appropriate congressional committees not less than 15 days in advance of the exemption taking effect, including a justification for the Secretary's determination and a description of the assistance to be exempted from the application of such limitation: *Provided further*, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines such provisions of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the appropriate congressional committees: *Provided further*, That the term ''appropriate congressional committees'' under this heading means the ''congressional defense committees'', the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further*, That amounts made available under this heading are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $161,987,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $37,260,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehi-

cles, Army'', $486,630,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $222,040,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $1,175,596,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $210,990,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $117,966,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $12,186,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $56,934,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $128,900,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $289,142,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $228,874,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $3,477,001,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $173,918,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, $1,000,000,000, to remain available for obligation until September 30, 2018: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $1,500,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $35,747,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $17,100,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $177,087,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $88,850,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $272,704,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $186,000,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $349,464,000, to remain available until September 30, 2018: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $10,262,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2016.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That, for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the United States Central Command area of responsibility: (1) passenger motor vehicles up to a limit of $75,000 per vehicle; and (2) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $5,000,000 of the amounts appropriated by this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commanders' Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $2,000,000: *Provided further*, That not later than 45 days after the end of each 6 months of the fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that 6-month period that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure data for the CERP in Afghanistan: *Provided further*, That, not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $500,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the ''Afghanistan Security Forces Fund'' (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9011. From funds made available to the Department of Defense in this title under the heading ''Operation and Maintenance, Air Force'', up to $80,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction, and site closeout activities prior to returning sites to the Government of Iraq: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2016, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Minister of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2016, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That, not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2016 *: Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 9012. Up to $600,000,000 of funds appropriated by this Act for the Counterterrorism Partnerships Fund may be used to provide assistance to the Government of Jordan to support the armed forces of Jordan and to enhance security along its borders.

SEC. 9013. None of the funds made available by this Act under the heading ''Iraq Train and Equip Fund'' may be used to procure or transfer man-portable air defense systems.

SEC. 9014. For the ''Ukraine Security Assistance Initiative'', $250,000,000 is hereby appropriated, to remain available until September 30, 2016: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal weapons of a defensive nature; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces

of Ukraine, and for replacement of any weapons or defensive articles provided to the Government of Ukraine from the inventory of the United States: *Provided further*, That the Secretary of Defense shall, not less than 15 days prior to obligating funds provided under this heading, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Ukraine and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the military or National Security Forces of Ukraine or returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 9015. Funds appropriated in this title shall be available for replacement of funds for items provided to the Government of Ukraine from the inventory of the United States to the extent specifically provided for in section 9014 of this Act.

SEC. 9016. None of the funds made available by this Act under section 9014 for ''Assistance and Sustainment to the Military and National Security Forces of Ukraine'' may be used to procure or transfer man-portable air defense systems.

SEC. 9017. (a) None of the funds appropriated or otherwise made available by this Act under the heading ''Operation and Maintenance, Defense-Wide'' for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the congressional defense committees that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9018. In addition to amounts otherwise made available in this Act, $500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities of the Department of Defense: *Provided*, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: *Provided further*, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the authority to provide funding under this section shall terminate on September 30, 2016.

SEC. 9019. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

SEC. 9020. None of the funds in this Act may be made available for the transfer of additional C–130 cargo aircraft to the Afghanistan National Security Forces or the Afghanistan Air Force until the Department of Defense provides a report to the congressional defense committees of the Afghanistan Air Force's medium airlift requirements. The report should identify Afghanistan's ability to utilize and maintain existing medium lift aircraft in the inventory and the best alternative platform, if necessary, to provide additional support to the Afghanistan Air Force's current medium airlift capacity.

(RESCISSION)

SEC. 9021. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

''Afghanistan Security Forces Fund'', 2015/2016, $400,000,000.

This division may be cited as the ''Department of Defense Appropriations Act, 2016''.

## DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

### TITLE I

### CORPS OF ENGINEERS—CIVIL

### DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $121,000,000, to remain available until expended: *Provided*, That the Secretary may initiate up to, but not more than, 10 new study starts during fiscal year 2016: *Provided further*, That the new study starts will consist of seven studies where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and three studies where the majority of benefits are derived from environmental restoration: *Provided further*, That the Secretary shall not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,862,250,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: *Provided*, That the Secretary may initiate up to, but not more than, six new construction starts during fiscal year 2016: *Provided further*, That the new construction starts will consist of five projects where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one project where the majority of the benefits are derived from environmental restoration: *Provided further*, That for new construction projects, project cost sharing agreements shall be executed as soon as

practicable but no later than August 31, 2016: *Provided further*, That no allocation for a new start shall be considered final and no work allowance shall be made until the Secretary provides to the Committees on Appropriations of the House of Representatives and the Senate an out-year funding scenario demonstrating the affordability of the selected new starts and the impacts on other projects: *Provided further*, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $345,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $3,137,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $200,000,000, to remain available until September 30, 2017.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $112,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $28,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $179,000,000, to remain available until September 30, 2017, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $4,750,000, to remain available until September 30, 2017: *Provided*, That not more than 50 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title (as designated under such heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)) to specific programs, projects, or activities.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2016, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over $100,000, reprogramming of 25 percent of the base amount up to a limit of $150,000 per project, study or activity is allowed: *Provided*, That for a base level less than $100,000, the reprogramming limit is $25,000: *Provided further*, That up to $25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: *Provided*, That for a base level less than $2,000,000, the reprogramming limit is $300,000: *Provided further*, That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: *Provided further*, That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: *Provided*, That the Chief of Engineers shall notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: *Provided further*, That for a base level over $1,000,000, reprogramming of 15 percent of the base amount up to a limit of $5,000,000 per project, study, or activity is allowed: *Provided further*, That for a base level less than $1,000,000, the reprogramming limit is $150,000: *Provided further*, That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (7), and (8) shall apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account, respectively; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than $50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level;

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

SEC. 102. The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and the explanatory statement described in section 4

(in the matter preceding division A of this consolidated Act), including the determination and designation of new starts.

SEC. 103. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 104. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $5,400,000 of funds provided in this title under the heading ''Operation and Maintenance'' to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 105. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers during the fiscal year ending September 30, 2016, to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 106. None of the funds in this Act shall be used for an open lake placement alternative of dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to 33 U.S.C. 1341.

SEC. 107. (a) Not later than 180 days after the date of enactment of this Act, the Secretary shall execute a transfer agreement with the South Florida Water Management District for the project identified as the ''Ten Mile Creek Water Preserve Area Critical Restoration Project'', carried out under section 528(b)(3) of the Water Resources Development Act of 1996 (110 Stat. 3768).

(b) The transfer agreement under subsection (a) shall require the South Florida Water Management District to operate the transferred project as an environmental restoration project to provide water storage and water treatment options.

(c) Upon execution of the transfer agreement under subsection (a), the Ten Mile Creek Water Preserve Area Critical Restoration Project shall no longer be authorized as a Federal project.

SEC. 108. None of the funds made available in this title may be used for any acquisition that is not consistent with 48 CFR 225.7007.

SEC. 109. None of the funds made available by this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007 (Public Law 110–114).

SEC. 110. None of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

## TITLE II

## DEPARTMENT OF THE INTERIOR

### CENTRAL UTAH PROJECT

#### CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $10,000,000, to remain available until expended, of which $1,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, $1,350,000 shall be available until September 30, 2017, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2016, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

### BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

#### WATER AND RELATED RESOURCES

#### (INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $1,118,972,000, to remain available until expended, of which $22,000 shall be available for transfer to the Upper Colorado River Basin Fund and $5,899,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

#### CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $49,528,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

#### CALIFORNIA BAY-DELTA RESTORATION

#### (INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $37,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

#### POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2017, $59,500,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

#### ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

### GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2016, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term transfer means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. The Reclamation Safety of Dams Act of 1978 is amended by—

(1) striking ''Construction'' and inserting ''Except as provided in section 5B, construction'' in section 3; and

(2) inserting after section 5A (43 U.S.C. 509a) the following:

''SEC. 5B. Notwithstanding section 3, if the Secretary, in her judgment, determines that additional project benefits, including but not limited to additional conservation storage capacity, are necessary and in the interests of the United States and the project and are feasible and not inconsistent with the purposes of this Act, the Secretary is authorized to develop additional project benefits through the construction of new or supplementary works on a project in conjunction with the Secretary's activities under section 2 of this Act and subject to the conditions described in the feasibility study, provided a cost share agreement related to the additional project benefits is reached among non-Federal and Federal funding participants and the costs associated with developing the additional project benefits are allocated exclusively among beneficiaries of the additional project benefits and repaid consistent with all provisions of Federal Reclamation law (the Act of June 17, 1902, 43 U.S.C. 371 et seq.) and acts supplemental to and amendatory of that Act.''.

SEC. 204. Section 5 of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended in the first sentence—

(a) by inserting ''and effective October 1, 2015, not to exceed an additional $1,100,000,000 (October 1, 2003, price levels),'' after ''(October 1, 2003, price levels),'';

(b) in the proviso—

(1) by striking ''$1,250,000'' and inserting ''$20,000,000''; and

(2) by striking ''Congress'' and inserting ''Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate''; and

(3) by adding at the end the following: ''For modification expenditures between $1,800,000 and $20,000,000 (October 1, 2015, price levels), the Secretary of the Interior shall, at least 30 days before the date on which the funds are expended, submit written notice of the expenditures to the Committee on Natural Resources of the House of Representatives and Committee on Energy and Natural Resources of the Senate that provides a summary of the project, the cost of the project, and any alternatives that were considered.''.

SEC. 205. The Secretary of the Interior, acting through the Commissioner of Reclamation, shall—

(1) complete the feasibility studies described in clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public Law 108–361 (118 Stat. 1684) and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2015;

(2) complete the feasibility studies described in clauses (i)(II) and (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(3) complete the feasibility study described in section 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694) and submit such study to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2017; and

(4) provide a progress report on the status of the feasibility studies referred to in paragraphs (1) through (3) to the appropriate committees of the House of Representatives and the Senate not later than 90 days after the date of the enactment of this Act and each 180 days thereafter until December 31, 2017, as applicable. The report shall include timelines for study completion, draft environmental impact statements, final environmental impact statements, and Records of Decision.

SEC. 206. Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking ''$300,000,000'' and inserting ''$350,000,000''.

SEC. 207. Title I of Public Law 108–361 (the Calfed Bay-Delta Authorization Act) (118 Stat. 1681), as amended by section 210 of Public Law 111–85, is amended by striking ''2016'' each place it appears and inserting ''2017''.

## TITLE III

## DEPARTMENT OF ENERGY

## ENERGY PROGRAMS

### ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $2,073,000,000, to remain available until expended: *Provided*, That of such amount, $155,000,000 shall be available until September 30, 2017, for program direction: *Provided further*, That of the amount provided under this heading, the Secretary may transfer up to $45,000,000 to the Defense Production Act Fund for activities of the Department of Energy pursuant to the Defense Production Act of 1950 (50 U.S.C. App. 2061, et seq.).

### ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $206,000,000, to remain available until expended: *Provided*, That of such amount, $28,000,000 shall be available until September 30, 2017, for program direction.

### NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $986,161,000, to remain available until expended: *Provided*, That of such amount, $80,000,000 shall be available until September 30, 2017, for program direction including official reception and representation expenses not to exceed $10,000.

### FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $632,000,000, to remain available until expended: *Provided*, That of such amount $114,202,000 shall be available until September 30, 2017, for program direction.

### NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $17,500,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

### STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $212,000,000, to remain available until expended.

### NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $7,600,000, to remain available until expended.

### ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $122,000,000, to remain available until expended.

### NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense en-

vironmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $255,000,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $673,749,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which $32,959,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including one ambulance and one bus, $5,350,200,000, to remain available until expended: *Provided*, That of such amount, $185,000,000 shall be available until September 30, 2017, for program direction: *Provided further*, That of such amount, not more than $115,000,000 shall be made available for the in-kind contributions and related support activities of ITER: *Provided further*, That not later than May 2, 2016, the Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress a report recommending either that the United States remain a partner in the ITER project after October 2017 or terminate participation, which shall include, as applicable, an estimate of either the full cost, by fiscal year, of all future Federal funding requirements for construction, operation, and maintenance of ITER or the cost of termination.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), $291,000,000, to remain available until expended: *Provided*, That of such amount, $29,250,000 shall be available until September 30, 2017, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That for necessary administrative expenses to carry out this Loan Guarantee program, $42,000,000 is appropriated, to remain available until September 30, 2017: *Provided further*, That $25,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $17,000,000: *Provided further*, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $6,000,000, to remain available until September 30, 2017.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $248,142,000, to remain available until September 30, 2017, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $117,171,000 in fiscal year 2016 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $130,971,000: *Provided further*, That of the total amount made available under this heading, $31,297,000 is for Energy Policy and Systems Analysis.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $46,424,000, to remain available until September 30, 2017.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $8,846,948,000, to remain available until expended: *Provided*, That of such amount, $97,118,000 shall be available until September 30, 2017, for program direction: *Provided further*, That funding made available under this heading may be made available for project engineering and design for the Albuquerque Complex Project.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,940,302,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,375,496,000, to remain available until expended: *Provided*, That of such amount, $42,504,000 shall be available until September 30, 2017, for program direction.

FEDERAL SALARIES AND EXPENSES

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $383,666,000, to remain available until September 30, 2017, including official reception and representation expenses not to exceed $12,000: *Provided*, That of the unobligated balances from prior year appropriations available under this heading, $19,900,000 is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one fire apparatus pumper truck and one armored vehicle for replacement only, $5,289,742,000, to remain available until expended: *Provided*, That of such amount $281,951,000 shall be available until September 30, 2017, for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $776,425,000, to remain available until expended: *Provided*, That of such amount, $249,137,000 shall be available until September 30, 2017, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Shoshone Paiute Trout Hatchery, the Spokane Tribal Hatchery, the Snake River Sockeye Weirs and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: *Provided*, That during fiscal year 2016, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities

and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $6,900,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $6,900,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $0: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $66,500,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $47,361,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $35,961,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $11,400,000: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $63,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $307,714,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $302,000,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $214,342,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $93,372,000, of which $87,658,000 is derived from the Reclamation Fund: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $352,813,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,490,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $4,262,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $228,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2016, the Administrator of the Western Area Power Administration may accept up to $460,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed $3,000, and the hire of passenger motor vehicles, $319,800,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $319,800,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2016 shall be retained and used for expenses necessary in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading ''Department of Energy—Energy Programs'', enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the ''Final Bill'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Independent Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 306. Notwithstanding section 301(c) of this Act, none of the funds made available under the heading ''Department of Energy—Energy Programs—Science'' in this or any subsequent Energy and Water Development and Related Agencies appropriations Act for any fiscal year may be used for a multiyear contract, grant, cooperative agreement, or Other Transaction Agreement of $1,000,000 or less unless the contract, grant, cooperative agreement, or Other Transaction Agreement is funded for the full period of performance as anticipated at the time of award.

SEC. 307. (a) None of the funds made available in this or any prior Act under the heading ''Defense Nuclear Nonproliferation'' may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 308. (a) NEW REGIONAL RESERVES.—The Secretary of Energy may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(b) The budget request or notification shall include—

(1) the justification for the new reserve;

(2) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(3) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(4) the location of the reserve; and

(5) the estimate of the total inventory of the reserve.

SEC. 309. Of the amounts made available by this Act for ''National Nuclear Security Administration—Weapons Activities'', up to $50,000,000 may be reprogrammed within such account for Domestic Uranium Enrichment, subject to the notice requirement in section 301(e).

SEC. 310. (a) Unobligated balances available from appropriations are hereby rescinded from the following accounts of the Department of Energy in the specified amounts:

(1) ''Energy Programs—Energy Efficiency and Renewable Energy'', $1,355,149.00 from Public Law 110–161; $627,299.24 from Public Law 111–8; and $1,824,051.94 from Public Law 111–85.

(2) ''Energy Programs—Science'', $3,200,000.00.

(b) No amounts may be rescinded by this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 311. Notwithstanding any other provision of law, the provisions of 40 U.S.C. 11319 shall not apply to funds appropriated in this title to Federally Funded Research and Development Centers sponsored by the Department of Energy.

SEC. 312. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

SEC. 313. (a) Of the funds appropriated in prior Acts under the headings ''Fossil Energy Research and Development'' and ''Clean Coal Technology'' for prior solicitations under the Clean Coal Power Initiative and FutureGen, not less than $160,000,000 from projects selected under such solicitations that have not reached financial close and have not secured funding sufficient to construct the project prior to 30 days after the date of enactment of this Act shall be deobligated, if necessary, shall be utilized for previously selected demonstration projects under such solicitations that have reached financial close or have otherwise secured funding sufficient to construct the project prior to 30 days after the date of enactment of this Act, and shall be allocated among such projects in proportion to the total financial contribution by the recipients to those projects stipulated in their respective cooperative agreements.

(b) Funds utilized pursuant to subsection (a) shall be administered in accordance with the provisions in the Act in which the funds for those demonstration projects were originally appropriated, except that financial assistance for costs in excess of those estimated as of the date of award of the original financial assistance may be provided in excess of the proportion of costs borne by the Government in the original agreement and shall not be limited to 25 percent of the original financial assistance.

(c) No amounts may be repurposed pursuant to this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) This section shall be fully implemented not later than 60 days after the date of enactment of this Act.

## TITLE IV

## INDEPENDENT AGENCIES

### APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $146,000,000, to remain available until expended.

### DEFENSE NUCLEAR FACILITIES SAFETY BOARD

#### SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $29,150,000, to remain available until September 30, 2017.

### DELTA REGIONAL AUTHORITY

#### SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $25,000,000, to remain available until expended.

### DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, con-

struction, and acquisition of plant and capital equipment as necessary and other expenses, $11,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $7,500,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $990,000,000, including official representation expenses not to exceed $25,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $7,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2017, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $872,864,000 in fiscal year 2016 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at not more than $117,136,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization's mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $12,136,000, to remain available until September 30, 2017: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,060,000 in fiscal year 2016 shall be retained and be available until September 30, 2017, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at not more than $2,076,000: *Provided further*, That of the amounts appropriated under this heading, $958,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2017.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than $500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for ''Nuclear Regulatory Commission—Salaries and Expenses'' shall be expended as directed in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

(1) total budget authority;

(2) total unobligated balances; and

(3) total unliquidated obligations.

SEC. 403. Public Law 105–277, division A, section 101(g) (title III, section 329(a), (b)) is amended by inserting, in subsection (b), after ''State law'' and before the period the following: ''or for the construction and repair of barge mooring points and barge landing sites to facilitate pumping fuel from fuel transport barges into bulk fuel storage tanks.''.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

This division may be cited as the ''Energy and Water Development and Related Agencies Appropriations Act, 2016''.

**DIVISION E—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2016**

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to Puerto Rico; and Treasury-wide management policies and programs activities, $222,500,000: *Provided*, That of the amount appropriated under this heading—

(1) not to exceed $350,000 is for official reception and representation expenses;

(2) not to exceed $258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary's certificate; and

(3) not to exceed $22,200,000 shall remain available until September 30, 2017, for—

(A) the Treasury-wide Financial Statement Audit and Internal Control Program;

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund; and

(D) the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, money launderers, drug kingpins, and other national security threats, $117,000,000: *Provided*, That of the amount appropriated under this heading: (1) not to exceed $27,100,000 is available for administrative expenses; and (2) $5,000,000, to remain available until September 30, 2017.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $5,000,000, to remain available until September 30, 2018: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement ''Internal Revenue Service, Operations Support'' or ''Internal Revenue Service, Business Systems Modernization''.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $35,416,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to $2,800,000 to remain available until September 30, 2017, shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note); and of which not to exceed $1,000 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $167,275,000, of which $5,000,000 shall remain available until September 30, 2017; of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $40,671,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed $10,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $112,979,000, of which not to exceed $34,335,000 shall remain available until September 30, 2018.

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $700,000,000 are rescinded.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, $363,850,000; of which not to exceed $4,210,000, to remain available until September 30, 2018, is for information systems modernization initiatives; of which $5,000 shall be available for official reception and representation expenses; and of which not to exceed $19,800,000, to remain available until September 30, 2018, is to support the Department's activities related to implementation of the Digital Accountability and Transparency Act (DATA Act; Public Law 113–101), including changes in business processes, workforce, or information technology to support high quality, transparent Federal spending information.

In addition, $165,000, to be derived from the Oil Spill Liability Trust Fund to reimburse administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $106,439,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided*, That of the amount appropriated under this heading, $5,000,000 shall be for the costs of accelerating the processing of formula and label applications.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: *Provided*, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2016 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $20,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvements Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $233,523,000. Of the amount appropriated under this heading—

(1) not less than $153,423,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, is available until September 30, 2017, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to $3,102,500 may be used for the cost of direct loans: *Provided*, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000;

(2) not less than $15,500,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2017, for financial assistance, technical assistance, training and outreach programs designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(3) not less than $19,000,000 is available until September 30, 2017, for the Bank Enterprise Award program;

(4) not less than $22,000,000, notwithstanding subsections (d) and (e) of section 108 of Public Law 103–325 (12 U.S.C. 4707(d) and (e)), is available until September 30, 2017, for a Healthy Food Financing Initiative to provide financial assistance, technical assistance, training, and outreach to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities;

(5) up to $23,600,000 is available until September 30, 2016, for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which not less than $1,000,000 is for capacity building to expand CDFI investments in underserved rural areas, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(6) during fiscal year 2016, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): *Provided*, That

commitments to guarantee bonds and notes under such section 114A shall not exceed $750,000,000: *Provided further*, That such section 114A shall remain in effect until September 30, 2016.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,156,554,000, of which not less than $6,500,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $12,000,000 shall be available for low-income taxpayer clinic grants, and of which not less than $15,000,000, to remain available until September 30, 2017, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, of which not less than $206,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: *Provided*, That of the amounts made available for the Taxpayer Advocate Service, not less than $5,000,000 shall be for identity theft casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,860,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2017, and of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,638,446,000, of which not to exceed $50,000,000 shall remain available until September 30, 2017; of which not to exceed $10,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2018, for research; of which not to exceed $20,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further*, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2017, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $290,000,000, to remain available until September 30, 2018, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for CADE 2 and Modernized e-File information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers' rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make improvements to the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to enhance the response time to taxpayer communications, particularly with regard to victims of tax-related crimes.

SEC. 105. None of the funds made available to the Internal Revenue Service by this Act may be used to make a video unless the Service-Wide Video Editorial Board determines in advance that making the video is appropriate, taking into account the cost, topic, tone, and purpose of the video.

SEC. 106. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer's former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 107. None of the funds made available under this Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

SEC. 108. None of the funds made available in this Act may be used by the Internal Revenue Service to target groups for regulatory scrutiny based on their ideological beliefs.

SEC. 109. None of funds made available by this Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the procedures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled ''Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California'' (Reference Number 2013–10–037).

SEC. 110. None of the funds made available in this Act to the Internal Revenue Service may be obligated or expended—

(1) to make a payment to any employee under a bonus, award, or recognition program; or

(2) under any hiring or personnel selection process with respect to re-hiring a former employee,

unless such program or process takes into account the conduct and Federal tax compliance of such employee or former employee.

SEC. 111. None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

SEC. 112. Except to the extent provided in section 6014, 6020, or 6201(d) of the Internal Revenue Code of 1986, no funds in this or any other Act shall be available to the Secretary of the Treasury to provide to any person a proposed final return or statement for use by such person to satisfy a filing or reporting requirement under such Code.

SEC. 113. In addition to the amounts otherwise made available in this Act for the Internal Revenue Service, $290,000,000, to be available until September 30, 2017, shall be transferred by the Commissioner to the ''Taxpayer Services'', ''Enforcement'', or ''Operations Support'' accounts of the Internal Revenue Service for an additional amount to be used solely for measurable improvements in the customer service representative level of service rate, to improve the identification and prevention of refund fraud and identity theft, and to enhance cybersecurity to safeguard taxpayer data: *Provided*, That such funds shall supplement, not supplant any other amounts made available by the Internal Revenue Service for such purpose: *Provided further*, That such funds shall not be available until the Commissioner submits to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds: *Provided further*, That such funds shall not be used to support any provision of Public Law 111–148, Public Law 111–152, or any amendment made by either such Public Law.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 114. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the

Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 115. Not to exceed 2 percent of any appropriations in this title made available under the headings ''Departmental Offices—Salaries and Expenses'', ''Office of Inspector General'', ''Special Inspector General for the Troubled Asset Relief Program'', ''Financial Crimes Enforcement Network'', ''Bureau of the Fiscal Service'', and ''Alcohol and Tobacco Tax and Trade Bureau'' may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That, upon advance approval of such Committees, not to exceed 2 percent of any such appropriations may be transferred to the ''Office of Terrorism and Financial Intelligence'': *Provided further*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. The Secretary of the Treasury may transfer funds from the ''Bureau of the Fiscal Service-Salaries and Expenses'' to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 119. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 120. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 121. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for Fiscal Year 2016.

SEC. 122. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 123. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: *Provided*, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: *Provided further*, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 124. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

(b) The reports required under subsection (a) shall include—

(1) the obligations made during the previous quarter by object class, office, and activity;

(2) the estimated obligations for the remainder of the fiscal year by object class, office, and activity;

(3) the number of full-time equivalents within each office during the previous quarter;

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

(c) At the request of any such Committees specified in subsection (a), the Office of Financial Stability and the Office of Financial Research shall make officials available to testify on the contents of the reports required under subsection (a).

SEC. 125. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 126. The Secretary of the Treasury, in consultation with the appropriate agencies, departments, bureaus, and commissions that have expertise in terrorism and complex financial instruments, shall provide a report to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate not later than 90 days after the date of enactment of this Act on economic warfare and financial terrorism.

SEC. 127. During fiscal year 2016—

(1) none of the funds made available in this or any other Act may be used by the Department of the Treasury, including the Internal Revenue Service, to issue, revise, or finalize any regulation, revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard which is used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)); and

(2) the standard and definitions as in effect on January 1, 2010, which are used to make such determinations shall apply after the date of the enactment of this Act for purposes of determining status under section 501(c)(4) of such Code of organizations created on, before, or after such date.

This title may be cited as the ''Department of the Treasury Appropriations Act, 2016''.

## TITLE II

## EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

### THE WHITE HOUSE

#### SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $55,000,000.

### EXECUTIVE RESIDENCE AT THE WHITE HOUSE

#### OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, $12,723,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

#### REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropria-

tions, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3 U.S.C. 105(d), $750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,195,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $12,800,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $96,116,000, of which not to exceed $7,994,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $95,000,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That of the funds made available for the Office of Management and Budget by this Act, no less than one full-time equivalent senior staff position shall be dedicated solely to the Office of the Intellectual Property Enforcement Coordinator: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $20,047,000: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $250,000,000, to remain available until September 30, 2017, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas (''HIDTAs''), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: *Provided further*, That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2014 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: *Provided further*, That each HIDTA designated as of September 30, 2015, shall be funded at not less than the fiscal year 2015 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2016 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $109,810,000, to remain available until expended, which shall be available as follows: $95,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $2,000,000 for drug court training and technical assistance; $9,500,000 for anti-doping activities; $2,060,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469: *Provided*, That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $800,000, to remain available until September 30, 2017.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $30,000,000, to remain available until expended: *Provided*, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,228,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 pursuant to 3 U.S.C. 106(b)(2), $299,000: *Provided*, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings ''The White House'', ''Executive Residence at the White House'', ''White House Repair and Restoration'', ''Council of Economic Advisers'', ''National Security Council and Homeland Security Council'', ''Office of Administration'', ''Special Assistance to the President'', and ''Official Residence of the Vice President'', the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from ''Special Assistance to the President'' or ''Official Residence of the Vice President'' without the approval of the Vice President.

SEC. 202. Within 90 days after the date of enactment of this section, the Director of the Office of Management and Budget shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the costs of implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203). Such report shall include—

(1) the estimated mandatory and discretionary obligations of funds through fiscal year 2018, by Federal agency and by fiscal year, including—

(A) the estimated obligations by cost inputs such as rent, information technology, contracts, and personnel;

(B) the methodology and data sources used to calculate such estimated obligations; and

(C) the specific section of such Act that requires the obligation of funds; and

(2) the estimated receipts through fiscal year 2018 from assessments, user fees, and other fees by the Federal agency making the collections, by fiscal year, including—

(A) the methodology and data sources used to calculate such estimated collections; and

(B) the specific section of such Act that authorizes the collection of funds.

SEC. 203. (a) During fiscal year 2016, any Executive order or Presidential memorandum issued by the President shall be accompanied by a written statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of such order or memorandum.

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays as the result of such order or memorandum, listed by Federal agency, for each year in the 5-fiscal year period beginning in fiscal year 2016; and

(3) the impact on revenues of the Federal Government as the result of such order or memorandum over the 5-fiscal-year period beginning in fiscal year 2016.

(c) If an Executive order or Presidential memorandum is issued during fiscal year 2016 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

(d) The requirement for cost estimates for Presidential memoranda shall only apply for Presidential memoranda estimated to have a regulatory cost in excess of $100,000,000.

This title may be cited as the ''Executive Office of the President Appropriations Act, 2016''.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $75,838,000, of which $2,000,000 shall remain available until expended.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, $9,964,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, $30,872,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $18,160,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, $4,918,969,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $6,050,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,004,949,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $44,199,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $538,196,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $85,665,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $27,719,000; of which $1,800,000 shall remain available through September 30, 2017, to provide education and training to Federal

court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $17,570,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'', shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for ''Courts of Appeals, District Courts, and Other Judicial Services'' shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3314(a) of title 40, United States Code, shall be applied by substituting ''Federal'' for ''executive'' each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the second sentence (relating to the District of Kansas) following paragraph (12), by striking ''24 years and 6 months'' and inserting ''25 years and 6 months''.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking ''22 years and 6 months'' and inserting ''23 years and 6 months''.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note), is amended—

(1) in the first sentence by striking ''13 years'' and inserting ''14 years'';

(2) in the second sentence (relating to the central District of California), by striking ''12 years and 6 months'' and inserting ''13 years and 6 months''; and

(3) in the third sentence (relating to the western district of North Carolina), by striking ''11 years'' and inserting ''12 years''.

SEC. 307. Section 3602(a) of title 18, United States Code, is amended—

(1) by inserting after the first sentence: ''A person appointed as a probation officer in one district may serve in another district with the consent of the appointing court and the court in the other district.''; and

(2) by inserting in the last sentence ''appointing'' before ''court may, for cause''.

This title may be cited as the ''Judiciary Appropriations Act, 2016''.

## TITLE IV

## DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $40,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $13,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $274,401,000 to be allocated as follows: for the District of Columbia Court of Appeals, $14,192,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $123,638,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $73,981,000, of which not to exceed $2,500 is for official reception and representation expenses; and $62,590,000, to remain available until September 30, 2017, for capital improvements for District of Columbia courthouse facilities: *Provided*, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $6,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further*, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $49,890,000, to remain available until expended: *Provided*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $244,763,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, of which not to exceed $25,000 is for dues and assessments relating to the imple-

mentation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $182,406,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons, of which up to $3,159,000 shall remain available until September 30, 2018, for the relocation of offender supervision field offices; and of which $62,357,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That amounts under this heading may be used for programmatic incentives for offenders and defendants successfully meeting terms of supervision: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of the following: space and hospitality to support offender and defendant programs; equipment, supplies, clothing, and professional development and vocational training services and items necessary to sustain, educate, and train offenders and defendants, including their dependent children; and programmatic incentives for offenders and defendants meeting terms of supervision: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $40,889,000: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies: *Provided further*, That, notwithstanding section 1342 of title 31, United States Code, and in addition to the authority provided by the District of Columbia Code Section 2–1607(b), upon approval of the Board of Trustees, the District of Columbia Public Defender Service may accept and use voluntary and uncompensated services for the purpose of aiding or facilitating the work of the District of Columbia Public Defender Service: *Provided further*, That, notwithstanding District of Columbia Code section 2–1603(d), for the purpose of any action brought against the Board of the Trustees of the District of Columbia Public Defender Service at any time during fiscal year 2016 or any previous fiscal year, the trustees shall be deemed to be employees of the Public Defender Service.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $14,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,900,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2017, to the Commission on Judicial Disabilities and Tenure, $295,000, and for the Judicial Nomination Commission, $270,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $45,000,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112–10): *Provided*, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112–10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: *Provided further*, That within funds provided for opportunity scholarships $3,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) and 3009 of the Act.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $435,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $5,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia (''General Fund'') for programs and activities set forth under the heading ''District of Columbia Funds Summary of Expenses'' and at the rate set forth under such heading, as included in the Fiscal Year 2016 Budget Request Act of 2015 submitted to the Congress by the District of Columbia as amended as of the date of enactment of this Act: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1–204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2016 under this heading shall not exceed the estimates included in the Fiscal Year 2016 Budget Request Act of 2015 submitted to Congress by the District of Columbia as amended as of the date of enactment of this Act or the sum of the total revenues of the District of Columbia for such fiscal year: *Provided further*, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2016, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the ''District of Columbia Appropriations Act, 2016''.

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,100,000, to remain available until September 30, 2017, of which not to exceed $1,000 is for official reception and representation expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $125,000,000, of which not less than $1,000,000 shall remain available until September 30, 2017, to reduce the costs of third party testing associated with certification of children's products under section 14 of the Consumer Product Safety Act (15 U.S.C. 2063).

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $9,600,000, of which $1,500,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $339,844,000, to remain available until expended: *Provided*, That in addition, $44,168,497 shall be made available until expended for necessary expenses associated with moving to a new facility or reconfiguring the existing space to significantly reduce space consumption: *Provided further*, That $384,012,497 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $384,012,497 in fiscal year 2016

shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2015, shall not be available for obligation: *Provided further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $117,000,000 for fiscal year 2016: *Provided further*, That, of the amount appropriated under this heading, not less than $11,600,000 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

SEC. 501. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking ''December 31, 2016'', each place it appears and inserting ''December 31, 2017''.

SEC. 502. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $34,568,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $76,119,000, of which $5,000,000 shall remain available until September 30, 2017, for lease expiration and replacement lease expenses; and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $26,200,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $306,900,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $124,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $14,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $168,900,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $10,196,124,000, of which—

(1) $1,607,738,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) as follows:

(A) $341,000,000 shall be for the DHS Consolidation at St. Elizabeths;

(B) $105,600,000 shall be for the Alexandria Bay, New York, Land Port of Entry;

(C) $85,645,000 shall be for the Columbus, New Mexico, Land Port of Entry;

(D) $947,760,000 shall be for new construction projects of the Federal Judiciary as prioritized in the ''Federal Judiciary Courthouse Project Priorities'' plan approved by the Judicial Conference of the United States on September 17, 2015, and submitted to the House and Senate Committees on Appropriations on September 28, 2015;

(E) $52,733,000 shall be for new construction and acquisition projects that are joint United States courthouses and Federal buildings, including U.S. Post Offices, on the ''FY2015–FY2019 Five-Year Capital Investment Plan'' submitted by the General Services Administration to the House and Senate Committees on Appropriations with the agency's fiscal year 2016 Congressional Justification; and

(F) $75,000,000 shall be for construction management and oversight activities, and other project support costs, for the FBI Headquarters Consolidation:

*Provided*, That each of the foregoing limits of costs on new construction and acquisition projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount;

(2) $735,331,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) $310,331,000 is for Major Repairs and Alterations;

(B) $300,000,000 is for Basic Repairs and Alterations; and

(C) $125,000,000 is for Special Emphasis Programs, of which—

(i) $20,000,000 is for Fire and Life Safety;

(ii) $20,000,000 is for Judiciary Capital Security;

(iii) $10,000,000 is for Energy and Water Retrofit and Conservation Measures; and

(iv) $75,000,000 is for Consolidation Activities: *Provided*, That consolidation projects result in reduced annual rent paid by the tenant agency: *Provided further*, That no consolidation project exceed $20,000,000 in costs: *Provided further*, That consolidation projects are approved by each of the committees specified in section 3307(a) of title 40, United States Code: *Provided further*, That preference is given to consolidation projects that achieve a utilization rate of 130 usable square feet or less per person for office space: *Provided further*, That the obligation of funds under this paragraph for consolidation activities may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken, including estimated savings, has been submitted to the Committees on Appropriations of the House of Representatives and the Senate:

*Provided*, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior

Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects;

(3) $5,579,055,000 for rental of space to remain available until expended; and

(4) $2,274,000,000 for building operations to remain available until expended, of which $1,137,000,000 is for building services, and $1,137,000,000 is for salaries and expenses: *Provided further*, That not to exceed 5 percent of any appropriation made available under this paragraph for building operations may be transferred between and merged with such appropriations upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but no such appropriation shall be increased by more than 5 percent by any such transfers: *Provided further*, That section 508 of this title shall not apply with respect to funds made available under this heading for building operations: *Provided further*, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2016, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $58,000,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; the Civilian Board of Contract Appeals; and services as authorized by 5 U.S.C. 3109; $58,560,000, of which $25,979,000 is for Real and Personal Property Management and Disposal; $23,397,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses; and $9,184,000 is for the Civilian Board of Contract Appeals: *Provided*, That not to exceed 5 percent of the appropriation made available under this heading for Office of the Administrator may be transferred to the appropriation for the Real and Personal Property Management and Disposal upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but the appropriation for the Real and Personal Property Management and Disposal may not be increased by more than 5 percent by any such transfer.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $65,000,000, of which $2,000,000 is available until expended: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $3,277,000.

PRE-ELECTION PRESIDENTIAL TRANSITION

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Pre-Election Presidential Transition Act of 2010 (Public Law 111–283), not to exceed $13,278,000, to remain available until September 30, 2017: *Provided*, That such amounts may be transferred and credited to ''Acquisition Services Fund'' or ''Federal Buildings Fund'' to reimburse obligations incurred for the purposes provided herein in fiscal year 2015 and 2016: *Provided further*, That amounts made available under this heading shall be in addition to any other amounts available for such purposes.

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Citizen Services and Innovative Technologies, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; $55,894,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: *Provided further*, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically in the aggregate amount not to exceed $90,000,000: *Provided further*, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2016 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: *Provided further*, That any appropriations provided to the Electronic Government Fund that remain unobligated may be transferred to the Federal Citizen Services Fund: *Provided further*, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 510. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 511. Funds in the Federal Buildings Fund made available for fiscal year 2016 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 512. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2017 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 513. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 514. From funds made available under the heading Federal Buildings Fund, Limitations on Availability of Revenue, claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 515. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 516. With respect to each project funded under the heading ''Major Repairs and Alterations'' or ''Judiciary Capital Security Program'', and with respect to E-Government projects funded under the heading ''Federal Citizen Services Fund'', the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees

on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

SEC. 517. With respect to each project funded under the heading of ''new construction projects of the Federal Judiciary'', the General Services Administration, in consultation with the Administrative Office of the United States Courts, shall submit a spending plan and description for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 120 days after the date of enactment of this Act.

SEC. 518. With respect to each project funded under the heading of ''joint United States courthouses and Federal buildings, including U.S. Post Offices'', the General Services Administration shall submit a spending plan and explanation for the projects to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $1,000,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $44,490,000, to remain available until September 30, 2017, and in addition not to exceed $2,345,000, to remain available until September 30, 2017, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), $1,995,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act: (1) up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289); and (2) up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 and section 817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That of the total amount made available under this heading $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,400,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, $372,393,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,180,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $7,500,000, to remain available until expended: *Provided*, That from amounts made available under this heading in Public Laws 111–8 and 111–117 for necessary expenses related to the repair and renovation of the Franklin D. Roosevelt Presidential Library and Museum in Hyde Park, New York, the remaining unobligated balances shall be available to implement the National Archives and Records Administration Capital Improvement Plan.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $5,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $2,000,000 shall be available until September 30, 2017, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Stop Trading on Congressional Knowledge Act of 2012, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $15,742,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $120,688,000, of which $2,500,000 shall remain available until expended for Federal investigations enhancements, and of which $616,000 may be for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition $124,550,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2016, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $4,365,000, and in addition, not to exceed $22,479,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $24,119,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $15,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $21,297,000, to remain available until September 30, 2017.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,605,000,000, to remain available until expended; of which not less than $11,315,971 shall be for the Office of Inspector General; of which not to exceed $75,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; and of which not less than $68,223,000 shall be for the Division of Economic and Risk Analysis: *Provided*, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,605,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2016 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2016 appropriation from the general fund estimated at not more than $0.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $22,703,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed $3,500 for official reception and representation expenses, $268,000,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2016: *Provided further*, That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2017: *Provided further*, That $3,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development, $231,100,000, to remain available until September 30, 2017: *Provided*, That $117,000,000 shall be available to fund grants for performance in fiscal year 2016 or fiscal year 2017 as authorized by section 21 of the Small Business Act: *Provided further*, That $25,000,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $18,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 1207 of Public Law 111–240.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $19,900,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), $9,120,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $3,338,172, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2016 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $26,500,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2016 commitments for loans authorized under subparagraph (C) of section 502(7) of The Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2016 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: *Provided further*, That during fiscal year 2016, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $152,725,828, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $186,858,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which $176,858,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which $9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 520. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 521. (a) Subparagraph (C) of section 502(7) of the Small Business Investment Act of 1958 (15 U.S.C. 696(7)), as in effect on September 25, 2012, shall be in effect in any fiscal year during which the cost to the Federal Government of making guarantees under such subparagraph (C) and section 503 of the Small Business Investment Act of 1958 (15 U.S.C. 697) is zero, except that—

(1) subclause (I)(bb) and subclause (II) of clause (iv) of such subparagraph (C) shall not be in effect;

(2) unless, upon application by a development company and after determining that the refinance loan is needed for good cause, the Administrator of the Small Business Administration waives this paragraph, a development company shall limit its financings under section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696) so that, during any fiscal year, new financings under such subparagraph (C) shall not exceed 50 percent of the dollars loaned under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) during the previous fiscal year; and

(3) clause (iv)(I)(aa) of such subparagraph (C) shall be applied by substituting ''job creation and retention'' for ''job creation''.

(b) Section 303(b)(2)(B) of the Small Business Investment Act of 1958 (15 U.S.C.

683(b)(2)(B)) is amended by striking ''$225,000,000'' and inserting ''$350,000,000''.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $55,075,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $248,600,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $51,300,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSION)

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating chapter 83 of title 41, United States Code.

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

(1) in the case of an official background investigation report, if such individual has given express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) if such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 614. The provision of section 613 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. Notwithstanding section 708 of this Act, funds made available to the Commodity Futures Trading Commission and the Securities and Exchange Commission by this or any other Act may be used for the interagency funding and sponsorship of a joint advisory committee to advise on emerging regulatory issues.

SEC. 618. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property

for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term ''Executive agency covered by this Act'' means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 619. (a) There are appropriated for the following activities the amounts required under current law:

(1) Compensation of the President (3 U.S.C. 102).

(2) Payments to—

(A) the Judicial Officers' Retirement Fund (28 U.S.C. 377(o));

(B) the Judicial Survivors' Annuities Fund (28 U.S.C. 376(c)); and

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions—

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

(4) Payment to finance the unfunded liability of new and increased annuity benefits under the Civil Service Retirement and Disability Fund (5 U.S.C. 8348).

(5) Payment of annuities authorized to be paid from the Civil Service Retirement and Disability Fund by statutory provisions other than subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 620. The Public Company Accounting Oversight Board (Board) shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board as of December 31, 2015, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2016 shall remain available until expended.

SEC. 621. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled ''Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts'' unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.

SEC. 622. None of the funds made available by this Act may be used to pay the salaries and expenses for the following positions:

(1) Director, White House Office of Health Reform.

(2) Assistant to the President for Energy and Climate Change.

(3) Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy.

(4) White House Director of Urban Affairs.

SEC. 623. None of the funds in this Act may be used for the Director of the Office of Personnel Management to award a contract, enter an extension of, or exercise an option on a contract to a contractor conducting the final quality review processes for background investigation fieldwork services or background investigation support services that, as of the date of the award of the contract, are being conducted by that contractor.

SEC. 624. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

(b) Amounts appropriated for any executive branch agency funded by this Act that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

SEC. 625. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.

SEC. 626. From the unobligated balances available in the Securities and Exchange Commission Reserve Fund established by section 991 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203), $25,000,000 are rescinded.

SEC. 627. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 628. Beginning on the date of enactment of this Act, in the current fiscal year and continuing through September 30, 2025, the Further Notice of Proposed Rulemaking and Report and Order adopted by the Federal Communications Commission on March 31, 2014 (FCC 14–28), and the amendments to the rules of the Commission adopted in such Further Notice of Proposed Rulemaking and Report and Order, shall not apply to a joint sales agreement (as defined in Note 2(k) to section 73.3555 of title 47, Code of Federal Regulations) that was in effect on March 31, 2014, and a rule of the Commission amended by such an amendment shall apply to such agreement as such rule was in effect on the day before the effective date of such amendment. A party to a joint sales agreement that was in effect on March 31, 2014, shall not be considered to be in violation of the ownership limitations of section 73.3555 of title 47, Code of Federal Regulations, by reason of the application of the rule in Note 2(k)(2), as so amended, to the joint sales agreement.

SEC. 629. During fiscal year 2016, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as ''ROV'') rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

(C) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a ROV's rollover resistance on a progressive scale; and

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

SEC. 630. Notwithstanding any other provision of law, not to exceed $2,266,085 of unobligated balances from ''Election Assistance Commission, Election Reform Programs'' shall be available to record a disbursement previously incurred under that heading in fiscal year 2014 against a 2008 cancelled account.

SEC. 631. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change the rules or regulations of the Commission for universal service high-cost support for competitive eligible telecommunications carriers in a way that is inconsistent with paragraph (e)(5) or (e)(6) of section 54.307 of title 47, Code of Federal Regulations, as in effect on July 15, 2015: *Provided*, That this section shall not prohibit the Commission from considering, developing, or adopting other support mechanisms as an alternative to Mobility Fund Phase II.

SEC. 632. (a) The Office of Personnel Management shall provide to each affected individual as defined in subsection (b) complimentary identity protection coverage that—

(1) is not less comprehensive than the complimentary identity protection coverage that the Office provided to affected individuals before the date of enactment of this Act;

(2) is effective for a period of not less than 10 years; and

(3) includes not less than $5,000,000 in identity theft insurance.

(b) DEFINITION.—In this section, the term ''affected individual'' means any individual whose Social Security Number was compromised during—

(1) the data breach of personnel records of current and former Federal employees, at a network maintained by the Department of the Interior, that was announced by the Office of Personnel Management on June 4, 2015; or

(2) the data breach of systems of the Office of Personnel Management containing information related to the background investigations of current, former, and prospective Federal employees, and of other individuals.

SEC. 633. Sections 1101(a) and 1104(a)(2)(A) of the Internet Tax Freedom Act (title XI of division C of Public Law 105–277; 47 U.S.C. 151 note) shall be applied by substituting ''October 1, 2016'' for ''October 1, 2015''.

SEC. 634. (a) DEFINITIONS.—In this section:

(1) BANKING INSTITUTION.—The term ''banking institution'' means an insured depository institution, Federal credit union, State credit union, bank holding company, or savings and loan holding company.

(2) BASEL III CAPITAL REQUIREMENTS.—The term ''Basel III capital requirements'' means the Global Regulatory Framework for More Resilient Banks and Banking Systems issued by the Basel Committee on Banking Supervision on December 16, 2010, as revised on June 1, 2011.

(3) FEDERAL BANKING AGENCIES.—The term ''Federal banking agencies'' means the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the National Credit Union Administration.

(4) MORTGAGE SERVICING ASSETS.—The term ''mortgage servicing assets'' means those assets that result from contracts to service loans secured by real estate, where such loans are owned by third parties.

(5) NCUA CAPITAL REQUIREMENTS.—The term ''NCUA capital requirements'' means the final rule of the National Credit Union Administration entitled ''Risk-Based Capital'' (80 Fed. Reg. 66625 (October 29, 2015)).

(6) OTHER DEFINITIONS.—

(A) BANKING DEFINITIONS.—The terms ''bank holding company'', ''insured depository institution'', and ''savings and loan holding company'' have the meanings given those terms in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(B) CREDIT UNION DEFINITIONS.—The terms ''Federal credit union'' and ''State credit union'' have the meanings given those terms in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

(b) STUDY OF THE APPROPRIATE CAPITAL FOR MORTGAGE SERVICING ASSETS.—

(1) IN GENERAL.—The Federal banking agencies shall jointly conduct a study of the appropriate capital requirements for mortgage servicing assets for banking institutions.

(2) ISSUES TO BE STUDIED.—The study required under paragraph (1) shall include, with a specific focus on banking institutions—

(A) the risk to banking institutions of holding mortgage servicing assets;

(B) the history of the market for mortgage servicing assets, including in particular the market for those assets in the period of the financial crisis;

(C) the ability of banking institutions to establish a value for mortgage servicing assets of the institution through periodic sales or other means;

(D) regulatory approaches to mortgage servicing assets and capital requirements that may be used to address concerns about the value of and ability to sell mortgage servicing assets;

(E) the impact of imposing the Basel III capital requirements and the NCUA capital requirements on banking institutions on the ability of those institutions—

(i) to compete in the mortgage servicing business, including the need for economies of scale to compete in that business; and

(ii) to provide service to consumers to whom the institutions have made mortgage loans;

(F) an analysis of what the mortgage servicing marketplace would look like if the Basel III capital requirements and the NCUA capital requirements on mortgage servicing assets—

(i) were fully implemented; and

(ii) applied to both banking institutions and nondepository residential mortgage loan servicers;

(G) the significance of problems with mortgage servicing assets, if any, in banking institution failures and problem banking institutions, including specifically identifying failed banking institutions where mortgage servicing assets contributed to the failure; and

(H) an analysis of the relevance of the Basel III capital requirements and the NCUA capital requirements on mortgage servicing assets to the banking systems of other significantly developed countries.

(3) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this title, the Federal banking agencies shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing—

(A) the results of the study required under paragraph (1);

(B) any analysis on the specific issue of mortgage servicing assets undertaken by the Federal banking agencies before finalizing regulations implementing the Basel III capital requirements and the NCUA capital requirements; and

(C) any recommendations for legislative or regulatory actions that would address concerns about the value of and ability to sell and the ability of banking institutions to hold mortgage servicing assets.

SEC. 635. In addition to amounts otherwise provided in this Act for ''National Archives and Records Administration, Operating Expenses'', there is appropriated $7,000,000, to remain available until expended, for the repair, alteration, and improvement of an additional leased facility to provide adequate storage for holdings of the House of Representatives and the Senate.

## TITLE VII

## GENERAL PROVISIONS—GOVERNMENT-WIDE

### DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2016 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at $19,947 except station wagons for which the maximum shall be $19,997: *Provided*, That these limits may be exceeded by not to exceed $7,250 for police-type vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided further*, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13423 (January 24, 2007), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not

limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 716. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term ''agency''—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse ''General Services Administration, Government-wide Policy'' with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, including improving coordination and reducing duplication, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): *Provided further*, That the total funds transferred or reimbursed shall not exceed $15,000,000 to improve coordination, reduce duplication, and for other activities related to Federal Government Priority Goals established by 31 U.S.C. 1120, and not to exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: *Provided further*, That the funds transferred to or for reimbursement of ''General Services Administration, Government-wide Policy'' during fiscal year 2016 shall remain available for obligation through September 30, 2017: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of

the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

SEC. 722. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall comply with any relevant requirements in part 200 of title 2, Code of Federal Regulations: *Provided*, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 732. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 734. During fiscal year 2016, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code; or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 735. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the funds to make a payment described in paragraph (1).

(b) In this section, each of the terms ''contribution'', ''expenditure'', ''independent expenditure'', ''electioneering communication'', ''candidate'', ''election'', and ''Federal office'' has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

SEC. 736. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 737. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2016, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2016, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period consisting of the remainder of fiscal year 2016, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2016 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2016 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2015, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2015, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2015.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2016 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: *Provided*, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as ''Rest of United States'' pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2015.

SEC. 738. (a) The Vice President may not receive a pay raise in calendar year 2016, notwithstanding the rate adjustment made under section 104 of title 3, United States Code, or any other provision of law.

(b) An employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, may not receive a pay rate increase in calendar year 2016, notwithstanding schedule adjustments made under section 5318 of title 5, United States Code, or any other provision of law, except as provided in subsection (g), (h), or (i). This subsection applies only to employees who are holding a position under a political appointment.

(c) A chief of mission or ambassador at large may not receive a pay rate increase in calendar year 2016, notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or any other provision of law, except as provided in subsection (g), (h), or (i).

(d) Notwithstanding sections 5382 and 5383 of title 5, United States Code, a pay rate increase may not be received in calendar year 2016 (except as provided in subsection (g), (h), or (i)) by—

(1) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above level IV of the Executive Schedule; or

(2) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above level IV of the Executive Schedule.

(e) Any employee paid a rate of basic pay (including any locality-based payments under section 5304 of title 5, United States Code, or similar authority) at or above level IV of the Executive Schedule who serves under a political appointment may not receive a pay rate increase in calendar year 2016, notwithstanding any other provision of law, except as provided in subsection (g), (h), or (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, or to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS–15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

(g) A career appointee in the Senior Executive Service who receives a Presidential appointment and who makes an election to retain Senior Executive Service basic pay entitlements under section 3392 of title 5, United States Code, is not subject to this section.

(h) A member of the Senior Foreign Service who receives a Presidential appointment to any position in the executive branch and who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service Act of 1980 (Public Law 96–465) is not subject to this section.

(i) Notwithstanding subsections (b) through (e), an employee in a covered position may receive a pay rate increase upon an authorized movement to a different covered position with higher-level duties and a preestablished higher level or range of pay, except that any such increase must be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(k) If an employee affected by subsections (b) through (e) is subject to a biweekly pay period that begins in calendar year 2016 but ends in calendar year 2017, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

SEC. 739. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2016 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days of the date of a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2016 for which the cost to the United States Government was more than $20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 740. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 741. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled ''Competitive Area'' published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 742. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce

a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 743. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

SEC. 744. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

SEC. 745. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 746. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 747. (a) The Act entitled ''An Act providing for the incorporation of certain persons as Group Hospitalization and Medical Services, Inc.'', approved August 11, 1939 (53 Stat. 1412), is amended—

(1) by redesignating section 11 as section 12; and

(2) by inserting after section 10 the following:

''SEC. 11. The surplus of the corporation is for the benefit and protection of all of its certificate holders and shall be available for the satisfaction of all obligations of the corporation regardless of the jurisdiction in which such surplus originated or such obligations arise. The corporation shall not divide, attribute, distribute, or reduce its surplus pursuant to any statute, regulation, or order of any jurisdiction without the express agreement of the District of Columbia, Maryland, and Virginia—

''(1) that the entire surplus of the corporation is excessive; and

''(2) to any plan for reduction or distribution of surplus.''.

(b) The amendments made by subsection (a) shall apply with respect to the surplus of Group Hospitalization and Medical Services, Inc. for any year after 2011.

SEC. 748. (a) During fiscal year 2016, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such request.

(b) Any notification required by this section shall be made available on the Bureau's public Web site.

SEC. 749. (a) Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to Charles S. Kettles for the acts of valor during the Vietnam War described in subsection (b).

(b) The acts of valor referred to in subsection (a) are the actions of Charles S. Kettles during combat operations on May 15, 1967, while serving as Flight Commander, 176th Aviation Company, 14th Aviation Battalion, Task Force Oregon, Republic of Vietnam, for which he was previously awarded the Distinguished Service Cross.

SEC. 750. (a) None of the funds made available under this or any other Act may be used to—

(1) implement, administer, carry out, modify, revise, or enforce Executive Order 13690, entitled ''Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input'' (issued January 30, 2015), other than for—

(A) acquiring, managing, or disposing of Federal lands and facilities;

(B) providing federally undertaken, financed, or assisted construction or improvements; or

(C) conducting Federal activities or programs affecting land use, including water and related land resources planning, regulating, and licensing activities;

(2) implement Executive Order 13690 in a manner that modifies the non-grant components of the National Flood Insurance Program; or

(3) apply Executive Order 13690 or the Federal Flood Risk Management Standard by any component of the Department of Defense, including the Army Corps of Engineers in a way that changes the ''floodplain'' considered when determining whether or not to issue a Department of the Army permit under section 404 of the Clean Water Act or section 10 of the Rivers and Harbors Act.

(b) Subsection (a) of this section shall not be in effect during the period beginning on October 1, 2016 and ending on September 30, 2017.

SEC. 751. Except as expressly provided otherwise, any reference to ''this Act'' contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

## TITLE VIII

## GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 802. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2016.

SEC. 804. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day;

(4) at the discretion of the Chief Medical Examiner, an officer or employee of the Office of the Chief Medical Examiner who resides in the District of Columbia and is on call 24 hours a day;

(5) at the discretion of the Director of the Homeland Security and Emergency Management Agency, an officer or employee of the Homeland Security and Emergency Management Agency who resides in the District of Columbia and is on call 24 hours a day;

(6) the Mayor of the District of Columbia; and

(7) the Chairman of the Council of the District of Columbia.

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) None of the funds contained in this Act may be used to enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

SEC. 810. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2016 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency for which the Chief Financial Officer for the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42).

SEC. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

(c) The District of Columbia government may not transfer or reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

SEC. 816. (a) During fiscal year 2017, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Fiscal Year 2017 Budget Request Act of 2016 as submitted to Congress (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

(b) Appropriations made by subsection (a) shall cease to be available—

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2017 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2017.

(c) An appropriation made by subsection (a) is provided under the authority and conditions as provided under this Act and shall be available to the extent and in the manner that would be provided by this Act.

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2017 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2017 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

SEC. 817. (a) This section may be cited as the ''D.C. Opportunity Scholarship Program School Certification Requirements Act''.

(b) Section 3007(a) of the Scholarships for Opportunity and Results Act (Public Law 112–10; 125 Stat. 203) is amended—

(1) in paragraph (4)—

(A) in subparagraph (E), by striking ''and'' after the semicolon;

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(G)(i) is provisionally or fully accredited by a national or regional accrediting agency that is recognized in the District of Columbia School Reform Act of 1995 (sec. 38–1802.02(16)(A)–(G), D.C. Official Code) or any other accrediting body deemed appropriate by the Office of the State Superintendent for Schools for the purposes of accrediting an elementary or secondary school; or

''(ii) in the case of a school that is a participating school as of the day before the

date of enactment of the D.C. Opportunity Scholarship Program School Certification Requirements Act and, as of such day, does not meet the requirements of clause (i)—

''(I) by not later than 1 year after such date of enactment, is pursuing accreditation by a national or regional accrediting agency recognized in the District of Columbia School Reform Act of 1995 (sec. 38–1802.02(16)(A)–(G), D.C. Official Code) or any other accrediting body deemed appropriate by the Office of the State Superintendent for Schools for the purposes of accrediting an elementary or secondary school; and

''(II) by not later than 5 years after such date of enactment, is provisionally or fully accredited by such accrediting agency, except that an eligible entity may grant not more than one 1-year extension to meet this requirement for each participating school that provides evidence to the eligible entity from such accrediting agency that the school's application for accreditation is in process and the school will be awarded accreditation before the end of the 1-year extension period;

''(H) conducts criminal background checks on school employees who have direct and unsupervised interaction with students; and

''(I) complies with all requests for data and information regarding the reporting requirements described in section 3010.''; and

(2) by adding at the end the following:

''(5) NEW PARTICIPATING SCHOOLS.—If a school is not a participating school as of the date of enactment of the D.C. Opportunity Scholarship Program School Certification Requirements Act, the school shall not become a participating school and none of the funds provided under this division for opportunity scholarships may be used by an eligible student to enroll in that school unless the school—

''(A) is actively pursuing provisional or full accreditation by a national or regional accrediting agency that is recognized in the District of Columbia School Reform Act of 1995 (sec. 38–1802.02(16)(A)–(G), D.C. Official Code) or any other accrediting body deemed appropriate by the Office of the State Superintendent for Schools for the purposes of accrediting an elementary or secondary school; and

''(B) meets all of the other requirements for participating schools under this Act.

''(6) ENROLLING IN ANOTHER SCHOOL.—An eligible entity shall assist the parents of a participating eligible student in identifying, applying to, and enrolling in an another participating school for which opportunity scholarship funds may be used, if—

''(A) such student is enrolled in a participating private school and may no longer use opportunity scholarship funds for enrollment in that participating private school because such school fails to meet a requirement under paragraph 4, or any other requirement of this Act; or

''(B) a participating eligible student is enrolled in a school that ceases to be a participating school.''.

(c) REPORT TO ELIGIBLE ENTITIES.—Section 3010 of the Scholarships for Opportunity and Results Act (Public Law 112–10; 125 Stat. 203) is further amended—

(1) by redesignating subsection (d) as subsection (e); and

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

''(d) REPORTS TO ELIGIBLE ENTITIES.—The eligible entity receiving funds under section 3004(a) shall ensure that each participating school under this division submits to the eligible entity beginning not later than 5 years after the date of the enactment of the D.C. Opportunity Scholarship Program School Certification Requirements Act, a certification that the school has been awarded provisional or full accreditation, or has been granted an extension by the eligible entity in accordance with section 3007(a)(4)(G).''.

(d) Unless specifically provided otherwise, this section, and the amendments made by this section, shall take effect 1 year after the date of enactment of this Act.

SEC. 818. Subparagraph (G) of section 3(c)(2) of the District of Columbia College Access Act of 1999 (Public Law 106–98), as amended, is further amended:

(1) by inserting after ''(G)'', ''(i) for individuals who began an undergraduate course of study prior to school year 2015–2016,''; and

(2) by inserting the following before the period at the end: ''and (ii) for individuals who begin an undergraduate course of study in or after school year 2016–2017, is from a family with a taxable annual income of less than $750,000. Beginning with school year 2017–2018, the Mayor shall adjust the amounts in clauses (i) and (ii) for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor''.

SEC. 819. Except as expressly provided otherwise, any reference to ''this Act'' contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the ''Financial Services and General Government Appropriations Act, 2016''.

## DIVISION F—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2016

### TITLE I

### DEPARTMENTAL MANAGEMENT AND OPERATIONS

#### OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $137,466,000: *Provided*, That not to exceed $45,000 shall be for official reception and representation expenses: *Provided further*, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: *Provided further*, That not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committees on the Judiciary of the Senate and the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives, the comprehensive plan for implementation of the biometric entry and exit data system as required under this heading in Public Law 114–4 and a report on visa overstay data by country as required by section 1376 of title 8, United States Code: *Provided further*, That the report on visa overstay data shall also include—

(1) overstays from all nonimmigrant visa categories under the immigration laws, delineated by each of the classes and sub-classes of such categories; and

(2) numbers as well as rates of overstays for each class and sub-class of such nonimmigrant categories on a per-country basis: *Provided further*, That of the funds provided under this heading, $13,000,000 shall be withheld from obligation for the Office of the Secretary and Executive Management until both the comprehensive plan and the report are submitted.

#### OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $196,810,000, of which not to exceed $2,000 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, $4,456,000 shall remain available until September 30, 2017, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $7,778,000 shall remain available until September 30, 2017, for the Human Resources Information Technology program: *Provided further*, That the Under Secretary for Management shall include in the President's budget proposal for fiscal year 2017, submitted pursuant to section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading ''Office of the Under Secretary for Management'' under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and shall submit quarterly updates to such report not later than 45 days after the completion of each quarter.

#### OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $56,420,000: *Provided*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time the President's budget proposal for fiscal year 2017 is submitted pursuant to section 1105(a) of title 31, United States Code, the Future Years Homeland Security Program, as authorized by section 874 of Public Law 107–296 (6 U.S.C. 454).

#### OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $309,976,000; of which $109,957,000 shall be available for salaries and expenses; and of which $200,019,000, to remain available until September 30, 2017, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security.

#### ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $264,714,000; of which not to exceed $3,825 shall be for official reception and representation expenses; of which not to exceed $2,000,000 is available for facility needs associated with secure space at fusion centers, including improvements to buildings; and of which $111,021,000 shall remain available until September 30, 2017.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $137,488,000; of which not to exceed $300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $8,628,902,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $30,000,000 shall be available until September 30, 2017, solely for the purpose of recruiting, hiring, training, and equipping law enforcement officers and Border Patrol agents; of which not to exceed $34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That of the amounts made available under this heading for Inspection and Detection Technology Investments, $18,500,000 shall remain available until September 30, 2018: *Provided further*, That for fiscal year 2016, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further*, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

AUTOMATION MODERNIZATION

For necessary expenses for U.S. Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, $829,460,000; of which $465,732,000 shall remain available until September 30, 2018; and of which not less than $151,184,000 shall be for the development of the Automated Commercial Environment.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For necessary expenses for border security fencing, infrastructure, and technology, $447,461,000; of which $273,931,000 shall remain available until September 30, 2017, for operations and maintenance; and of which $173,530,000 shall remain available until September 30, 2018, for development and deployment.

AIR AND MARINE OPERATIONS

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aerial systems, the Air and Marine Operations Center, and other related equipment of the air and marine program, including salaries and expenses, operational training, and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; $802,298,000; of which $300,429,000 shall be available for salaries and expenses; and of which $501,869,000 shall remain available until September 30, 2018: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2016 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funding made available under this heading shall be available for customs expenses when necessary to maintain or to temporarily increase operations in Puerto Rico.

CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, $340,128,000, to remain available until September 30, 2020.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including intellectual property rights and overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; $5,779,041,000; of which not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $11,475 shall be for official reception and representation expenses; of which not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than $5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); of which not to exceed $45,000,000, to remain available until September 30, 2017, is for maintenance, construction, and leasehold improvements at owned and leased facilities; and of which not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*, That of the total amount made available under this heading, $100,000,000 shall be withheld from obligation until the Director of U.S. Immigration and Customs Enforcement submits to the Committees on Appropriations of the Senate and the House of Representatives a report detailing the number of full-time equivalent employees hired and lost through attrition for the period beginning on October 1, 2015, and ending on June 30, 2016: *Provided further*, That of the total amount made available under this heading, $5,000,000 shall be withheld from obligation until the Director of U.S. Immigration and Customs Enforcement briefs the Committees on Appropriations of the Senate and the House of Representatives on efforts to increase the number of communities and law enforcement agencies participating in the Priority Enforcement Program, including details as to the jurisdictions and law enforcement agencies approached and the level of participation on a by-community basis: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, $15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed $6,000,000 shall remain available until expended: *Provided further*, That of the total amount available, not less than $1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable: *Provided further*, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: *Provided further*, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2016: *Provided further*, That of the total amount provided, not less than $3,217,942,000 is for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided further*, That of the amount provided for Custody Operations in the previous proviso, $45,000,000 shall remain available until September 30, 2020: *Provided further*, That of the total amount provided for the Visa Security Program and international investigations, $13,300,000 shall remain available until September 30, 2017: *Provided further*, That not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: *Provided further*, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been materially violated: *Provided further*, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than ''adequate'' or the equivalent median score in any subsequent performance evaluation system: *Provided further*, That nothing under this heading shall prevent U.S. Immigration and Customs Enforcement from exercising those authorities provided under the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime: *Provided further*, That without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may propose to repro-

gram and transfer funds within and into this appropriation necessary to ensure the detention of aliens prioritized for removal.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $53,000,000, to remain available until September 30, 2018.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $5,719,437,000, to remain available until September 30, 2017; of which not to exceed $7,650 shall be for official reception and representation expenses: *Provided*, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $3,589,437,000: *Provided further*, That the funds deposited pursuant to section 44945 of title 49, United States Code, that are currently unavailable for obligation are hereby permanently cancelled: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2016, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: *Provided further*, That notwithstanding any other provision of law, for the current fiscal year and each fiscal year hereafter, mobile explosives detection systems purchased and deployed using funds made available under this heading may be moved and redeployed to meet evolving passenger and baggage screening security priorities at airports: *Provided further*, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 45,000 full-time equivalent screeners: *Provided further*, That the preceding proviso shall not apply to personnel hired as part-time employees: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs, including projected funding levels for each fiscal year for the next 5 years or until project completion, whichever is earlier;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost-effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening, including high-speed baggage screening, and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

*Provided further*, That Members of the United States House of Representatives and the United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, $110,798,000, to remain available until September 30, 2017.

INTELLIGENCE AND VETTING

For necessary expenses for the development and implementation of intelligence and vetting activities, $236,693,000, to remain available until September 30, 2017.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $924,015,000, to remain available until September 30, 2017.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operations and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than $700,000) and repairs and service-life replacements, not to exceed a total of $31,000,000; purchase or lease of boats necessary for overseas deployments and activities; purchase or lease of other equipment (at a unit cost of no more than $250,000); minor shore construction projects not exceeding $1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $7,061,490,000, of which $500,002,000 shall be for defense-related activities, of which $160,002,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed $23,000 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: *Provided further*, That to the extent fees are insufficient to pay expenses of recreational vessel documentation under such section 12114, and there is a backlog of recreational vessel applications, then personnel performing non-recreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform documentation under section 12114: *Provided further*, That of the funds provided under this heading, $85,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a future-years capital investment plan for fiscal years 2017 through 2021, as specified under the heading ''Coast Guard, Acquisition, Construction, and Improvements'' of this Act, is submitted to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act: *Provided further*, That without regard to the limitation as to time and condition of section 503(d) of this Act, after June 30, up to $10,000,000 may be reprogrammed to or from Military Pay and Allowances in accordance with subsections (a), (b), and (c) of section 503.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,221,000, to remain available until September 30, 2020.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; $110,614,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $1,945,169,000; of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which the following amounts shall be available until September 30, 2020 (except as subsequently specified): $21,000,000 for military family housing; $1,264,400,000 to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; $295,000,000 to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; $65,100,000 for other acquisition programs; $181,600,000 for shore facilities and aids to navigation, including facilities at Department of Defense installations used by the Coast Guard; and $118,069,000, to remain available until September 30, 2016, for personnel compensation and benefits and related costs: *Provided*, That of the funds provided by this Act, not less than $640,000,000 shall be immediately available and allotted to contract for the production of the ninth National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, That the Commandant of the Coast Guard shall submit to the Congress, at the time the President's budget proposal for fiscal year 2017 is submitted pursuant to section 1105(a) of title 31, United States Code, a future-years capital investment plan as described in the second proviso under the heading ''Coast Guard, Acquisition, Construction, and Improvements'' in the Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4), which shall be subject to the requirements in the third and fourth provisos under such heading.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation,

lease, and operation of facilities and equipment; as authorized by law; $18,019,000, to remain available until September 30, 2018, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts, and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,604,000,000, to remain available until expended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the United States Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,854,526,000; of which not to exceed $19,125 shall be for official reception and representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2017; and of which not less than $12,000,000 shall be for activities related to training in electronic crimes investigations and forensics: *Provided*, That $18,000,000 for protective travel shall remain available until September 30, 2017: *Provided further*, That of the amounts made available under this heading for security improvements at the White House complex, $8,200,000 shall remain available until September 30, 2017: *Provided further*, That $4,500,000 for National Special Security Events shall remain available until expended: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided further*, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: *Provided further*, That for purposes of section 503 of this Act, $15,000,000 or 10 percent, whichever is less, may be reprogrammed between Protection of Persons and Facilities and Domestic Field Operations.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, $79,019,000, to remain available until September 30, 2018.

## TITLE III

## PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

For the management and administration of the National Protection and Programs Directorate, and support for operations and information technology, $62,132,000: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $1,291,000,000, of which $289,650,000 shall remain available until September 30, 2017.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: *Provided*, That the Director of the Federal Protective Service shall submit at the time the President's budget proposal for fiscal year 2017 is submitted pursuant to section 1105(a) of title 31, United States Code, a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), $282,473,000, of which $159,054,000 shall remain available until September 30, 2018.

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, $125,369,000; of which $27,010,000 is for salaries and expenses and $82,078,000 is for BioWatch operations: *Provided*, That of the amount made available under this heading, $16,281,000 shall remain available until September 30, 2017, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, $960,754,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the National Dam Safety Program Act (33 U.S.C. 467 et seq.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394), the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89): *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further*, That of the total amount made available under this heading, $35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: *Provided further*, That of the total amount made available under this heading, $27,500,000 shall remain available until September 30, 2017, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: *Provided further*, That of the total amount made available, $3,422,000 shall be for the Office of National Capital Region Coordination.

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, $1,500,000,000, which shall be allocated as follows:

(1) $467,000,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which $55,000,000 shall be for Operation Stonegarden: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2016, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) $600,000,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which $20,000,000 shall be for organizations (as described under section 501(c)(3) of the In-

ternal Revenue Code of 1986 and exempt from tax under section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) $100,000,000 shall be for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance under sections 1406, 1513, and 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1135, 1163, and 1182), of which $10,000,000 shall be for Amtrak security and $3,000,000 shall be for Over-the-Road Bus Security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) $100,000,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) $233,000,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which $162,991,000 shall be for training of State, local, and tribal emergency response providers:

*Provided*, That for grants under paragraphs (1) through (4), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: *Provided further*, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)) or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: *Provided further*, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: *Provided further*, That notwithstanding section 509 of this Act, the Administrator of the Federal Emergency Management Agency may use the funds provided in paragraph (5) to acquire real property for the purpose of establishing or appropriately extending the security buffer zones around Federal Emergency Management Agency training facilities.

FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $690,000,000, to remain available until September 30, 2017, of which $345,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $345,000,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $350,000,000.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2016, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2016, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $44,000,000.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $7,374,693,000 to remain available until expended, of which $24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the reporting requirements in paragraphs (1) and (2) under the heading ''Federal Emergency Management Agency, Disaster Relief Fund'' in the Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4) shall be applied in fiscal year 2016 with respect to budget year 2017 and current fiscal year 2016, respectively, by substituting ''fiscal year 2017'' for ''fiscal year 2016'' in paragraph (1): *Provided further*, That of the amount provided under this heading, $6,712,953,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012, (Public Law 112–141, 126 Stat. 916), $190,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89; 128 Stat. 1020), $181,198,000, which shall remain available until September 30, 2017, and shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which $25,299,000 shall be available for salaries and expenses associated with flood management and flood insurance operations and $155,899,000 shall be available for flood plain management and flood mapping: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2016, no funds shall be available from the National Flood Insurance Fund under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) in excess of:

(1) $133,252,000 for operating expenses;

(2) $1,123,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $175,000,000, which shall remain available until expended, for flood mitigation actions and for flood mitigation assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), notwithstanding sections 1366(e) and 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

*Provided further*, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding section 102(f)(8), section 1366(e), and paragraphs (1) through (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation: *Provided further*, That up to $5,000,000 is available to carry out section 24 of the Homeowner Flood Insurance Affordability Act of 2014 (42 U.S.C. 4033).

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), $100,000,000, to remain available until expended.

EMERGENCY FOOD AND SHELTER

To carry out the Emergency Food and Shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), $120,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading: *Provided further*, That if the President's budget proposal for fiscal year 2017, submitted pursuant to section 1105(a) of title 31, United States Code, proposes to move the Emergency Food and Shelter program from the Federal Emergency Management Agency to the Department of Housing and Urban Development, or to fund such program directly through the Department of Housing and Urban Development, a joint transition plan from the Federal Emergency Management Agency and the Department of Housing and Urban Development shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives not later than 90 days after the date the fiscal year 2017 budget is submitted to Congress: *Provided further*, That such plan shall include details on the transition of programmatic responsibilities, efforts to consult with stakeholders, and mechanisms to ensure that the original purpose of the program will be retained.

## TITLE IV

## RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $119,671,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States

employers with maintaining a legal workforce: *Provided*, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $217,485,000; of which up to $38,981,000 shall remain available until September 30, 2017, for materials and support costs of Federal law enforcement basic training; and of which not to exceed $7,180 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as amended under this heading in Public Law 114–4, is further amended by striking ''December 31, 2017'' and inserting ''December 31, 2018'': *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $27,553,000, to remain available until September 30, 2020: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $131,531,000: *Provided*, That not to exceed $7,650 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, $655,407,000, to remain available until September 30, 2018.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, $38,109,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $196,000,000, to remain available until September 30, 2018.

SYSTEMS ACQUISITION

For necessary expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $113,011,000, to remain available until September 30, 2018.

## TITLE V

## GENERAL PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) contracts out any function or activity presently performed by Federal employees or any new function or activity proposed to be performed by Federal employees in the President's budget proposal for fiscal year 2016 for the Department of Homeland Security;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces any program, project, or activity, or numbers of personnel by 10 percent; or

(7) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations.

(c) Any transfer under this section shall be treated as a reprogramming of funds under subsection (a) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c), no funds shall be reprogrammed within or transferred between appropriations based upon an initial notification provided after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103–356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2016: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2016 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all Departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified of any activity added to or removed from the fund: *Provided further*, That for any activity added to the fund, the notification shall identify sources of funds by program, project, and activity: *Provided further*, That the Chief Financial Officer of the Department of Homeland Security shall submit a quarterly execution report with activity level detail, not later than 30 days after the end of each quarter.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016, as recorded in the financial records at the time of a reprogramming request, but not later than June 30, 2017, from appropriations for salaries and expenses for fiscal year 2016 in this Act shall remain available through September 30, 2017, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of an Act authorizing intelligence activities for fiscal year 2016.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of $1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Department of Homeland Security funds;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under ''State and Local Programs''.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without advance notification to the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall hereafter not apply with respect to funds made available in this or any other Act.

(c) Section 525 of Public Law 109–90 is amended by striking ''thereafter'', and section 554 of Public Law 111–83 is amended by striking ''and shall report annually thereafter''.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 513. Not later than 30 days after the last day of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations of the Department for that month for the fiscal year at the appropriation and program, project, and activity levels, by the source year of the appropriation: *Provided*, That total obligations for staffing shall also be provided by subcategory of onboard and funded full-time equivalent staffing levels, respectively: *Provided further*, That the report shall specify the number of, and total obligations for, contract employees for each office of the Department.

SEC. 514. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration ''Aviation Security'', ''Administration'', and ''Transportation Security Support'' for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That semiannual reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 515. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as Immigration Information Officers, Immigration Service Analysts, Contact Representatives, Investigative Assistants, or Immigration Services Officers.

SEC. 516. Any funds appropriated to ''Coast Guard, Acquisition, Construction, and Improvements'' for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 517. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 518. (a) The Secretary of Homeland Security shall submit a report not later than October 15, 2016, to the Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal year 2016.

(b) The Inspector General shall review the report required by subsection (a) to assess Departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2017.

SEC. 519. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c), 313(c)(3), and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 520. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452) unless explicitly authorized by Congress.

SEC. 521. (a) None of the funds appropriated by this or previous appropriations Acts may be used to establish an Office of Chemical, Biological, Radiological, Nuclear, and Explosives Defense until such time as Congress has authorized such establishment.

(b) Subject to the limitation in subsection (a) and notwithstanding section 503 of this Act, the Secretary may transfer funds for the purpose of executing authorization of the Office of Chemical, Biological, Radiological, Nuclear, and Explosives Defense.

(c) Not later than 15 days before transferring funds pursuant to subsection (b), the Secretary of Homeland Security shall submit a report to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives on—

(1) the transition plan for the establishment of the office; and

(2) the funds and positions to be transferred by source.

SEC. 522. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the re-

sults of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 523. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking ''Until September 30, 2015,'' and inserting ''Until September 30, 2016,''; and

(2) in subsection (c)(1), by striking ''September 30, 2015,'' and inserting ''September 30, 2016,''.

SEC. 524. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 525. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from and to the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 526. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 527. None of the funds in this Act shall be used to reduce the Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 528. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 529. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 530. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 531. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 532. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 533. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 534. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 535. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any civil engineering unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 536. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 537. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 538. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, up to $10,000,000 may be allocated by United States Citizenship and Immigration Services in fiscal year 2016 for the purpose of providing an immigrant integration grants program.

(b) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 539. For an additional amount for the ''Office of the Under Secretary for Management'', $215,679,000, to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the Department headquarters consolidation project and associated mission support consolidation: *Provided*, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after the date of enactment of this Act detailing the allocation of these funds.

SEC. 540. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 541. (a) For an additional amount for financial systems modernization, $52,977,000 to remain available until September 30, 2017.

(b) Funds made available in subsection (a) for financial systems modernization may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 542. (a) For an additional amount for cybersecurity to safeguard and enhance Department of Homeland Security systems and capabilities, $100,000,000 to remain available until September 30, 2017.

(b) Funds made available in subsection (a) for cybersecurity may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 543. (a) For an additional amount for emergent threats from violent extremism and from complex, coordinated terrorist attacks, $50,000,000 to remain available until September 30, 2017.

(b) Funds made available in subsection (a) for emergent threats may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 544. The Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

SEC. 545. The Secretary of Homeland Security shall ensure enforcement of all immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 546. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 547. None of the funds made available in this Act may be used by a Federal law en-

forcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 548. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 549. None of the funds made available in this Act may be used to provide funding for the position of Public Advocate, or a successor position, within U.S. Immigration and Customs Enforcement.

SEC. 550. Section 559(e)(3)(D) of Public Law 113–76 is amended by striking ''five pilots per year'' and inserting ''10 pilots per year''.

SEC. 551. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security, or a designee, determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations: *Provided further*, That the total cost to the Department of Homeland Security of any such conference shall not exceed $500,000.

SEC. 552. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 553. With the exception of countries with preclearance facilities in service prior to 2013, none of the funds made available in this Act may be used for new U.S. Customs and Border Protection air preclearance agreements entering into force after February 1, 2014, unless: (1) the Secretary of Homeland Security, in consultation with the Secretary of State, has certified to Congress that air preclearance operations at the airport provide a homeland or national security benefit to the United States; (2) U.S. passenger air carriers are not precluded from operating at existing preclearance locations; and (3) a U.S. passenger air carrier is operating at all airports contemplated for establishment of new air preclearance operations.

SEC. 554. None of the funds made available by this or any other Act may be used by the Administrator of the Transportation Security Administration to implement, administer, or enforce, in abrogation of the responsibility described in section 44903(n)(1) of title 49, United States Code, any requirement that airport operators provide airport-financed staffing to monitor exit points from the sterile area of any airport at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

SEC. 555. The administrative law judge annuitants participating in the Senior Administrative Law Judge Program managed by the Director of the Office of Personnel Management under section 3323 of title 5, United States Code, shall be available on a temporary reemployment basis to conduct arbitrations of disputes arising from delivery of assistance under the Federal Emergency Management Agency Public Assistance Program.

SEC. 556. As authorized by section 601(b) of the United States-Colombia Trade Promotion Agreement Implementation Act (Public Law 112–42) fees collected from passengers arriving from Canada, Mexico, or an adjacent island pursuant to section 13031(a)(5) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(5)) shall be available until expended.

SEC. 557. None of the funds made available to the Department of Homeland Security by this or any other Act may be obligated for any structural pay reform that affects more than 100 full-time equivalent employee positions or costs more than $5,000,000 in a single year before the end of the 30-day period beginning on the date on which the Secretary of Homeland Security submits to Congress a notification that includes—

(1) the number of full-time equivalent employee positions affected by such change;

(2) funding required for such change for the current year and through the Future Years Homeland Security Program;

(3) justification for such change; and

(4) an analysis of compensation alternatives to such change that were considered by the Department.

SEC. 558. (a) Any agency receiving funds made available in this Act shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Committees on Appropriations of the Senate and the House of Representatives in this Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises homeland or national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days except as otherwise specified in law.

SEC. 559. (a) IN GENERAL.—Beginning on the date of enactment of this Act, the Secretary of Homeland Security shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) BORDER CROSSING FEE DEFINED.—In this section, the term ''border crossing fee'' means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SEC. 560. Notwithstanding any other provision of law, grants awarded to States along the Southwest Border of the United States under sections 2003 or 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605) using funds provided under the heading ''Federal Emergency Management Agency, State and Local Programs'' in this Act, Public Law 114–4, division F of Public Law 113–76, or division D of Public Law 113–6 may be used by recipients or sub-recipients for costs, or reimbursement of costs, related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States, provided that such costs were incurred between January 1, 2014, and December 31, 2014, or during the award period of performance.

SEC. 561. (a) Each major acquisition program of the Department of Homeland Security, as defined in Department of Homeland Security Management Directive 102–2, shall meet established acquisition documentation requirements for its acquisition program baseline established in the Department of Homeland Security Instruction Manual 102–01–001 and the Department of Homeland Security Acquisition Instruction/Guidebook 102–01–001, Appendix K.

(b) The Department shall report to the Committees on Appropriations of the Senate and the House of Representatives in the Comprehensive Acquisition Status Report and its quarterly updates, required under the heading ''Office of the Under Secretary for Management'' of this Act, on any major acquisition program that does not meet such documentation requirements and the schedule by which the program will come into compliance with these requirements.

(c) None of the funds made available by this or any other Act for any fiscal year may be used for a major acquisition program that is out of compliance with such documentation requirements for more than two years except that funds may be used solely to come into compliance with such documentation requirements or to terminate the program.

SEC. 562. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget proposal to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on the Department of Homeland Security that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2017 appropriations Act.

SEC. 563. (a) The Secretary of Homeland Security may include, in the President's budget proposal for fiscal year 2017, submitted pursuant to section 1105(a) of title 31, United States Code, and accompanying justification materials, an account structure under which each appropriation under each agency heading either remains the same as fiscal year 2016 or falls within the following categories of appropriations:

(1) Operations and Support.

(2) Procurements, Construction, and Improvements.

(3) Research and Development.

(4) Federal Assistance.

(b) The Under Secretary for Management, acting through the Chief Financial Officer, shall determine and provide centralized guidance to each agency on how to structure appropriations for purposes of subsection (a).

(c) Not earlier than October 1, 2016, the accounts designated under subsection (a) may be established, and the Secretary of Homeland Security may execute appropriations of the Department as provided pursuant to such subsection, including any continuing appropriations made available for fiscal year 2017 before enactment of a regular appropriations Act.

(d) Notwithstanding any other provision of law, the Secretary of Homeland Security may transfer any appropriation made available to the Department of Homeland Security by any appropriations Acts to the accounts created pursuant to subsection (c) to carry out the requirements of such subsection, and shall notify the Committees on Appropriations of the Senate and the House of Representatives within 5 days of each transfer.

(e)(1) Not later than November 1, 2016, the Secretary of Homeland Security shall establish the preliminary baseline for application of reprogramming and transfer authorities and submit the report specified in paragraph (2) to the Committees on Appropriations of the Senate and the House of Representatives.

(2) The report required in this subsection shall include—

(A) a delineation of the amount and account of each transfer made pursuant to subsection (c) or (d);

(B) a table for each appropriation with a separate column to display the President's budget proposal, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, adjustments made pursuant to the transfer authority in subsection (c) or (d), and the fiscal year level;

(C) a delineation in the table for each appropriation, adjusted as described in paragraph (2), both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(D) an identification of funds directed for a specific activity.

(f) The Secretary shall not exercise the authority provided in subsections (c), (d), and (e) unless, not later than April 1, 2016, the Chief Financial Officer has submitted to the Committees on Appropriations of the Senate and the House of Representatives—

(1) technical assistance on new legislative language in the account structure under subsection (a);

(2) comparison tables of fiscal years 2015, 2016, and 2017 in the account structure under subsection (a);

(3) cross-component comparisons that the account structure under subsection (a) facilitates;

(4) a copy of the interim financial management policy manual addressing changes made in this Act;

(5) an outline of the financial management policy manual changes necessary for the account structure under subsection (a);

(6) proposed changes to transfer and reprogramming requirements, including technical assistance on legislative language;

(7) certification by the Chief Financial Officer that the Department's financial systems can report in the new account structure; and

(8) a plan for training and implementation of the account structure under subsections (a) and (c).

SEC. 564. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 565. Section 214(g)(9)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(9)(A)) is amended by striking ''2004, 2005, or 2006 shall not again be counted toward such limitation during fiscal year 2007.'' and inserting ''2013, 2014, or 2015 shall not again be counted toward such limitation during fiscal year 2016.''.

SEC. 566. For an additional amount for ''U.S. Customs and Border Protection, Salaries and Expenses'', $14,000,000, to remain available until expended, to be reduced by amounts collected and credited to this appropriation from amounts authorized to be collected by section 286(i) of the Immigration and Nationality Act (8 U.S.C. 1356(i)), section 10412 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8311), and section 817 of the Trade Facilitation and Trade Enforcement Act of 2015: *Provided*, That to the extent that amounts realized from such collections exceed $14,000,000, those amounts in excess of $14,000,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That this authority is contingent on enactment of the Trade Facilitation and Trade Enforcement Act of 2015.

(RESCISSIONS)

SEC. 567. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177):

(1) $27,338,000 from Public Law 109–88;

(2) $4,188,000 from unobligated prior year balances from ''Analysis and Operations'';

(3) $7,000,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Automation Modernization'';

(4) $21,856,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Border Security, Fencing, Infrastructure, and Technology'';

(5) $4,500,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Construction and Facilities Management'';

(6) $158,414,000 from Public Law 114–4 under the heading ''Transportation Security Administration, Aviation Security'';

(7) $14,000,000 from Public Law 114–4 under the heading ''Transportation Security Administration, Surface Transportation Security'';

(8) $5,800,000 from Public Law 112–74 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(9) $16,445,000 from Public Law 113–76 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(10) $13,758,918 from ''Federal Emergency Management Agency, National Predisaster Mitigation Fund'' account 70 0716;

(11) $393,178 from Public Law 113–6 under the heading ''Science and Technology, Research, Development, Acquisition, and Operations'';

(12) $8,500,000 from Public Law 113–76 under the heading ''Science and Technology, Research, Development, Acquisition, and Operations''; and

(13) $1,106,822 from Public Law 114–4 under the heading ''Science and Technology, Research, Development, Acquisition, and Operations''.

(RESCISSIONS)

SEC. 568. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $417,017 from ''U.S. Customs and Border Protection, Salaries and Expenses'';

(2) $15,238 from ''Federal Emergency Management Agency, Office of Domestic Preparedness''; and

(3) $573,828 from ''Federal Emergency Management Agency, National Predisaster Mitigation Fund''.

(RESCISSIONS)

SEC. 569. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4) are rescinded:

(1) $361,242 from ''Office of the Secretary and Executive Management'';

(2) $146,547 from ''Office of the Under Secretary for Management'';

(3) $25,859 from ''Office of the Chief Financial Officer'';

(4) $507,893 from ''Office of the Chief Information Officer'';

(5) $301,637 from ''Analysis and Operations'';

(6) $20,856 from ''Office of Inspector General'';

(7) $598,201 from ''U.S. Customs and Border Protection, Salaries and Expenses'';

(8) $254,322 from ''U.S. Customs and Border Protection, Automation Modernization'';

(9) $450,806 from ''U.S. Customs and Border Protection, Air and Marine Operations'';

(10) $2,461,665 from ''U.S. Immigration and Customs Enforcement, Salaries and Expenses'';

(11) $8,653,853 from ''Coast Guard, Operating Expenses'';

(12) $515,040 from ''Coast Guard, Reserve Training'';

(13) $970,844 from ''Coast Guard, Acquisition, Construction, and Improvements'';

(14) $4,212,971 from ''United States Secret Service, Salaries and Expenses'';

(15) $27,360 from ''National Protection and Programs Directorate, Management and Administration'';

(16) $188,146 from ''National Protection and Programs Directorate, Infrastructure Protection and Information Security'';

(17) $986 from ''National Protection and Programs Directorate, Office of Biometric Identity Management'';

(18) $20,650 from ''Office of Health Affairs'';

(19) $236,332 from ''Federal Emergency Management Agency, United States Fire Administration'';

(20) $3,086,173 from ''United States Citizenship and Immigration Services'';

(21) $558,012 from ''Federal Law Enforcement Training Center, Salaries and Expenses'';

(22) $284,796 from ''Science and Technology, Management and Administration''; and

(23) $83,861 from ''Domestic Nuclear Detection Office, Management and Administration''.

(RESCISSION)

SEC. 570. From the unobligated balances made available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code (added by section 638 of Public Law 102–393), $176,000,000 shall be rescinded.

(RESCISSION)

SEC. 571. Of the unobligated balances made available to ''Federal Emergency Management Agency, Disaster Relief Fund'', $1,021,879,000 shall be rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That no amounts may be rescinded from the amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 572. Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) shall be applied by substituting ''September 30, 2016'' for the date specified in section 106(3) of the Continuing Appropriations Act, 2016 (Public Law 114–53).

SEC. 573. Subclauses 101(a)(27)(C)(ii)(II) and (III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by substituting ''September 30, 2016'' for the date specified in section 106(3) of the Continuing Appropriations Act, 2016 (Public Law 114–53).

SEC. 574. Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) shall be applied by substituting ''September 30, 2016'' for the date specified in section 106(3) of the Continuing Appropriations Act, 2016 (Public Law 114–53).

SEC. 575. Section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall be applied by substituting ''September 30, 2016'' for the date specified in section 106(3) of the Continuing Appropriations Act, 2016 (Public Law 114–53).

This division may be cited as the ''Department of Homeland Security Appropriations Act, 2016''.

## DIVISION G—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

### TITLE I

### DEPARTMENT OF THE INTERIOR

#### BUREAU OF LAND MANAGEMENT

##### MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $1,072,675,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations; of which $3,000,000 shall be available in fiscal year 2016 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.

In addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2016, so as to result in a final appropriation estimated at not more than $1,072,675,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

##### LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $38,630,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

##### OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $107,734,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

##### RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

##### SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

##### MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

##### ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

#### UNITED STATES FISH AND WILDLIFE SERVICE

##### RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,238,771,000, to remain available until September 30, 2017: *Provided*, That not to exceed $20,515,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $4,605,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2014; of which not to exceed $1,501,000 shall be used for any activity regarding petitions to list species that are indigenous to the United States pursuant to subsections (b)(3)(A) and (b)(3)(B); and, of which not to exceed $1,504,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) for species that are not indigenous to the United States.

##### CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $23,687,000, to remain available until expended.

##### LAND ACQUISITION

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $68,500,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding section 200306 of title 54, United States Code, not more than $10,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed $320,000 for administrative expenses: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $53,495,000, to remain available until expended, of which $22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $30,800,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $35,145,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), $3,910,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $11,061,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $60,571,000, to remain available until expended: *Provided*, That of the amount provided herein, $4,084,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $5,487,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $9,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2016 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2017, shall be reapportioned, together with funds appropriated in 2018, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading ''United States Fish and Wildlife Service—Resource Management'' and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

## National Park Service

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,369,596,000, of which $10,001,000 for planning and interagency coordination in support of Everglades restoration and $99,461,000 for maintenance, repair, or rehabilitation projects for constructed assets shall remain available until September 30, 2017: *Provided*, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348 and section 204 of Public Law 93–486, as amended by section 1(3) of Public Law 100–355.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $62,632,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), $65,410,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2017, of which $500,000 is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently underrepresented, as determined by the Secretary, and of which $8,000,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement: *Provided*, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and nonprofit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), $192,937,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, for any project initially funded in fiscal year 2016 with a future phase indicated in the National Park Service 5–Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: *Provided further*, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: *Provided further*, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2016 by section 200308 of title 54, United States Code, is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $173,670,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $110,000,000 is for the State assistance program and of which $10,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, $15,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-ac-

count shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

In fiscal year 2016 and each fiscal year thereafter, any amounts deposited into the National Park Service trust fund accounts (31 U.S.C. 1321(a)(l7)–(18)) shall be invested by the Secretary of the Treasury in interest bearing obligations of the United States to the extent such amounts are not, in his judgment, required to meet current withdrawals: *Provided*, That interest earned by such investments shall be available for obligation without further appropriation, to the benefit of the project.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,062,000,000, to remain available until September 30, 2017; of which $57,637,189 shall remain available until expended for satellite operations; and of which $7,280,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $170,857,000, of which $74,235,000, is to remain available until September 30, 2017 and of which $96,622,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2016 appropriation estimated at not more than $74,235,000: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $124,772,000, of which $67,565,000 is to remain available until September 30, 2017 and of which $57,207,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2016 appropriation estimated at not more than $67,565,000.

For an additional amount, $65,000,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2016, as provided in this Act: *Provided*, That to the extent that amounts realized from such inspection fees exceed $65,000,000, the amounts realized in excess of $65,000,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That for fiscal year 2016, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $123,253,000, to remain available until September 30, 2017: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: *Provided*, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2016 appropriation estimated at not more than $123,253,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $27,303,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Gov-

ernment to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, $90,000,000, to remain available until expended, for grants to States for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That such additional amount shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section: *Provided further*, That such additional amount shall be allocated to States within 60 days after the date of enactment of this Act.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,267,924,000, to remain available until September 30, 2017, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $74,791,000 shall be for welfare assistance payments: *Provided*, That, in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $628,351,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2016, and shall remain available until September 30, 2017: *Provided further*, That not to exceed $43,813,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That, notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 450f et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $73,276,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2016: *Provided further*, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2017, may be transferred during fiscal year 2018 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2018: *Provided further*, That, in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs for fiscal year 2016, such sums as may be necessary, which shall be available for obligation through September 30, 2017: *Provided*, That amounts obligated but not expended by a tribe or tribal organization for contract support costs for such agreements for the current fiscal year shall be applied to contract support costs otherwise due for such agreements for subsequent fiscal years: *Provided further*, That, notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $193,973,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2016, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, and 111–291, and for implementation of other land and water rights settlements, $49,475,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $7,748,000, of which $1,062,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $113,804,510.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this pro-

hibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for nonpublic schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: *Provided*, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: *Provided further*, That the term ''satellite school'' means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior, including the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $721,769,000, to remain available until September 30, 2017; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $12,618,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $38,300,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

ADMINISTRATIVE PROVISIONS

For fiscal year 2016, up to $400,000 of the payments authorized by the Act of October 20, 1976 (31 U.S.C. 6901–6907) may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided*, That no payment shall be made pursuant to that Act to otherwise eligible units of local government if the computed amount of the payment is less than $100: *Provided further*, That the Secretary may reduce the payment authorized by 31 U.S.C. 6901–6907 for an individual county by the amount necessary to correct prior year overpayments to that county: *Provided further*, That the amount needed to correct a prior year underpayment to an individual county shall be paid from any reductions for overpayments to other counties and the amount necessary to cover any remaining underpayment is hereby appropriated and shall be paid to individual counties: *Provided further*, That of the total amount made available by this title for ''Office of the Secretary—Departmental Operations'', $452,000,000 shall be available to the Secretary of the Interior for an additional amount for fiscal year 2016 for payments in lieu of taxes under chapter 69 of title 31, United States Code.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, $86,976,000, of which: (1) $77,528,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,448,000 shall be available until September 30, 2017, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,318,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $65,800,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $50,047,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $139,029,000, to remain available until expended, of which not to exceed $22,120,000 from this or any other Act, may be available

for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, ''Operation of Indian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Departmental Operations'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2016, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of $15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: *Provided further*, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, hazardous fuels management activities, and rural fire assistance by the Department of the Interior, $816,745,000, to remain available until expended, of which not to exceed $6,427,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That of the funds provided $170,000,000 is for hazardous fuels management activities: *Provided further*, That of the funds provided $18,970,000 is for burned area rehabilitation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels management and resilient landscapes activities, and for training and monitoring associated with such hazardous fuels management and resilient landscapes activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels management and resilient landscapes activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of the Interior and as a reserve fund for suppression and Federal emergency response activities, $177,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the ''Wildland Fire Management'' account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101–337 (16 U.S.C. 19jj et seq.), $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, and the consolidation of facilities and operations throughout the Department, $67,100,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of

the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' and ''FLAME Wildfire Suppression Reserve Fund'' shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2016. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2016, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the ''Offshore Safety and Environmental Enforcement'' account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2016 shall be:

(1) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2016. Fees for fiscal year 2016 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

EXHAUSTION OF ADMINISTRATIVE REVIEW

SEC. 111. Paragraph (1) of section 122(a) of division E of Public Law 112–74 (125 Stat. 1013) is amended by striking ''through 2016,'' in the first sentence and inserting ''through 2018,''.

WILD LANDS FUNDING PROHIBITION

SEC. 112. None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010: *Provided*, That nothing in this section shall restrict the Secretary's authorities under sections 201 and 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712).

BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS

SEC. 113. Section 115(d) of division E of Public Law 112–74 (25 U.S.C. 2000 note) is amended by striking ''2017'' and inserting ''2027''.

VOLUNTEERS IN PARKS

SEC. 114. Section 102301(d) of title 54, United States Code, is amended by striking ''$3,500,000'' and inserting ''$7,000,000''.

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 115. Notwithstanding any other provision of law, during fiscal year 2016, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

HERITAGE AREAS

SEC. 116. (a) Section 157(h)(1) of title I of Public Law 106–291 (16 U.S.C. 461 note) is amended by striking ''$11,000,000'' and inserting ''$13,000,000''.

(b) Division II of Public Law 104–333 (16 U.S.C. 461 note) is amended—

(1) in sections 409(a), 508(a), and 812(a) by striking ''$15,000,000'' and inserting ''$17,000,000''; and

(2) in sections 208, 310, and 607 by striking ''2015'' and inserting ''2017''.

SAGE-GROUSE

SEC. 117. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse.

ONSHORE PAY AUTHORITY EXTENSION

SEC. 118. For fiscal year 2016, funds made available in this title for the Bureau of Land Management and the Bureau of Indian Affairs may be used by the Secretary of the Interior to establish higher minimum rates of basic pay for employees of the Department of the Interior carrying out the inspection and regulation of onshore oil and gas operations on public lands in the Petroleum Engineer (GS–0881) and Petroleum Engineering Technician (GS–0802) job series at grades 5 through 14 at rates no greater than 25 percent above the minimum rates of basic pay normally scheduled, and such higher rates shall be consistent with subsections (e) through (h) of section 5305 of title 5, United States Code.

REPUBLIC OF PALAU

SEC. 119. (a) IN GENERAL.—Subject to subsection (c), the United States Government, through the Secretary of the Interior shall provide to the Government of Palau for fiscal year 2016 grants in amounts equal to the annual amounts specified in subsections (a), (c), and (d) of section 211 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note) (referred to in this section as the ''Compact'').

(b) PROGRAMMATIC ASSISTANCE.—Subject to subsection (c), the United States shall provide programmatic assistance to the Republic of Palau for fiscal year 2016 in amounts equal to the amounts provided in subsections (a) and (b)(1) of section 221 of the Compact.

(c) LIMITATIONS ON ASSISTANCE.—

(1) IN GENERAL.—The grants and programmatic assistance provided under subsections (a) and (b) shall be provided to the same extent and in the same manner as the grants and assistance were provided in fiscal year 2009.

(2) TRUST FUND.—If the Government of Palau withdraws more than $5,000,000 from the trust fund established under section 211(f) of the Compact, amounts to be provided under subsections (a) and (b) shall be withheld from the Government of Palau.

WILDLIFE RESTORATION EXTENSION OF INVESTMENT OF UNEXPENDED AMOUNTS

SEC. 120. Section 3(b)(2)(C) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(b)(2)(C)) is amended by striking ''2016'' and inserting ''2026''.

PROHIBITION ON USE OF FUNDS

SEC. 121. (a) Any proposed new use of the Arizona & California Railroad Company's Right of Way for conveyance of water shall not proceed unless the Secretary of the Interior certifies that the proposed new use is within the scope of the Right of Way.

(b) No funds appropriated or otherwise made available to the Department of the Interior may be used, in relation to any proposal to store water underground for the purpose of export, for approval of any right-of-way or similar authorization on the Mojave National Preserve or lands managed by the Needles Field Office of the Bureau of Land Management, or for carrying out any activities associated with such right-of-way or similar approval.

## TITLE II

## ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $734,648,000, to remain available until September 30, 2017: *Provided*, That of the funds included under this heading, $14,100,000 shall be for Research: National Priorities as specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $9,000 for official reception and representation expenses, $2,613,679,000, to remain available until September 30, 2017: *Provided*, That of the funds included under this heading, $12,700,000 shall be for Environmental Protection: National Priorities as specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That of the funds included under this heading, $427,737,000 shall be for Geographic Programs specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND

For necessary expenses to carry out section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g), including the development, operation, maintenance, and upgrading of the hazardous waste electronic manifest system established by such section, $3,674,000, to remain available until September 30, 2018.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $41,489,000, to remain available until September 30, 2017.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $42,317,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,088,769,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2015, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,088,769,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $9,939,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until September 30, 2017, and $18,850,000 shall be paid to the ''Science and Technology'' appropriation to remain available until September 30, 2017.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,518,161,000, to remain available until expended, of which—

(1) $1,393,887,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $863,233,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: *Provided*, That for fiscal year 2016, to the extent there are sufficient eligible project applications and projects are consistent with State Intended Use Plans, not less than 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That for fiscal year 2016, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2016 and prior years where such amounts represent costs of admin-

istering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2016, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or $30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or $20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2016, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2016, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act;

(2) $10,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) $20,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: *Provided*, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $80,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: *Provided*, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA;

(5) $50,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $20,000,000 shall be for targeted airshed grants in accordance with the terms and conditions of the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(7) $1,060,041,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading ''Leaking Underground Storage Tank Trust Fund Program'' to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs: *Provided*, That for the period of fiscal years 2016 through 2020, notwithstanding other applicable provisions of law, the funds appropriated for the Indian Environmental General Assistance Program shall be available to federally recognized tribes for solid waste and recovered materials collection, transportation, backhaul, and disposal services; and

(8) $21,000,000 shall be for grants to States and federally recognized Indian tribes for implementation of environmental programs and projects that complement existing environmental program grants, including interagency agreements, as specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

For fiscal year 2016, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112–177, the Pesticide Registration Improvement Extension Act of 2012.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2016.

The Administrator is authorized to transfer up to $300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading ''Environmental Programs and Management'' to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities provided that the cost does not exceed $150,000 per project.

For fiscal year 2016, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to federally recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

The Administrator is authorized to use the amounts appropriated under the heading ''Environmental Programs and Management'' for fiscal year 2016 to provide grants to implement the Southeastern New England Watershed Restoration Program.

In addition to the amounts otherwise made available in this Act for the Environmental Protection Agency, $27,000,000, to be available until September 30, 2017, to be used solely to meet Federal requirements for cybersecurity implementation, including enhancing response capabilities and upgrading incident management tools: *Provided*, That such funds shall supplement, not supplant, any other amounts made available to the Environmental Protection Agency for such purpose: *Provided further*, That solely for the purposes provided herein, such funds may be transferred to and merged with any other appropriation in this Title.

Of the unobligated balances available for ''State and Tribal Assistance Grants'' ac-

count, $40,000,000 are permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $291,000,000, to remain available until expended: *Provided*, That of the funds provided, $75,000,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $237,023,000, to remain available until expended, as authorized by law; of which $62,347,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,509,364,000, to remain available until expended: *Provided*, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, $359,805,000 shall be for forest products: *Provided further*, That of the funds provided, up to $81,941,000 is for the Integrated Resource Restoration pilot program for Region 1, Region 3 and Region 4: *Provided further*, That of the funds provided for forest products, up to $65,560,000 may be transferred to support the Integrated Resource Restoration pilot program in the preceding proviso: *Provided further*, That the Secretary of Agriculture may transfer to the Secretary of the Interior any unobligated funds appropriated in a previous fiscal year for operation of the Valles Caldera National Preserve.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $364,164,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That $40,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: *Provided further*, That funds becoming available in fiscal year 2016 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated: *Provided further*, That of the funds provided for decommissioning of roads, up to $14,743,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

LAND ACQUISITION

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $63,435,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $950,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available until expended (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $2,500,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels management on or adjacent to such lands, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, $2,386,329,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That, notwithstanding any other provision of law, $6,914,000 of funds appropriated under this appropriation shall be available for the Forest Service in support of fire science research authorized by the Joint Fire Science Program, including all Forest Service authorities for the use of funds, such as contracts, grants, research joint venture agreements, and cooperative agreements: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels management activities, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, $375,000,000 is for hazardous fuels management activities, $19,795,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, (16 U.S.C. 1641 et seq.), $78,000,000 is for State fire assistance, and $13,000,000 is for volunteer fire assistance under section 10 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106): *Provided further*, That amounts in this paragraph may be transferred to the ''National Forest System'', and ''Forest and Rangeland Research'' accounts to fund forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That up to $15,000,000 of the funds provided herein may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities and for training or monitoring associated with such hazardous fuels management activities on Federal land or on non-Federal land if the Secretary determines such activities benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the ''State and Private Forestry'' appropriation: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That of the funds provided for hazardous fuels management, not to exceed $15,000,000 may be used to make grants, using any authorities available to the Forest Service under the ''State and Private Forestry'' appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That funds

designated for wildfire suppression, including funds transferred from the ''FLAME Wildfire Suppression Reserve Fund'', shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs: *Provided further*, That of the funds for hazardous fuels management, up to $24,000,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, $823,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the ''Wildland Fire Management'' account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings ''Wildland Fire Management'' and ''FLAME Wildfire Suppression Reserve Fund'' will be obligated within 30 days: *Provided*, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed $65,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar nonlitigation-related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $3,566,387,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That, $914,139,000 for Purchased/Referred Care, including $51,500,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That, of the funds provided, up to $36,000,000 shall remain available until

expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That, of the funds provided, $2,000,000 shall be used to supplement funds available for operational costs at tribal clinics operated under an Indian Self-Determination and Education Assistance Act compact or contract where health care is delivered in space acquired through a full service lease, which is not eligible for maintenance and improvement and equipment funds from the Indian Health Service, and $2,000,000 shall be for accreditation emergencies: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided further*, That, notwithstanding any other provision of law, the amounts made available within this account for the methamphetamine and suicide prevention and treatment initiative, for the domestic violence prevention initiative, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): *Provided further*, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2016, such sums as may be necessary: *Provided*, That amounts obligated but not expended by a tribe or tribal organization for contract support costs for such agreements for the current fiscal year shall be applied to contract support costs otherwise due for such agreements for subsequent fiscal years: *Provided further*, That, notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $523,232,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the ''Indian Health Services'' account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations: *Provided further*, That the Indian Health Service shall develop a strategic plan for the Urban Indian Health program in consultation with urban Indians and the National Academy of Public Administration, and shall publish such plan not later than one year after the date of enactment of this Act.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $77,349,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2016, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,000,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $15,000,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10: *Provided further*, That $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498 (20 U.S.C. 56 part A), $11,619,000, to remain available until September 30, 2017.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $696,045,000, to remain available until September 30, 2017, except as otherwise provided herein; of which not to exceed $48,233,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $144,198,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $124,988,000, to remain available until September 30, 2017, of which not to exceed $3,578,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $22,564,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $21,660,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $14,740,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $10,500,000, to remain available until September 30, 2017.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $147,949,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $147,942,000 to remain available until expended, of which $137,042,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $10,900,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $8,500,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, $2,653,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,080,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $8,348,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $54,000,000, of which $1,215,000 shall remain available until September 30, 2018, for the Museum's equipment replacement program; and of which $2,500,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses, including the costs of construction design, of the Dwight D. Eisenhower Memorial Commission, $1,000,000, to remain available until expended.

## TITLE IV

## GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2017, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) shall continue in effect in fiscal year 2016.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2016 LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2016 under the headings ''Department of Health and Human Services, Indian Health Service, Contract Support Costs'' and ''Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs'' are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2016 with the Bureau of Indian Affairs or the Indian Health Service: *Provided*, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing

and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 416. Not later than 120 days after the date on which the President's fiscal year 2017 budget request is submitted to the Congress, the President shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate describing in detail all Federal agency funding, domestic and international, for climate change programs, projects, and activities in fiscal years 2015 and 2016, including an accounting of funding by agency with each agency identifying climate change programs, projects, and activities and associated costs by line item as presented in the President's Budget Appendix, and including citations and linkages where practicable to each strategic plan that is driving funding within each climate change program, project, and activity listed in the report.

PROHIBITION ON USE OF FUNDS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 418. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

MODIFICATION OF AUTHORITIES

SEC. 419. (a) Section 8162(m)(3) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2016''.

(b) For fiscal year 2016, the authority provided by the provisos under the heading ''Dwight D. Eisenhower Memorial Commission—Capital Construction'' in division E of Public Law 112–74 shall not be in effect.

FUNDING PROHIBITION

SEC. 420. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

CONTRACTING AUTHORITIES

SEC. 421. Section 412 of Division E of Public Law 112–74 is amended by striking ''fiscal year 2015,'' and inserting ''fiscal year 2017,''.

CHESAPEAKE BAY INITIATIVE

SEC. 422. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note) is amended by striking ''2015'' and inserting ''2017''.

EXTENSION OF GRAZING PERMITS

SEC. 423. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2016.

USE OF AMERICAN IRON AND STEEL

SEC. 424. (a)(1) None of the funds made available by a State water pollution control

revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term ''iron and steel'' products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

NOTIFICATION REQUIREMENTS

SEC. 425. (a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AFFECTED STATE.—The term ''affected State'' means any of the Great Lakes States (as defined in section 118(a)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(a)(3))).

(3) DISCHARGE.—The term ''discharge'' means a discharge as defined in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(4) GREAT LAKES.—The term ''Great Lakes'' means any of the waters as defined in section 118(a)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(a)(3)).

(5) TREATMENT WORKS.—The term ''treatment works'' has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

(b) REQUIREMENTS.—

(1) IN GENERAL.—The Administrator shall work with affected States having publicly owned treatment works that discharge to the Great Lakes to create public notice requirements for a combined sewer overflow discharge to the Great Lakes.

(2) NOTICE REQUIREMENTS.—The notice requirements referred to in paragraph (1) shall provide for—

(i) the method of the notice;

(ii) the contents of the notice, in accordance with paragraph (3); and

(iii) requirements for public availability of the notice.

(3) MINIMUM REQUIREMENTS.—

(A) IN GENERAL.—The contents of the notice under paragraph (1) shall include—

(i) the dates and times of the applicable discharge;

(ii) the volume of the discharge; and

(iii) a description of any public access areas impacted by the discharge.

(B) CONSISTENCY.—The minimum requirements under this paragraph shall be consistent for all affected States.

(4) ADDITIONAL REQUIREMENTS.—The Administrator shall work with the affected States to include—

(A) follow-up notice requirements that provide a description of—

(i) each applicable discharge;

(ii) the cause of the discharge; and

(iii) plans to prevent a reoccurrence of a combined sewer overflow discharge to the Great Lakes consistent with section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) or an administrative order or consent decree under such Act; and

(B) annual publication requirements that list each treatment works from which the Administrator or the affected State receive a follow-up notice.

(5) TIMING.—

(A) The notice and publication requirements described in this subsection shall be implemented by not later than 2 years after the date of enactment of this Act.

(B) The Administrator of the EPA may extend the implementation deadline for individual communities if the Administrator determines the community needs additional time to comply in order to avoid undue economic hardship.

(6) STATE ACTION.—Nothing in this subsection prohibits an affected State from establishing a State notice requirement in the event of a discharge that is more stringent than the requirements described in this subsection.

GREAT LAKES RESTORATION INITIATIVE

SEC. 426. Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

''(7) GREAT LAKES RESTORATION INITIATIVE.—

''(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the 'Initiative') to carry out programs and projects for Great Lakes protection and restoration.

''(B) FOCUS AREAS.—The Initiative shall prioritize programs and projects carried out in coordination with non-Federal partners and programs and projects that address priority areas each fiscal year, including—

''(i) the remediation of toxic substances and areas of concern;

''(ii) the prevention and control of invasive species and the impacts of invasive species;

''(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

''(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

''(v) accountability, monitoring, evaluation, communication, and partnership activities.

''(C) PROJECTS.—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

''(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

''(ii) the feasibility of—

''(I) prompt implementation;

''(II) timely achievement of results; and

''(III) resource leveraging; and

''(iii) the opportunity to improve interagency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

''(D) IMPLEMENTATION OF PROJECTS.—

''(i) IN GENERAL.—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

''(I) Federal projects; and

''(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

''(ii) TRANSFER OF FUNDS.—With amounts made available for the Initiative each fiscal year, the Administrator may—

''(I) transfer not more than the total amount appropriated under subparagraph (G)(i) for the fiscal year to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement; and

''(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I).

''(E) SCOPE.—

''(i) IN GENERAL.—Projects shall be carried out under the Initiative on multiple levels, including—

''(I) Great Lakes-wide; and

''(II) Great Lakes basin-wide.

''(ii) LIMITATION.—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

''(I) a State water pollution control revolving fund established under title VI; or

''(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

''(F) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—

''(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

''(ii) identify new activities and projects to support the environmental goals of the Initiative.

''(G) FUNDING.—There are authorized to be appropriated to carry out this paragraph for fiscal year 2016, $300,000,000.''.

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 427. Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H), $22,000,000 for fiscal year 2016.

''(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), $15,000,000 for fiscal year 2016.''.

This division may be cited as the ''Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016''.

**DIVISION H—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016**

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Innovation and Opportunity Act (referred to in this Act as ''WIOA''), the Second Chance Act of 2007, the National Apprenticeship Act, and the Women in Apprenticeship and Nontraditional Occupations Act of 1992 (''WANTO Act''), $3,335,425,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $2,709,832,000 as follows:

(A) $815,556,000 for adult employment and training activities, of which $103,556,000 shall be available for the period July 1, 2016 through June 30, 2017, and of which $712,000,000 shall be available for the period October 1, 2016 through June 30, 2017;

(B) $873,416,000 for youth activities, which shall be available for the period April 1, 2016 through June 30, 2017; and

(C) $1,020,860,000 for dislocated worker employment and training activities, of which $160,860,000 shall be available for the period July 1, 2016 through June 30, 2017, and of which $860,000,000 shall be available for the period October 1, 2016 through June 30, 2017: *Provided*, That pursuant to section 128(a)(1) of the WIOA, the amount available to the Governor for statewide workforce investment activities shall not exceed 15 percent of the amount allotted to the State from each of the appropriations under the preceding subparagraphs: *Provided further*, That the funds available for allotment to outlying areas to carry out subtitle B of title I of the WIOA shall not be subject to the requirements of section 127(b)(1)(B)(ii) of such Act; and

(2) for national programs, $625,593,000 as follows:

(A) $220,859,000 for the dislocated workers assistance national reserve, of which $20,859,000 shall be available for the period July 1, 2016 through September 30, 2017, and of which $200,000,000 shall be available for the period October 1, 2016 through September 30, 2017: *Provided*, That funds provided to carry out section 132(a)(2)(A) of the WIOA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: *Provided further*, That funds provided to carry out sections 168(b) and 169(c) of the WIOA may be used for technical assistance and demonstration projects, respectively, that provide assistance to new entrants in the workforce and incumbent workers: *Provided further*, That notwithstanding section 168(b) of the WIOA, of the funds provided under this subparagraph, the Secretary of Labor (referred to in this title as ''Secretary'') may reserve not more than 10 percent of such funds to provide technical assistance and carry out additional activities related to the transition to the WIOA: *Provided further*, That, of the funds provided under this subparagraph, $19,000,000 shall be made available for applications submitted in accordance with section 170 of the WIOA for training and employment assistance for workers dislocated from coal mines and coal-fired power plants;

(B) $50,000,000 for Native American programs under section 166 of the WIOA, which shall be available for the period July 1, 2016 through June 30, 2017;

(C) $81,896,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including $75,885,000 for formula grants (of which not less than 70 percent shall be for employment and training services), $5,517,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $494,000 for other discretionary purposes, which shall be available for the period July 1, 2016 through June 30, 2017: *Provided*, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) $994,000 for carrying out the WANTO Act, which shall be available for the period July 1, 2016 through June 30, 2017;

(E) $84,534,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2016 through June 30, 2017;

(F) $3,232,000 for technical assistance activities under section 168 of the WIOA, which shall be available for the period July 1, 2016 through June 30, 2017;

(G) $88,078,000 for ex-offender activities, under the authority of section 169 of the WIOA and section 212 of the Second Chance Act of 2007, which shall be available for the period April 1, 2016 through June 30, 2017: *Provided*, That of this amount, $20,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young ex-offenders and school dropouts for employment, with a priority for projects serving high-crime, high-poverty areas;

(H) $6,000,000 for the Workforce Data Quality Initiative, under the authority of section 169 of the WIOA, which shall be available for the period July 1, 2016 through June 30, 2017; and

(I) $90,000,000 to expand opportunities relating to apprenticeship programs registered under the National Apprenticeship Act, to be available to the Secretary to carry out activities through grants, cooperative agreements, contracts and other arrangements, with States and other appropriate entities, which shall be available for the period April 1, 2016 through June 30, 2017.

JOB CORPS

(INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIOA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIOA, $1,689,155,000, plus reimbursements, as follows:

(1) $1,581,825,000 for Job Corps Operations, which shall be available for the period July 1, 2016 through June 30, 2017;

(2) $75,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2016 through June 30, 2019, and which may include the acquisition, maintenance, and repair of major items of equipment: *Provided*, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: *Provided further*, That any funds transferred pursuant to the preceding proviso shall not be available for obligation after June 30, 2017: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer; and

(3) $32,330,000 for necessary expenses of Job Corps, which shall be available for obligation for the period October 1, 2015 through September 30, 2016:

*Provided*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as ''OAA''), $434,371,000, which shall be available for the period July 1, 2016 through June 30, 2017, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2016 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, $861,000,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2016: *Provided*, That notwithstanding section 502 of this division, any part of the appropriation provided under this heading may remain available for obligation beyond the current fiscal year pursuant to the authorities of section 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $89,066,000, together with not to exceed $3,480,812,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund (''the Trust Fund''), of which:

(1) $2,725,550,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than $95,000,000 to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and to provide reemployment services and referrals to training as appropriate, for claimants of unemployment insurance for ex-service members under 5 U.S.C. 8521 et. seq. and for the claimants of regular unemployment compensation who are profiled as most likely to exhaust their benefits in each State, and $3,000,000 for continued support of the Unemployment Insurance Integrity Center of Excellence), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, and shall be available for obligation by the States through December 31, 2016, except that funds used for automation acquisitions shall be available for Federal obligation through December 31, 2016, and for State obligation

through September 30, 2018, or, if the automation acquisition is being carried out through consortia of States, for State obligation through September 30, 2021, and for expenditure through September 30, 2022, and funds for competitive grants awarded to States for improved operations and to conduct in-person assessments and reviews and provide reemployment services and referrals shall be available for Federal obligation through December 31, 2016, and for obligation by the States through September 30, 2018, and funds for the Unemployment Insurance Integrity Center of Excellence shall be available for obligation by the State through September 30, 2017, and funds used for unemployment insurance workloads experienced by the States through September 30, 2016 shall be available for Federal obligation through December 31, 2016;

(2) $14,547,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) $658,587,000 from the Trust Fund, together with $21,413,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2016 through June 30, 2017;

(4) $19,818,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act;

(5) $62,310,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which $48,028,000 shall be available for the Federal administration of such activities, and $14,282,000 shall be available for grants to States for the administration of such activities; and

(6) $67,653,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, 2016 through June 30, 2017:

*Provided*, That to the extent that the Average Weekly Insured Unemployment (''AWIU'') for fiscal year 2016 is projected by the Department of Labor to exceed 2,680,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: *Provided further*, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided further*, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: *Provided further*, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the State Information Data Exchange System: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance, employment service, or immigration programs, may be obligated in contracts, grants, or agreements with States and non-State entities: *Provided further*, That States awarded competitive grants for improved operations under title III of the Social Security Act, or awarded grants to support the national activities of the Federal-State unemployment insurance system, may award subgrants to other States under such grants, subject to the conditions applicable to the grants: *Provided further*, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the Office of Management and Budget Circular A–87: *Provided further*, That the Secretary, at the request of a State participating in a consortium with other States, may reallot funds allotted to such State under title III of the Social Security Act to other States participating in the consortium in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request: *Provided further*, That the Secretary may collect fees for the costs associated with additional data collection, analyses, and reporting services relating to the National Agricultural Workers Survey requested by State and local governments, public and private institutions of higher education, and nonprofit organizations and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, for the National Agricultural Workers Survey infrastructure, methodology, and data to meet the information collection and reporting needs of such entities, which shall be credited to this appropriation and shall remain available until September 30, 2017, for such purposes.

In addition, $20,000,000 from the Employment Security Administration Account of the Unemployment Trust Fund shall be available for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews and to provide reemployment services and referrals to training as appropriate, which shall be available for Federal obligations through December 31, 2016, and for State obligation through September 30, 2018.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for nonrepayable advances to the revolving fund established by section 901(e) of the Social Security Act, to the Unemployment Trust Fund as authorized by 5 U.S.C. 8509, and to the ''Federal Unemployment Benefits and Allowances'' account, such sums as may be necessary, which shall be available for obligation through September 30, 2017.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $104,577,000, together with not to exceed $49,982,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $181,000,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation (''Corporation'') is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2016, for the Corporation: *Provided*, That none of the funds available to the Corporation for fiscal year 2016 shall be available for obligations for administrative expenses in excess of $431,799,000: *Provided further*, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2016, an amount not to exceed an additional $9,200,000 shall be available through September 30, 2017, for obligation for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate.

WAGE AND HOUR DIVISION

SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $227,500,000.

OFFICE OF LABOR-MANAGEMENT STANDARDS

SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, $40,593,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, $105,476,000.

OFFICE OF WORKERS' COMPENSATION PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Workers' Compensation Programs, $113,324,000, together with $2,177,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading ''Civilian War Benefits'' in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; section 5(f) of the War Claims Act (50 U.S.C. App. 2004); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, $210,000,000, together with such amounts as may be necessary to be

charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year, for deposit into and to assume the attributes of the Employees' Compensation Fund established under 5 U.S.C. 8147(a): *Provided*, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, 2015, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2016: *Provided further*, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $62,170,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, $21,140,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, $22,968,000;

(3) For periodic roll disability management and medical review, $16,668,000;

(4) For program integrity, $1,394,000; and

(5) The remaining funds shall be paid into the Treasury as miscellaneous receipts:

*Provided further*, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, $69,302,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2017, $19,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $58,552,000, to remain available until expended: *Provided*, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung Disability Trust Fund (the ''Fund''), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2016 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed $35,244,000 for transfer to the Office of Workers' Compensation Programs, ''Salaries and Expenses''; not to exceed $30,279,000 for transfer to Departmental Management, ''Salaries and Expenses''; not to exceed $327,000 for transfer to Departmental Management, ''Office of Inspector General''; and not to exceed $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $552,787,000, including not to exceed $100,850,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the ''Act''), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2016, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (''DART'') occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

*Provided further*, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That $10,537,000 shall be available for Susan Harwood training grants.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $375,887,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities and not less than $8,441,000 for State assistance grants: *Provided*, That notwithstanding 31 U.S.C. 3302, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: *Provided further*, That notwithstanding 31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to $2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: *Provided further*, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided further*, That the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: *Provided further*, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: *Provided further*, That any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $544,000,000, together with not to exceed $65,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $38,203,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, $334,065,000, together with not to exceed $308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That $59,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2016: *Provided further*, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: *Provided further*, That not more than $53,825,000 shall be for programs to combat exploitative child labor internationally and not less than $6,000,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: *Provided further*, That $8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2017: *Provided further*, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: *Provided further*, That grants made for the purpose of evaluation shall be awarded through fair and open competition: *Provided further*, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: *Provided further*, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $233,001,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of chapters 41, 42, and 43 of title 38, United States Code, of which:

(1) $175,000,000 is for Jobs for Veterans State grants under 38 U.S.C. 4102A(b)(5) to support disabled veterans' outreach program specialists under section 4103A of such title and local veterans' employment representatives under section 4104(b) of such title, and for the expenses described in section 4102A(b)(5)(C), which shall be available for obligation by the States through December 31, 2016, and not to exceed 3 percent for the necessary Federal expenditures for data systems and contract support to allow for the tracking of participant and performance information: *Provided*, That, in addition, such funds may be used to support such specialists and representatives in the provision of services to transitioning members of the Armed Forces who have participated in the Transition Assistance Program and have been identified as in need of intensive services, to members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units, and to the spouses or other family caregivers of such wounded, ill, or injured members;

(2) $14,100,000 is for carrying out the Transition Assistance Program under 38 U.S.C. 4113 and 10 U.S.C. 1144;

(3) $40,487,000 is for Federal administration of chapters 41, 42, and 43 of title 38, United States Code; and

(4) $3,414,000 is for the National Veterans' Employment and Training Services Institute under 38 U.S.C. 4109:

*Provided*, That the Secretary may reallocate among the appropriations provided under paragraphs (1) through (4) above an amount not to exceed 3 percent of the appropriation from which such reallocation is made.

In addition, from the General Fund of the Treasury, $38,109,000 is for carrying out programs to assist homeless veterans and veterans at risk of homelessness who are transitioning from certain institutions under sections 2021, 2021A, and 2023 of title 38, United States Code: *Provided*, That notwithstanding subsections (c)(3) and (d) of section 2023, the Secretary may award grants through September 30, 2016, to provide services under such section: *Provided further*, That services provided under section 2023 may include, in addition to services to the individuals described in subsection (e) of such section, services to veterans recently released from incarceration who are at risk of homelessness.

IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $29,778,000.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $80,640,000, together with not to exceed $5,660,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. Except as otherwise provided in this section, none of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a) may be used for any purpose other than competitive grants for training individuals who are older than 16 years of age and are not currently enrolled in school within a local educational agency in the occupations and industries for which employers are using H–1B visas to hire foreign workers, and the related activities necessary to support such training: *Provided*, That up to $13,000,000 of such funds shall be available for obligation through September 30, 2017 to process permanent foreign labor certifications under section 212(a)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)(A)): *Provided further*, That the funding limitation under this section shall not apply to funding provided pursuant to solicitations for grant applications issued before January 15, 2014.

SEC. 105. None of the funds made available by this Act under the heading ''Employment and Training Administration'' shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

(TRANSFER OF FUNDS)

SEC. 106. Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to ''Program Administration'' when it is determined that those services will be more efficiently performed by Federal employees: *Provided*, That this section shall not apply to section 171 of the WIOA.

(TRANSFER OF FUNDS)

SEC. 107. (a) The Secretary may reserve not more than 0.75 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to ''Departmental Management'' for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2017: *Provided*, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: ''Training and Employment Services'', ''Job Corps'', ''Community Service Employment for Older Americans'', ''State Unemployment Insurance and Employment Service Operations'', ''Employee Benefits Security Administration'', ''Office of Workers' Compensation Programs'', ''Wage and Hour Division'', ''Office of Federal Contract Compliance Programs'', ''Office of Labor Management Standards'', ''Occupational Safety and Health Administration'', ''Mine Safety and Health Administration'', ''Office of Disability Employment Policy'', funding made available to the ''Bureau of International Labor Affairs'' and ''Women's Bureau'' within the ''Departmental Management, Salaries and Expenses'' account, and ''Veterans Employment and Training''.

SEC. 108. (a) Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall be applied as if the following text is part of such section:

''(s)(1) The provisions of this section shall not apply for a period of 2 years after the occurrence of a major disaster to any employee—

''(A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;

''(B) who receives from such employer on average weekly compensation of not less than $591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and

''(C) whose duties include any of the following:

''(i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;

''(ii) inspecting property damage or reviewing factual information to prepare damage estimates;

''(iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;

''(iv) negotiating settlements; or

''(v) making recommendations regarding litigation.

''(2) The exemption in this subsection shall not affect the exemption provided by section 13(a)(1).

''(3) For purposes of this subsection—

''(A) the term 'major disaster' means any disaster or catastrophe declared or designated by any State or Federal agency or department;

''(B) the term 'employee employed to adjust or evaluate claims resulting from or relating to such major disaster' means an individual who timely secured or secures a license required by applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and

''(C) the term 'affiliate' means a company that, by reason of ownership or control of 25 percent or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company.''.

(b) This section shall be effective on the date of enactment of this Act.

SEC. 109. Notwithstanding any other provision of law, beginning October 1, 2015, the Secretary of Labor, in consultation with the Secretary of Agriculture may select an entity to operate a Civilian Conservation Center on a competitive basis in accordance with section 147 of the WIOA, if the Secretary of Labor determines such Center has had consistently low performance under the performance accountability system in effect for the Job Corps program prior to July 1, 2016, or with respect to expected levels of performance established under section 159(c) of such Act beginning July 1, 2016.

SEC. 110. None of the funds made available by this Act may be used to implement, administer, or enforce the Establishing a Minimum Wage for Contractors regulation published by the Department of Labor in the Federal Register on October 7, 2014 (79 Fed. Reg. 60634 et seq.), with respect to Federal contracts, permits, or other contract-like instruments entered into with the Federal Government in connection with Federal property or lands, specifically related to offering seasonal recreational services or seasonal recreation equipment rental for the general public: *Provided*, That this section shall not apply to lodging and food services associated with seasonal recreation services.

SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE SEAFOOD INDUSTRY.—

(1) IN GENERAL.—Subject to paragraph (2), if a petition for H–2B nonimmigrants filed by an employer in the seafood industry is granted, the employer may bring the nonimmigrants described in the petition into the United States at any time during the 120-day period beginning on the start date for which the employer is seeking the services of the nonimmigrants without filing another petition.

(2) REQUIREMENTS FOR CROSSINGS AFTER 90TH DAY.—An employer in the seafood industry may not bring H–2B nonimmigrants into the United States after the date that is 90 days after the start date for which the employer is seeking the services of the nonimmigrants unless the employer—

(A) completes a new assessment of the local labor market by—

(i) listing job orders in local newspapers on 2 separate Sundays; and

(ii) posting the job opportunity on the appropriate Department of Labor Electronic Job Registry and at the employer's place of employment; and

(B) offers the job to an equally or better qualified United States worker who—

(i) applies for the job; and

(ii) will be available at the time and place of need.

(3) EXEMPTION FROM RULES WITH RESPECT TO STAGGERING.—The Secretary of Labor shall not consider an employer in the seafood industry who brings H–2B nonimmigrants into the United States during the 120-day period specified in paragraph (1) to be staggering the date of need in violation of section 655.20(d) of title 20, Code of Federal Regulations, or any other applicable provision of law.

(b) H–2B NONIMMIGRANTS DEFINED.—In this section, the term ''H–2B nonimmigrants'' means aliens admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

SEC. 112. The determination of prevailing wage for the purposes of the H–2B program shall be the greater of—(1) the actual wage level paid by the employer to other employees with similar experience and qualifications for such position in the same location; or (2) the prevailing wage level for the occupational classification of the position in the geographic area in which the H–2B nonimmigrant will be employed, based on the best information available at the time of filing the petition. In the determination of prevailing wage for the purposes of the H–2B program, the Secretary shall accept private wage surveys even in instances where Occupational Employment Statistics survey data are available unless the Secretary determines that the methodology and data in the provided survey are not statistically supported.

SEC. 113. None of the funds in this Act shall be used to enforce the definition of corresponding employment found in 20 CFR 655.5 or the three-fourths guarantee rule definition found in 20 CFR 655.20, or any references thereto. Further, for the purpose of regulating admission of temporary workers under the H–2B program, the definition of temporary need shall be that provided in 8 CFR 214.2(h)(6)(ii)(B).

SEC. 114. None of the funds in this Act shall be used to implement 20 CFR 655.70 and 20 CFR 655.71.

This title may be cited as the ''Department of Labor Appropriations Act, 2016''.

## TITLE II

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### HEALTH RESOURCES AND SERVICES ADMINISTRATION

#### PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the ''PHS Act'') with respect to primary health care and the Native Hawaiian Health Care Act of 1988, $1,491,522,000 (in addition to the $3,600,000,000 previously appropriated to the Community Health Center Fund for fiscal year 2016): *Provided*, That no more than $100,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act: *Provided further*, That no more than $99,893,000 shall be available until expended for carrying out the provisions of Public Law 104–73 and for expenses incurred by the Department of Health and Human Services (referred to in this Act as ''HHS'') pertaining to administrative claims made under such law: *Provided further*, That of funds provided for the Health Centers program, as defined by section 330 of the PHS Act, by this Act or any other Act for fiscal year 2016, not less than $200,000,000 shall be obligated in fiscal year 2016 to support new access points, grants to expand medical services, behavioral health, oral health, pharmacy, or vision services, and not less than $150,000,000 shall be obligated in fiscal year 2016 for construction and capital improvement costs: *Provided further*, That the time limitation in section 330(e)(3) of the PHS Act shall not apply in fiscal year 2016.

#### HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, section 1128E of the Social Security Act, and the Health Care Quality Improvement Act of 1986, $786,895,000: *Provided*, That sections 747(c)(2), 751(j)(2), 762(k), and the proportional funding amounts in paragraphs (1) through (4) of section 756(e) of the PHS Act shall not apply to funds made available under this heading: *Provided further*, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary of Health and Human Services (referred to in this title as the ''Secretary'') may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: *Provided further*, That no funds shall be available for section 340G–1 of the PHS Act: *Provided further*, That fees collected for the disclosure of information under section 427(b) of the Health Care Quality Improvement Act of 1986 and sections 1128E(d)(2) and 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the programs authorized by such sections and shall remain available until expended for the National Practitioner Data Bank: *Provided further*, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such sections.

#### MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health, title V of the Social Security Act, and section 712 of the American Jobs Creation Act of 2004, $845,117,000: *Provided*, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than $77,093,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and $10,276,000 shall be available for projects described in subparagraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, $2,322,781,000, of which $1,970,881,000 shall remain available to the Secretary through September 30, 2018, for parts A and B of title XXVI of the PHS Act, and of which not less than $900,313,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act with respect to health care systems, and the Stem Cell Therapeutic and Research Act of 2005, $103,193,000, of which $122,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act with respect to rural health, section 427(a) of the Federal Coal Mine Health and Safety Act of 1969, and sections 711 and 1820 of the Social Security Act, $149,571,000, of which $41,609,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: *Provided*, That of the funds made available under this heading for Medicare rural hospital flexibility grants, $14,942,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to $1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: *Provided further*, That notwithstanding section 338J(k) of the PHS Act, $9,511,000 shall be available for State Offices of Rural Health.

FAMILY PLANNING

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, $286,479,000: *Provided*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office.

PROGRAM MANAGEMENT

For program support in the Health Resources and Services Administration, $154,000,000: *Provided*, That funds made available under this heading may be used to supplement program support funding provided under the headings ''Primary Health Care'', ''Health Workforce'', ''Maternal and Child Health'', ''Ryan White HIV/AIDS Program'', ''Health Care Systems'', and ''Rural Health''.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund (the ''Trust Fund''), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed $7,500,000 shall be available from the Trust Fund to the Secretary.

CENTERS FOR DISEASE CONTROL AND PREVENTION

IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, $459,055,000.

HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED DISEASES, AND TUBERCULOSIS PREVENTION

For carrying out titles II, III, XVII, and XXIII of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, $1,122,278,000.

EMERGING AND ZOONOTIC INFECTIOUS DISEASES

For carrying out titles II, III, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, $527,885,000.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, $838,146,000: *Provided*, That funds appropriated under this account may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations: *Provided further*, That of the funds available under this heading, $10,000,000 shall be available to continue and expand community specific extension and outreach programs to combat obesity in counties with the highest levels of obesity: *Provided further*, That the proportional funding requirements under section 1503(a) of the PHS Act shall not apply to funds made available under this heading.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, $135,610,000.

PUBLIC HEALTH SCIENTIFIC SERVICES

For carrying out titles II, III, and XVII of the PHS Act with respect to health statistics, surveillance, health informatics, and workforce development, $491,597,000.

ENVIRONMENTAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to environmental health, $165,303,000.

INJURY PREVENTION AND CONTROL

For carrying out titles II, III, and XVII of the PHS Act with respect to injury prevention and control, $236,059,000: *Provided*, That of the funds provided under this heading, $70,000,000 shall be available for an evidence-based opioid drug overdose prevention program.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

For carrying out titles II, III, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, $339,121,000.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $55,358,000, to remain available until expended: *Provided*, That this amount shall be available consistent with the provision regarding administrative expenses in section 151(b) of division B, title I of Public Law 106–554.

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, $427,121,000, of which $128,421,000 for international HIV/AIDS shall remain available through September 30, 2017: *Provided*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, $1,405,000,000, of which $575,000,000 shall remain available until expended for the Strategic National Stockpile: *Provided*, That in the event the Director of the CDC activates the Emergency Operations Center, the Director of the CDC may detail CDC staff without reimbursement for up to 90 days to support the work of the CDC Emergency Operations Center, so long as the Director provides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed: *Provided further*, That funds appropriated under this heading may be used to support a contract for the operation and maintenance of an aircraft in direct support of activities throughout CDC to ensure the agency is prepared to address public health preparedness emergencies.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For acquisition of real property, equipment, construction, demolition, and renovation of facilities, $10,000,000, which shall remain available until September 30, 2020: *Provided*, That funds previously set-aside by CDC for repair and upgrade of the Lake Lynn Experimental Mine and Laboratory shall be used to acquire a replacement mine safety research facility: *Provided further*, That in addition, the prior year unobligated balance of any amounts assigned to former employees in accounts of CDC made available for Individual Learning Accounts shall be credited to and merged with the amounts made available under this heading to support the replacement of the mine safety research facility.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For carrying out titles II, III, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support for activities funded in other appropriations included in this Act for the Centers for Disease Control and Prevention, $113,570,000: *Provided*, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: *Provided further*, That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: *Provided further*, That CDC may use up to $10,000 from amounts appropriated to CDC in this Act for

official reception and representation expenses when specifically approved by the Director of CDC: *Provided further*, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: *Provided further*, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program and the Respirator Certification Program shall be available through September 30, 2017.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, $5,214,701,000, of which up to $16,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $3,115,538,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, $415,582,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, $1,818,357,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, $1,696,139,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, $4,629,928,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, $2,512,073,000, of which $780,000,000 shall be from funds available under section 241 of the PHS Act: *Provided*, That not less than $320,840,000 is provided for the Institutional Development Awards program.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, $1,339,802,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, $715,903,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, $693,702,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, $1,600,191,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to arthritis and musculoskeletal and skin diseases, $542,141,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, $423,031,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, $146,485,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, $467,700,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, $1,077,488,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, $1,548,390,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $518,956,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, $346,795,000.

NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to complementary and integrative health, $130,789,000.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, $279,718,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), $70,447,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, $394,664,000: *Provided*, That of the amounts available for improvement of information systems, $4,000,000 shall be available until September 30, 2017: *Provided further*, That in fiscal year 2016, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as ''NIH'').

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, $685,417,000: *Provided*, That up to $25,835,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network: *Provided further*, That at least $500,000,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, NIH, $1,558,600,000, of which up to $30,000,000 may be used to carry out section 215 of this Act: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further*, That $165,000,000 shall be for the National Children's Study Follow-on: *Provided further*, That NIH shall submit a spend plan on the next phase of the study in the previous proviso to the Committees on Appropriations of the House of Representatives and the Senate not later than 90 days after the date of enactment of this Act: *Provided further*, That $663,039,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: *Provided further*, That of the funds provided, $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to $8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: *Provided further*, That up to $130,000,000 of the funds provided to the Common Fund are available to support the trans-NIH Precision Medicine Initiative: *Provided further*, That of the amount provided to the NIH, the Director of the NIH shall enter into an agreement with the National Academy of Sciences, as part of the studies conducted under section 489 of the PHS Act, to conduct a comprehensive study on policies affecting the next generation of researchers in the United States: *Provided further*, That, of the funds from Institute, Center, and Office of the Director accounts within ''Department of Health and Human Services, National Institutes of Health,'' in order to strengthen privacy protections for human research participants, NIH shall require investigators receiving NIH funding for new and competing research projects designed to generate and analyze large volumes of data derived from human research participants to obtain a certificate of confidentiality.

In addition to other funds appropriated for the Common Fund established under section 402A(c) of the PHS Act, $12,600,000 is appropriated to the Common Fund from the 10-year Pediatric Research Initiative Fund described in section 9008 of title 26, United States Code, for the purpose of carrying out section 402(b)(7)(B)(ii) of the PHS Act (relating to pediatric research), as authorized in the Gabriella Miller Kids First Research Act.

BUILDINGS AND FACILITIES

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, $128,863,000, to remain available through September 30, 2020.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, $1,133,948,000: *Provided*, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: *Provided further*, That in addition to amounts provided herein, $21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: *Provided further*, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated in this Act for fiscal year 2016: *Provided further*, That of the amount appropriated under this heading, $46,887,000 shall be for the National Child Traumatic Stress Initiative as described in section 582 of the PHS Act: *Provided further*, That notwithstanding section 565(b)(1) of the PHS Act, technical assistance may be provided to a public entity to establish or operate a system of comprehensive community

mental health services to children with a serious emotional disturbance, without regard to whether the public entity receives a grant under section 561(a) of such Act: *Provided further*, That States shall expend at least 10 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset: *Provided further*, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act: *Provided further*, That of the funds made available under this heading, $15,000,000 shall be to carry out section 224 of the Protecting Access to Medicare Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22 note).

SUBSTANCE ABUSE TREATMENT

For carrying out titles III, V, and XIX of the PHS Act with respect to substance abuse treatment and section 1922(a) of the PHS Act with respect to substance abuse prevention, $2,114,224,000: *Provided*, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) $2,000,000 to evaluate substance abuse treatment programs: *Provided further*, That none of the funds provided for section 1921 of the PHS Act shall be subject to section 241 of such Act.

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, $211,219,000.

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings ''Mental Health'', ''Substance Abuse Treatment'', and ''Substance Abuse Prevention'' in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, $174,878,000: *Provided*, That in addition to amounts provided herein, $31,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: *Provided further*, That, in addition, fees may be collected for the costs of publications, data, data tabulations, and data analysis completed under title V of the PHS Act and provided to a public or private entity upon request, which shall be credited to this appropriation and shall remain available until expended for such purposes: *Provided further*, That amounts made available in this Act for carrying out section 501(m) of the PHS Act shall remain available through September 30, 2017: *Provided further*, That funds made available under this heading may be used to supplement program support funding provided under the headings ''Mental Health'', ''Substance Abuse Treatment'', and ''Substance Abuse Prevention''.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, $334,000,000: *Provided*, That section 947(c) of the PHS Act shall not apply in fiscal year 2016: *Provided further*, That in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2017.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $243,545,410,000, to remain available until expended.

For making, after May 31, 2016, payments to States under title XIX or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the last quarter of fiscal year 2016 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2017, $115,582,502,000, to remain available until expended.

Payment under such title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D–16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $283,171,800,000.

In addition, for making matching payments under section 1844 and benefit payments under section 1860D–16 of the Social Security Act that were not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare and Medicaid Services, not to exceed $3,669,744,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 302 of the Tax Relief and Health Care Act of 2006; and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until September 30, 2021: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further*, That the Secretary is directed to collect fees in fiscal year 2016 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $681,000,000, to remain available through September 30, 2017, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which $486,120,000 shall be for the Medicare Integrity Program at the Centers for Medicare and Medicaid Services, including administrative costs, to conduct oversight activities for Medicare Advantage under Part C and the Medicare Prescription Drug Program under Part D of the Social Security Act and for activities described in section 1893(b) of such Act, of which $67,200,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, of which $67,200,000 shall be for the Medicaid and Children's Health Insurance Program (''CHIP'') program integrity activities, and of which $60,480,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: *Provided*, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2016 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation: *Provided further*, That of the amount provided under this heading, $311,000,000 is provided to meet the terms of section 251(b)(2)(C)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $370,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(C) of such Act: *Provided further*, That the Secretary shall support the full cost of the Senior Medicare Patrol program to combat health care fraud and abuse from the funds provided to this account.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For carrying out, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, $2,944,906,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2017, $1,300,000,000, to remain available until expended.

For carrying out, after May 31 of the current fiscal year, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low Income Home Energy Assistance Act of 1981, $3,390,304,000: *Provided*, That all but $491,000,000 of this amount shall be allocated as though the total appropriation for such payments for fiscal year 2016 was less than $1,975,000,000: *Provided further*, That notwithstanding section 2609A(a), of the amounts appropriated under section 2602(b), not more than $2,988,000 of such amounts may be reserved by the Secretary for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as nonprofit organizations.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, and for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Trafficking Victims Protection Act of 2000 (''TVPA''), section 203 of the Trafficking Victims Protection Reauthorization Act of 2005, and the Torture Victims Relief Act of 1998, $1,674,691,000, of which $1,645,201,000 shall remain available through September 30, 2018 for carrying out such sections 414, 501, 462, and 235: *Provided*, That amounts available under this heading to carry out such section 203 and the TVPA shall also be available for research and evaluation with respect to activities under those authorities: *Provided further*, That the limitation in section 205 of this Act regarding transfers increasing any appropriation shall apply to transfers to appropriations under this heading by substituting ''10 percent'' for ''3 percent''.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 2014 (''CCDBG Act''), $2,761,000,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: *Provided*, That, in addition to the amounts required to be reserved by the States under section 658G of the CCDBG Act, $127,206,000 shall be for activities that improve the quality of infant and toddler care: *Provided further*, That technical assistance under section 658I(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements: *Provided further*, That all funds made available to carry out section 418 of the Social Security Act (42 U.S.C. 618), including funds appropriated for that purpose in such section 418 or any other provision of law, shall be subject to the reservation of funds authority in paragraphs (4) and (5) of section 658O(a) of the CCDBG Act.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: *Provided*, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX–A of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), part B–1 of title IV and sections 429, 473A, 477(i), 1110, 1114A, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act (''CSBG Act''), and the Assets for Independence Act; for necessary administrative expenses to carry out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social Security Act, the Act of July 5, 1960, the Low Income Home Energy Assistance Act of 1981, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; and for the administration of prior year obligations made by the Administration for Children and Families under the Developmental Disabilities Assistance and Bill of Rights Act and the Help America Vote Act of 2002, $10,984,268,000, of which $37,943,000, to remain available through September 30, 2017, shall be for grants to States for adoption and legal guardianship incentive payments, as defined by section 473A of the Social Security Act and may be made for adoptions completed before September 30, 2016: *Provided*, That $9,168,095,000 shall be for making payments under the Head Start Act: *Provided further*, That of the amount in the previous proviso, $8,214,095,000 shall be available for payments under section 640 of the Head Start Act, of which $141,000,000 shall be available for a cost of living adjustment notwithstanding section 640(a)(3)(A) of such Act: *Provided further*, That notwithstanding such section 640, of the amount in the second preceding proviso, $294,000,000 (of which up to one percent may be reserved for research and evaluation) shall be available through December 31, 2016 for award by the Secretary to grantees that apply for supplemental funding to increase their hours of program operations and for training and technical assistance for such activities: *Provided further*, That of the amount provided for making payments under the Head Start Act, $25,000,000 shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of such Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Provided further*, That notwithstanding such section 640, of the amount provided for making payments under the Head Start Act, and in addition to funds otherwise available under such section 640 for such purposes, $635,000,000 shall be available through March 31, 2017 for Early Head Start programs as described in section 645A of such Act, for conversion of Head Start services to Early Head Start services as described in section 645(a)(5)(A) of such Act, for discretionary grants for high quality infant and toddler care through Early Head Start-Child Care Partnerships, to entities defined as eligible under section 645A(d) of such Act, for training and technical assistance for such activities, and for up to $14,000,000 in Federal costs of administration and evaluation, and, notwithstanding section 645A(c)(2) of such Act, these funds are available to serve children under age 4: *Provided further*, That funds described in the preceding two provisos shall not be included in the calculation of ''base grant'' in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of such Act: *Provided further*, That $751,383,000 shall be for making payments under the CSBG Act: *Provided further*, That $36,733,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than $29,883,000 shall be for section 680(a)(2) and not less than $6,500,000 shall be for section 680(a)(3)(B) of such Act: *Provided further*, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the CSBG Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That these procedures shall apply to such grant funds made available after November 29, 1999: *Provided further*, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: *Provided further*, That the Secretary shall issue performance standards for nonprofit organizations receiving funds from State and territorial grantees under the CSBG Act, and such States and territories shall assure the implementation of such standards prior to September 30, 2016, and include information on such implementation in the report required by section 678E(2) of such Act: *Provided further*, That, to the extent funds for the Assets for Independence (AFI) Act provided in this Act are distributed as grant funds to a qualified entity and have not been expended by such entity within 3 years after the date of the award, such funds may be recaptured and, during the fiscal year of such recapture, reallocated among other qualified entities, to remain available to such entities for 5 years: *Provided further*, That $1,864,000 shall be for a human services case management system for federally declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: *Provided further*, That up to $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out, except as otherwise provided, section 436 of the Social Security Act, $345,000,000 and, for carrying out, except as otherwise provided, section 437 of such Act, $59,765,000.

PAYMENTS FOR FOSTER CARE AND PERMANENCY

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, $5,298,000,000.

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, for the first quarter of fiscal year 2017, $2,300,000,000.

For carrying out, after May 31 of the current fiscal year, except as otherwise provided, section 474 of title IV–E of the Social Security Act, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION FOR COMMUNITY LIVING

AGING AND DISABILITY SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 (''OAA''), titles III and XXIX of the PHS Act, sections 1252 and 1253 of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX–B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, the Assistive Technology Act of 1998, titles II and VII (and section 14 with respect to such titles) of the Rehabilitation Act of 1973 , and for Department-wide coordination of policy and program activities that assist individuals with disabilities, $1,912,735,000, together with $52,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: *Provided*, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion

programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: *Provided further*, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section: *Provided further*, That $2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buydown program; a revolving loan fund; a loan guarantee; or an insurance program: *Provided further*, That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: *Provided further*, That State agencies and community-based disability organizations that are directed by and operated for individuals with disabilities shall be eligible to compete: *Provided further*, That in addition, the unobligated balance of amounts previously made available for the Health Resources and Services Administration to carry out functions under sections 1252 and 1253 of the PHS Act shall be transferred to this account, except for such sums as may be necessary to provide for an orderly transition of such functions to the Administration for Community Living: *Provided further*, That none of the funds made available under this heading may be used by an eligible system (as defined in section 102 of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10802)) to continue to pursue any legal action in a Federal or State court on behalf of an individual or group of individuals with a developmental disability (as defined in section 102(8)(A) of the Developmental Disabilities and Assistance and Bill of Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to a mental impairment (or a combination of mental and physical impairments), that has as the requested remedy the closure of State operated intermediate care facilities for people with intellectual or developmental disabilities, unless reasonable public notice of the action has been provided to such individuals (or, in the case of mental incapacitation, the legal guardians who have been specifically awarded authority by the courts to make healthcare and residential decisions on behalf of such individuals) who are affected by such action, within 90 days of instituting such legal action, which informs such individuals (or such legal guardians) of their legal rights and how to exercise such rights consistent with current Federal Rules of Civil Procedure: *Provided further*, That the limitations in the immediately preceding proviso shall not apply in the case of an individual who is neither competent to consent nor has a legal guardian, nor shall the proviso apply in the case of individuals who are a ward of the State or subject to public guardianship.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $456,009,000, together with $64,828,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: *Provided*, That of this amount, $53,900,000 shall be for minority AIDS prevention and treatment activities: *Provided further*, That of the funds made available under this heading, $101,000,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not more than 10 percent of the available funds shall be for training and technical assistance, evaluation, outreach, and additional program support activities, and of the remaining amount 75 percent shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, and 25 percent shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: *Provided further*, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, $6,800,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: *Provided further*, That of the funds made available under this heading, $10,000,000 shall be for making competitive grants which exclusively implement education in sexual risk avoidance (defined as voluntarily refraining from nonmarital sexual activity): *Provided further*, That funding for such competitive grants for sexual risk avoidance shall use medically accurate information referenced to peer-reviewed publications by educational, scientific, governmental, or health organizations; implement an evidence-based approach integrating research findings with practical implementation that aligns with the needs and desired outcomes for the intended audience; and teach the benefits associated with self-regulation, success sequencing for poverty prevention, healthy relationships, goal setting, and resisting sexual coercion, dating violence, and other youth risk behaviors such as underage drinking or illicit drug use without normalizing teen sexual activity: *Provided further*, That no more than 10 percent of the funding for such competitive grants for sexual risk avoidance shall be available for technical assistance and administrative costs of such programs: *Provided further*, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: *Provided further*, That such services shall be provided consistent with 42 CFR 59.5(a)(4).

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for the Office of Medicare Hearings and Appeals, $107,381,000, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, $60,367,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $75,000,000: *Provided*, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $38,798,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents' Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, $950,958,000, of which $511,700,000 shall remain available through September 30, 2017, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority: *Provided*, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: *Provided further*, That products purchased with funds provided under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F–2 of the PHS Act: *Provided further*, That $5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2018.

For expenses necessary for procuring security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act), $510,000,000, to remain available until expended.

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, $72,000,000; of which $40,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: *Provided*, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologics, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologics.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 203. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 204. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.5 per-

cent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) and the implementation and effectiveness of programs funded in this title.

(TRANSFER OF FUNDS)

SEC. 205. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 206. In lieu of the timeframe specified in section 338E(c)(2) of the PHS Act, terminations described in such section may occur up to 60 days after the execution of a contract awarded in fiscal year 2016 under section 338B of such Act.

SEC. 207. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 208. Notwithstanding any other provision of law, no provider of services under title X of the PHS Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 209. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 210. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

SEC. 211. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2016:

(1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1980, and 22 U.S.C. 4081 through 4086 and subject to such regulations prescribed by the Secretary. The Secretary is further authorized to provide locality-based comparability payments (stated as a percentage) up to the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such personnel under section 5304 of title 5, United States Code if such personnel's official duty station were in the District of Columbia. Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, or section 903 of the Foreign Service Act of 1980, to individuals serving in the Foreign Service.

(TRANSFER OF FUNDS)

SEC. 213. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 214. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the ''Office of AIDS Research'' account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

SEC. 215. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of NIH (''Director'') may use funds available under section 402(b)(7) or 402(b)(12) of the PHS Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

SEC. 216. Not to exceed $45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed $3,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 217. Of the amounts made available for NIH, 1 percent of the amount made available for National Research Service Awards (''NRSA'') shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under sections 736, 739, or 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

SEC. 218. In addition to amounts provided herein, payments made for research organisms or substances, authorized under section 301(a) of the PHS Act, shall be retained and credited to the appropriations accounts of the Institutes and Centers of the NIH making the substance or organism available under section 301(a). Amounts credited to the account under this authority shall be available for obligation through September 30, 2017.

SEC. 219. (a) The Biomedical Advanced Research and Development Authority (''BARDA'') may enter into a contract, for more than one but no more than 10 program years, for purchase of research services or of security countermeasures, as that term is defined in section 319F–2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)), if—

(1) funds are available and obligated—

(A) for the full period of the contract or for the first fiscal year in which the contract is in effect; and

(B) for the estimated costs associated with a necessary termination of the contract; and

(2) the Secretary determines that a multiyear contract will serve the best interests of the Federal Government by encouraging full and open competition or promoting economy in administration, performance, and operation of BARDA's programs.

(b) A contract entered into under this section—

(1) shall include a termination clause as described by subsection (c) of section 3903 of title 41, United States Code; and

(2) shall be subject to the congressional notice requirement stated in subsection (d) of such section.

SEC. 220. (a) The Secretary shall establish a publicly accessible Web site to provide information regarding the uses of funds made available under section 4002 of the Patient Protection and Affordable Care Act of 2010 (''ACA'').

(b) With respect to funds provided under section 4002 of the ACA, the Secretary shall include on the Web site established under subsection (a) at a minimum the following information:

(1) In the case of each transfer of funds under section 4002(c), a statement indicating the program or activity receiving funds, the operating division or office that will administer the funds, and the planned uses of the funds, to be posted not later than the day after the transfer is made.

(2) Identification (along with a link to the full text) of each funding opportunity announcement, request for proposals, or other announcement or solicitation of proposals for grants, cooperative agreements, or contracts intended to be awarded using such funds, to be posted not later than the day after the announcement or solicitation is issued.

(3) Identification of each grant, cooperative agreement, or contract with a value of $25,000 or more awarded using such funds, including the purpose of the award and the identity of the recipient, to be posted not later than 5 days after the award is made.

(4) A report detailing the uses of all funds transferred under section 4002(c) during the fiscal year, to be posted not later than 90 days after the end of the fiscal year.

(c) With respect to awards made in fiscal years 2013 through 2016, the Secretary shall also include on the Web site established under subsection (a), semi-annual reports from each entity awarded a grant, cooperative agreement, or contract from such funds with a value of $25,000 or more, summarizing the activities undertaken and identifying any sub-grants or sub-contracts awarded (including the purpose of the award and the identity of the recipient), to be posted not later than 30 days after the end of each 6-month period.

(d) In carrying out this section, the Secretary shall—

(1) present the information required in subsection (b)(1) on a single webpage or on a single database;

(2) ensure that all information required in this section is directly accessible from the single webpage or database; and

(3) ensure that all information required in this section is able to be organized by program or State.

(TRANSFER OF FUNDS)

SEC. 221. (a) Within 45 days of enactment of this Act, the Secretary shall transfer funds appropriated under section 4002 of the ACA to the accounts specified, in the amounts specified, and for the activities specified under the heading ''Prevention and Public Health Fund'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(b) Notwithstanding section 4002(c) of the ACA, the Secretary may not further transfer these amounts.

(c) Funds transferred for activities authorized under section 2821 of the PHS Act shall be made available without reference to section 2821(b) of such Act.

SEC. 222. (a) The Secretary shall publish in the fiscal year 2017 budget justification and on Departmental Web sites information concerning the employment of full-time equivalent Federal employees or contractors for the purposes of implementing, administering, enforcing, or otherwise carrying out the provisions of the ACA, and the amendments made by that Act, in the proposed fiscal year and each fiscal year since the enactment of the ACA.

(b) With respect to employees or contractors supported by all funds appropriated for purposes of carrying out the ACA (and the amendments made by that Act), the Secretary shall include, at a minimum, the following information:

(1) For each such fiscal year, the section of such Act under which such funds were appropriated, a statement indicating the program, project, or activity receiving such funds, the Federal operating division or office that administers such program, and the amount of funding received in discretionary or mandatory appropriations.

(2) For each such fiscal year, the number of full-time equivalent employees or contracted employees assigned to each authorized and funded provision detailed in accordance with paragraph (1).

(c) In carrying out this section, the Secretary may exclude from the report employees or contractors who—

(1) are supported through appropriations enacted in laws other than the ACA and work on programs that existed prior to the passage of the ACA;

(2) spend less than 50 percent of their time on activities funded by or newly authorized in the ACA; or

(3) work on contracts for which FTE reporting is not a requirement of their contract, such as fixed-price contracts.

SEC. 223. The Secretary shall publish, as part of the fiscal year 2017 budget of the President submitted under section 1105(a) of title 31, United States Code, information that details the uses of all funds used by the Centers for Medicare and Medicaid Services specifically for Health Insurance Exchanges for each fiscal year since the enactment of the ACA and the proposed uses for such funds for fiscal year 2017. Such information shall include, for each such fiscal year, the amount of funds used for each activity specified under the heading ''Health Insurance Exchange Transparency'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 224. (a) The Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate:

(1) Detailed monthly enrollment figures from the Exchanges established under the Patient Protection and Affordable Care Act of 2010 pertaining to enrollments during the open enrollment period; and

(2) Notification of any new or competitive grant awards, including supplements, authorized under section 330 of the Public Health Service Act.

(b) The Committees on Appropriations of the House and Senate must be notified at least 2 business days in advance of any public release of enrollment information or the award of such grants.

SEC. 225. None of the funds made available by this Act from the Federal Hospital Insurance Trust Fund or the Federal Supplemental Medical Insurance Trust Fund, or transferred from other accounts funded by this Act to the ''Centers for Medicare and Medicaid Services—Program Management'' account, may be used for payments under section 1342(b)(1) of Public Law 111–148 (relating to risk corridors).

SEC. 226. In addition to the amounts otherwise available for ''Centers for Medicare and Medicaid Services, Program Management'', the Secretary of Health and Human Services may transfer up to $305,000,000 to such account from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to support program management activity related to the Medicare Program: *Provided*, That except for the foregoing purpose, such funds may not be used to support any provision of Public Law 111–148 or Public Law 111–152 (or any amendment made by either such Public Law) or to supplant any other amounts within such account.

(RESCISSION)

SEC. 227. The following unobligated balances of amounts appropriated prior to fiscal year 2007 for ''Department of Health and Human Services, Health Resources and Services Administration'' are hereby permanently rescinded:

(1) $281,003 appropriated to carry out section 1610(b) of the PHS Act;

(2) $3,611 appropriated to carry out section 1602(c) of the PHS Act;

(3) $105,576 appropriated in section 167 of division H of Public Law 108–199; and

(4) $55,793 appropriated to carry out the National Cord Blood Stem Cell Bank Program.

SEC. 228. The Secretary shall include in the fiscal year 2017 budget justification an analysis of how section 2713 of the PHS Act will impact eligibility for discretionary HHS programs.

SEC. 229. Effective during the period beginning on November 1, 2015 and ending January 1, 2018, any provision of law that refers (including through cross-reference to another provision of law) to the current recommendations of the United States Preventive Services Task Force with respect to breast cancer screening, mammography, and prevention shall be administered by the Secretary involved as if—

(1) such reference to such current recommendations were a reference to the recommendations of such Task Force with respect to breast cancer screening, mammography, and prevention last issued before 2009; and

(2) such recommendations last issued before 2009 applied to any screening mammography modality under section 1861(jj) of the Social Security Act (42 U.S.C. 1395x(jj)).

(TRANSFER OF FUNDS)

SEC. 230. (a) IN GENERAL.—Subject to the succeeding provisions of this section, activities authorized under part A of title IV and section 1108(b) of the Social Security Act shall continue through September 30, 2016, in the manner authorized for fiscal year 2015, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through September 30, 2016 at the level provided for such activities for fiscal year 2015, except as provided in subsection (b).

(b) CONTINGENCY FUND.—In the case of the Contingency Fund for State Welfare Programs established under section 403(b) of the Social Security Act—

(1) the amount appropriated for such section 403(b) shall be $608,000,000 for each of fiscal years 2016 and 2017, notwithstanding section 228(b)(1) of the Department of Health and Human Services Appropriations Act, 2015;

(2) the requirement to reserve funds provided for in section 403(b)(2) of the Social Security Act shall not apply during fiscal years 2016 and 2017; and

(3) grants and payments may only be made from such Fund for fiscal year 2016 after the application of subsection (c).

(c) CENSUS RESEARCH AND WELFARE RESEARCH.—Of the amount made available under subsection (b)(1) for section 403(b) of the Social Security Act for fiscal year 2016—

(1) $15,000,000 is hereby transferred to the Children's Research and Technical Assistance account in the Administration for Children and Families at the Department of Health and Human Services and made available to carry out section 413(h) of the Social Security Act; and

(2) $10,000,000 is hereby transferred and made available to the Bureau of the Census to conduct activities using the Survey of Income and Program Participation to obtain information to enable interested parties to evaluate the impact of the amendments made by title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

SEC. 231. Section 1886(m)(6) of the Social Security Act (42 U.S.C. 1395ww(m)(6)) is amended—

(1) in subparagraph (A)(i) by striking ''subparagraph (C)'' and inserting ''subparagraphs (C) and (E)''; and

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

''(E) TEMPORARY EXCEPTION FOR CERTAIN SEVERE WOUND DISCHARGES FROM CERTAIN LONG-TERM CARE HOSPITALS.—

''(i) IN GENERAL.—In the case of a discharge occurring prior to January 1, 2017, subparagraph (A)(i) shall not apply (and payment shall be made to a long-term care hospital without regard to this paragraph) if such discharge—

''(I) is from a long-term care hospital that is—

''(aa) identified by the amendment made by section 4417(a) of the Balanced Budget Act of 1997 (42 U.S.C. 1395ww note, Public Law 105–33); and

''(bb) located in a rural area (as defined in subsection (d)(2)(D)) or treated as being so located pursuant to subsection (d)(8)(E); and

''(II) the individual discharged has a severe wound.

''(ii) SEVERE WOUND DEFINED.—In this subparagraph, the term 'severe wound' means a stage 3 wound, stage 4 wound, unstageable wound, non-healing surgical wound, infected wound, fistula, osteomyelitis, or wound with morbid obesity, as identified in the claim from the long-term care hospital.''.

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 2016''.

## TITLE III

## DEPARTMENT OF EDUCATION

### EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (referred to in this Act as ''ESEA'') and section 418A of the Higher Education Act of 1965 (referred to in this Act as ''HEA''), $16,016,790,000, of which $5,127,006,000 shall become available on July 1, 2016, and shall remain available through September 30, 2017, and of which $10,841,177,000 shall become available on October 1, 2016, and shall remain available through September 30, 2017, for academic year 2016–2017: *Provided*, That $6,459,401,000 shall be for basic grants under section 1124 of the ESEA: *Provided further*, That up to $3,984,000 of these funds shall be available to the Secretary of Education (referred to in this title as ''Secretary'') on October 1, 2015, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: *Provided further*, That $1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: *Provided further*, That $3,544,050,000 shall be for targeted grants under section 1125 of the ESEA: *Provided further*, That $3,544,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: *Provided further*, That funds available under sections 1124, 1124A, 1125 and 1125A of the ESEA may be used to provide homeless children and youths with services not ordinarily provided to other students under those sections, including supporting the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act, and providing transportation pursuant to section 722(g)(1)(J)(iii) of such Act: *Provided further*, That $450,000,000 shall be available for school improvement grants under section 1003(g) of the ESEA, which shall be allocated by the Secretary through the formula described in section 1003(g)(2) and shall be used consistent with the requirements of section 1003(g), except that State and local educational agencies may use such funds to serve any school eligible to receive assistance under part A of title I that has not made adequate yearly progress for at least 2 years or is in the State's lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent: *Provided further*, That notwithstanding section 1003(g)(5)(C) of the ESEA, the Secretary may permit a State educational agency to establish an award period of up to 5 years for each participating local educational agency: *Provided further*, That funds available for school improvement grants for fiscal year 2014 and thereafter may be used by a local educational agency to implement a whole-school reform strategy for a school using an evidence-based strategy that ensures whole-school reform is undertaken in partnership with a strategy developer offering a whole-school reform program that is based on at least a moderate level of evidence that the program will have a statistically significant effect on student outcomes, including at least one well-designed and well-implemented experimental or quasi-experimental study: *Provided further*, That funds available for school improvement grants may be used by a local educational agency to implement an alternative State-determined school improvement strategy that has been established by a State educational agency with the approval of the Secretary: *Provided further*, That a local educational agency that is determined to be eligible for services under subpart 1 or 2 of part B of title VI of the ESEA may modify not more than one element of a school improvement grant model: *Provided further*, That notwithstanding section 1003(g)(5)(A), each State educational agency may establish a maximum subgrant size of not more than $2,000,000 for each participating school applicable to such funds: *Provided further*, That the Secretary may reserve up to 5 percent of the funds available for section 1003(g) of the ESEA to carry out activities to build State and local educational agency capacity to implement effectively the school improvement grants program: *Provided further*, That $190,000,000 shall be available under section 1502 of the ESEA for a comprehensive literacy development and education program to advance literacy skills, including pre-literacy skills, reading, and writing, for students from birth through grade 12, including limited-English-proficient students and students with disabilities, of which one-half of 1 percent shall be reserved for the Secretary of the Interior for such a program at schools funded by the Bureau of Indian Education, one-half of 1 percent shall be reserved for grants to the outlying areas for such a program, up to 5 percent may be reserved for national activities, and the remainder shall be used to award competitive grants to State educational agencies for such a program, of which a State educational agency may reserve up to 5 percent for State leadership activities, including technical assistance and training, data collection, reporting, and administration, and shall subgrant not less than 95 percent to local educational agencies or, in the case of early literacy, to local educational agencies or other nonprofit providers of early childhood education that partner with a public or private nonprofit organization or agency with a demonstrated record of effectiveness in improving the early literacy development of children from birth through kindergarten entry and in providing professional development in early literacy, giving priority to such agencies or other entities serving greater numbers or percentages of disadvantaged children: *Provided further*, That the State educational agency shall ensure that at least 15 percent of the subgranted funds are used to serve children from birth through age 5, 40 percent are used to serve students in kindergarten through grade 5, and 40 percent are used to serve students in middle and high school including an equitable distribution of funds between middle and high schools: *Provided further*, That eligible entities receiving subgrants from State educational agencies shall use such funds for services and activities that have the characteristics of effective literacy instruction through professional development, screening and assessment, targeted interventions for students reading below grade level and other research-based methods of improving classroom instruction and practice: *Provided further*, That $44,623,000 shall be for carrying out section 418A of the HEA.

### IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the ESEA, $1,305,603,000, of which $1,168,233,000 shall be for basic support payments under section 8003(b), $48,316,000 shall be for payments for children with disabilities under section 8003(d), $17,406,000 shall be for construction under section 8007(a), $66,813,000 shall be for Federal property payments under section 8002, and $4,835,000, to remain available until expended, shall be for facilities maintenance under section 8008: *Provided*, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) for school year 2015–2016, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

### SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by parts A and B of title II, part B of title IV, parts A and B of title VI, and parts B and C of title VII of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $4,433,629,000, of which $2,611,619,000 shall become available on July 1, 2016, and remain available through September 30, 2017, and of which $1,681,441,000 shall become available on October 1, 2016, and shall remain available through September 30, 2017, for academic year 2016–2017: *Provided*, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: *Provided further*, That funds made available to carry out part C of title VII of the ESEA shall be awarded on a competitive basis, and also may be used for construction: *Provided further*, That $51,445,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002 and the Secretary shall make such arrangements as determined to be necessary to ensure that the Bureau of Indian Education has access to services provided under this section: *Provided further*, That $16,699,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: *Provided further*, That the Secretary may reserve up to 5 percent of the amount referred to in the previous proviso to provide

technical assistance in the implementation of these grants: *Provided further*, That up to 4.0 percent of the funds for subpart 1 of part A of title II of the ESEA shall be reserved by the Secretary for competitive awards for teacher or principal recruitment and training or professional enhancement activities, including for civic education instruction, to national not-for-profit organizations, of which up to 8 percent may only be used for research, dissemination, evaluation, and technical assistance for competitive awards carried out under this proviso: *Provided further*, That $152,717,000 shall be to carry out part B of title II of the ESEA: *Provided further*, That none of the funds made available by this Act shall be used to allow 21st Century Community Learning Centers initiative funding for expanded learning time unless these activities provide enrichment and engaging academic activities for students at least 300 additional program hours before, during, or after the traditional school day and supplements but does not supplant school day requirements.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the ESEA, $143,939,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V of the ESEA, and section 14007 of division A of the American Recovery and Reinvestment Act of 2009, as amended, $1,181,226,000: *Provided*, That up to $120,000,000 shall be available through December 31, 2016 for section 14007 of division A of Public Law 111–5, and up to 5 percent of such funds may be used for technical assistance and the evaluation of activities carried out under such section: *Provided further*, That the education facilities clearinghouse established through a competitive process in fiscal year 2013 may collect and disseminate information on effective educational practices and the latest research on the planning, design, financing, construction, improvement, operation, and maintenance of safe, healthy, high-performance public facilities for early learning programs, kindergarten through grade 12, and higher education: *Provided further*, That $230,000,000 of the funds for subpart 1 of part D of title V of the ESEA shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of: (1) a local educational agency, a State, or both; and (2) at least one nonprofit organization to develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools: *Provided further*, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: *Provided further*, That recipients of such grants shall demonstrate that such performance-based compensation systems are developed with the input of teachers and school leaders in the schools and local educational agencies to be served by the grant: *Provided further*, That recipients of such grants may use such funds to develop or improve systems and tools (which may be developed and used for the entire local educational agency or only for schools served under the grant) that would enhance the quality and success of the compensation system, such as high-quality teacher evaluations and tools to measure growth in student achievement: *Provided further*, That applications for such grants shall include a plan to sustain financially the activities conducted and systems developed under the grant once the grant period has expired: *Provided further*, That up to 5 percent of such funds for competitive grants shall be available for technical assistance, training, peer review of applications, program outreach, and evaluation activities: *Provided further*, That $250,000,000 of the funds for part D of title V of the ESEA shall be available through December 31, 2016 for carrying out, in accordance with the applicable requirements of part D of title V of the ESEA, a preschool development grants program: *Provided further*, That the Secretary, jointly with the Secretary of HHS, shall make competitive awards to States for activities that build the capacity within the State to develop, enhance, or expand high-quality preschool programs, including comprehensive services and family engagement, for preschool-aged children from families at or below 200 percent of the Federal poverty line: *Provided further*, That each State may subgrant a portion of such grant funds to local educational agencies and other early learning providers (including, but not limited to, Head Start programs and licensed child care providers), or consortia thereof, for the implementation of high-quality preschool programs for children from families at or below 200 percent of the Federal poverty line: *Provided further*, That subgrantees that are local educational agencies shall form strong partnerships with early learning providers and that subgrantees that are early learning providers shall form strong partnerships with local educational agencies, in order to carry out the requirements of the subgrant: *Provided further*, That up to 3 percent of such funds for preschool development grants shall be available for technical assistance, evaluation, and other national activities related to such grants: *Provided further*, That $10,000,000 of funds available under part D of title V of the ESEA shall be for the Full-Service Community Schools program: *Provided further*, That of the funds available for part B of title V of the ESEA, the Secretary shall use up to $10,000,000 to carry out activities under section 5205(b) and shall use not less than $16,000,000 for subpart 2: *Provided further*, That of the funds available for subpart 1 of part B of title V of the ESEA, and notwithstanding section 5205(a), the Secretary shall reserve up to $100,000,000 to make multiple awards to non-profit charter management organizations and other entities that are not for-profit entities for the replication and expansion of successful charter school models and shall reserve not less than $11,000,000 to carry out the activities described in section 5205(a), including improving quality and oversight of charter schools and providing technical assistance and grants to authorized public chartering agencies in order to increase the number of high-performing charter schools: *Provided further*, That funds available for part B of title V of the ESEA may be used for grants that support preschool education in charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall describe a plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include evaluation, planning, training, and systems development for staff of authorized public chartering agencies to improve the capacity of such agencies in the State to authorize, monitor, and hold accountable charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall contain assurances that State law, regulations, or other policies require that: (1) each authorized charter school in the State operate under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the rights and responsibilities of the school and the public chartering agency; conduct annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and demonstrate improved student academic achievement; and (2) authorized public chartering agencies use increases in student academic achievement for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA as one of the most important factors when determining to renew or revoke a school's charter.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by part A of title IV and subparts 1, 2, and 10 of part D of title V of the ESEA, $244,815,000: *Provided*, That $75,000,000 shall be available for subpart 2 of part A of title IV, of which up to $5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence (''Project SERV'') program to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis: *Provided further*, That $73,254,000 shall be available through December 31, 2016 for Promise Neighborhoods.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $737,400,000, which shall become available on July 1, 2016, and shall remain available through September 30, 2017, except that 6.5 percent of such amount shall be available on October 1, 2015, and shall remain available through September 30, 2017, to carry out activities under section 3111(c)(1)(C): *Provided*, That the Secretary shall use estimates of the American Community Survey child counts for the most recent 3-year period available to calculate allocations under such part.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport and Empowerment Act of 2004, $12,976,858,000, of which $3,456,259,000 shall become available on July 1, 2016, and shall remain available through September 30, 2017, and of which $9,283,383,000 shall become available on October 1, 2016, and shall remain available through September 30, 2017, for academic year 2016–2017: *Provided*, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2015, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2015: *Provided further*, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States' relative populations of those children who are living in poverty: *Provided further*, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: *Provided further*, That the States shall allocate such funds dis-

tributed under the second proviso to local educational agencies in accordance with section 611(f): *Provided further*, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: *Provided further*, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State's allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed five, until the entire reduction is applied: *Provided further*, That the Secretary may, in any fiscal year in which a State's allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction: *Provided further*, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a): *Provided further*, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: *Provided further*, That the level of effort a local educational agency must meet under section 613(a)(2)(A)(iii) of the IDEA, in the year after it fails to maintain effort is the level of effort that would have been required in the absence of that failure and not the LEA's reduced level of expenditures: *Provided further*, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973 and the Helen Keller National Center Act, $3,529,605,000, of which $3,391,770,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: *Provided*, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallotment of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at improving the outcomes of individuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act, including activities aimed at improving the education and post-school outcomes of children receiving Supplemental Security Income (''SSI'') and their families that may result in long-term improvement in the SSI child recipient's economic status and self-sufficiency: *Provided further*, That States may award subgrants for a portion of the funds to other public and private, nonprofit entities: *Provided further*, That any funds made available subsequent to reallotment for innovative activities aimed at improving the outcomes of individuals with disabilities shall remain available until September 30, 2017.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, $25,431,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, $70,016,000: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, $121,275,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act (''AEFLA''), $1,720,686,000, of which $929,686,000 shall become available on July 1, 2016, and shall remain available through September 30, 2017, and of which $791,000,000 shall become available on October 1, 2016, and shall remain available through September 30, 2017: *Provided*, That of the amounts made available for AEFLA, $13,712,000 shall be for national leadership activities under section 242.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 10 of part A, and part C of title IV of the HEA, $24,198,210,000, which shall remain available through September 30, 2017.

The maximum Pell Grant for which a student shall be eligible during award year 2016–2017 shall be $4,860.

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, and subpart 1 of part A of title VII of the Public Health Service Act, $1,551,854,000, to remain available through September 30, 2017: *Provided*, That the Secretary shall, no later than March 1, 2016, allocate new student loan borrower accounts to eligible student loan servicers on the basis of their performance compared to all loan servicers utilizing established common metrics, and on the basis of the capacity of each servicer to process new and existing accounts.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, and VII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, $1,982,185,000: *Provided*, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: *Provided further*, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: *Provided further*, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evaluation.

HOWARD UNIVERSITY

For partial support of Howard University, $221,821,000, of which not less than $3,405,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, $435,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, $20,150,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2017: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $302,099,000: *Provided further*, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, $334,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $618,015,000, which shall remain available through September 30, 2017: *Provided*, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: *Provided further*, That up to $6,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels: *Provided further*, That $157,235,000 shall be for carrying out activities authorized by the National Assessment of Educational Progress Authorization Act.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $432,000,000, of which up to $1,000,000, to remain available until expended, may be for relocation of, and renovation of buildings occupied by, Department staff.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of

the Department of Education Organization Act, $107,000,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, $59,256,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing, or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 305. The Outlying Areas may consolidate funds received under this Act, pursuant to 48 U.S.C. 1469a, under part A of title V of the ESEA.

SEC. 306. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting ''2016'' for ''2009''.

SEC. 307. The Secretary, in consultation with the Director of the Institute of Education Sciences, may reserve funds under section 9601 of the ESEA (subject to the limitations in subsections (b) and (c) of that section) in order to carry out activities authorized under paragraphs (1) and (2) of subsection (a) of that section with respect to any ESEA program funded in this Act and without respect to the source of funds for those activities: *Provided*, That high-quality evaluations of ESEA programs shall be prioritized, before using funds for any other evaluation activities: *Provided further*, That any funds reserved under this section shall be available from July 1, 2016 through September 30, 2017: *Provided further*, That not later than 10 days prior to the initial obligation of funds reserved under this section, the Secretary, in consultation with the Director, shall submit an evaluation plan to the Senate Committees on Appropriations and Health, Education, Labor, and Pensions and the House Committees on Appropriations and Education and the Workforce which identifies the source and amount of funds reserved under this section, the impact on program grantees if funds are withheld, the programs to be evaluated with such funds, how ESEA programs will be regularly evaluated, and how findings from evaluations completed under this section will be widely disseminated.

SEC. 308. (a) An institution of higher education that maintains an endowment fund supported with funds appropriated for title III or V of the HEA for fiscal year 2016 may use the income from that fund to award scholarships to students, subject to the limitation in section 331(c)(3)(B)(i) of the HEA. The use of such income for such purposes, prior to the enactment of this Act, shall be considered to have been an allowable use of that income, subject to that limitation.

(b) Subsection (a) shall be in effect until titles III and V of the HEA are reauthorized.

SEC. 309. Section 114(f) of the HEA (20 U.S.C. 1011c(f)) is amended by striking ''2015'' and inserting ''2016''.

SEC. 310. Section 458(a) of the HEA (20 U.S.C. 1087h(a)) is amended in paragraph (4) by striking ''2014'' and inserting ''2016''.

SEC. 311. Section 428(c)(1) of the HEA (20 U.S.C. 1078(c)(1)) is amended by striking ''95 percent'' and inserting ''100 percent''.

SEC. 312. Notwithstanding section 5(b) of the Every Student Succeeds Act, funds provided in this Act for non-competitive formula grant programs authorized by the ESEA for use during academic year 2016–2017 shall be administered in accordance with the ESEA as in effect on the day before the date of enactment of the Every Student Succeeds Act.

SEC. 313. CAREER PATHWAYS PROGRAMS.—

(1) Subsection (d) of section 484 of the HEA is amended by replacing (d)(2) with the following:

''(2) ELIGIBLE CAREER PATHWAY PROGRAM.—In this subsection, the term 'eligible career pathway program' means a program that combines rigorous and high-quality education, training, and other services that—

''(A) aligns with the skill needs of industries in the economy of the State or regional economy involved;

''(B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an 'apprenticeship', except in section 171);

''(C) includes counseling to support an individual in achieving the individual's education and career goals;

''(D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

''(E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;

''(F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and

''(G) helps an individual enter or advance within a specific occupation or occupational cluster.''.

(2) Subsection (b) of section 401 of the HEA is amended by striking the addition to (b)(2)(A)(ii) made by subsection 309(b) of division G of Public Law 113–235.

This title may be cited as the ''Department of Education Appropriations Act, 2016''.

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled established under section 8502 of title 41, United States Code, $6,191,000: *Provided*, That in order to authorize any central nonprofit agency designated pursuant to section 8503(c) of title 41, United States Code, to perform contract requirements of the Committee as prescribed under section 51–3.2 of title 41, Code of Federal Regulations, the Committee shall within 180 days after the date of enactment of this Act enter into a written agreement with any such central nonprofit agency: *Provided further*, That such agreement entered into under the preceding proviso shall contain such auditing, oversight, and reporting provisions as necessary to implement chapter 85 of title 41, United States Code: *Provided further*, That such agreement shall include the elements listed under the heading ''Committee For Purchase From People Who Are Blind or Severely Disabled—Written Agreement Elements'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That after 180 days from the date of enactment of this Act a fee may not be charged under section 51–3.5 of title 41, Code of Federal Regulations, unless such fee is under the terms of the written agreement between the Committee and any such central nonprofit agency: *Provided further*, That no less than $750,000 shall be available for the Office of Inspector General.

ADMINISTRATIVE PROVISIONS

SEC. 401. (a) Section 8G of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''the Committee for Purchase From People Who Are Blind or Severely Disabled,'' after ''the Board for International Broadcasting,''; and

(B) in paragraph (4)—

(i) by redesignating subparagraphs (D) through (H) as subparagraphs (E) through (I), respectively; and

(ii) by inserting after subparagraph (C) the following new subparagraph:

''(D) with respect to the Committee for Purchase From People Who Are Blind or Severely Disabled, such term means the Chairman of the Committee for Purchase From People Who Are Blind or Severely Disabled;''; and

(2) in subsection (e)(1)—

(A) by striking ''board or commission'', the first place it appears, and inserting ''board, chairman of a committee, or commission''; and

(B) by striking ''board or commission'', the second place it appears, and inserting ''board, committee, or commission''.

(b) Not later than 180 days after the date of the enactment of this Act, the Chairman of the Committee for Purchase From People Who Are Blind or Severely Disabled shall appoint an Inspector General for the Committee.

(c) This section, and the amendments made by this section, shall take effect on the date that is 180 days after the date of the enactment of this Act.

SEC. 402. Not later than 30 days after the end of each fiscal year quarter, beginning with the first quarter of fiscal year 2016, the Committee For Purchase From People Who Are Blind or Severely Disabled shall submit to the Committees on Oversight and Government Reform and Education and the Workforce of the House of Representatives, the

Committees on Homeland Security and Governmental Affairs and Health, Education, Labor, and Pensions of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate, the reports described under the heading ''Committee For Purchase From People Who Are Blind or Severely Disabled—Requested Reports'' in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as ''CNCS'') to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as ''1973 Act'') and the National and Community Service Act of 1990 (referred to in this title as ''1990 Act''), $787,929,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: *Provided*, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) $50,000,000 shall be available for expenses to carry out section 198K of the 1990 Act; (3) $16,038,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (4) $30,000,000 shall be available to carry out subtitle E of the 1990 Act; and (5) $3,800,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis: *Provided further*, That for the purposes of carrying out the 1990 Act, satisfying the requirements in section 122(c)(1)(D) may include a determination of need by the local community: *Provided further*, That not to exceed 20 percent of funds made available under section 198K of the 1990 Act may be used for Social Innovation Fund Pilot Program-related performance-based awards for Pay for Success projects and shall remain available through September 30, 2017: *Provided further*, That, with respect to the previous proviso, any funds obligated for such projects shall remain available for disbursement until expended, notwithstanding 31 U.S.C. 1552(a): *Provided further*, That any funds deobligated from projects under section 198K of the 1990 Act shall immediately be available for activities authorized under section 198K of such Act.

PAYMENT TO THE NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

For payment to the National Service Trust established under subtitle D of title I of the 1990 Act, $220,000,000, to remain available until expended: *Provided*, That CNCS may transfer additional funds from the amount provided within ''Operating Expenses'' allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $81,737,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $5,250,000.

ADMINISTRATIVE PROVISIONS

SEC. 403. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2016, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

SEC. 404. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first 3 years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the 1990 Act, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

SEC. 405. Donations made to CNCS under section 196 of the 1990 Act for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitle B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

SEC. 406. In addition to the requirements in section 146(a) of the 1990 Act, use of an educational award for the purpose described in section 148(a)(4) shall be limited to individuals who are veterans as defined under section 101 of the Act.

SEC. 407. For the purpose of carrying out section 189D of the 1990 Act—

(1) entities described in paragraph (a) of such section shall be considered ''qualified entities'' under section 3 of the National Child Protection Act of 1993 (''NCPA''); and

(2) individuals described in such section shall be considered ''volunteers'' under section 3 of NCPA; and

(3) State Commissions on National and Community Service established pursuant to section 178 of the 1990 Act, are authorized to receive criminal history record information, consistent with Public Law 92–544.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting (''CPB''), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2018, $445,000,000: *Provided*, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of CPB: *Provided further*, That none of the funds made available to CPB by this Act shall be used to support the Television Future Fund or any similar purpose.

In addition, for the costs associated with replacing and upgrading the public broadcasting interconnection system, $40,000,000.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service (''Service'') to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, $48,748,000, including up to $400,000 to remain available through September 30, 2017, for activities authorized by the Labor-Management Cooperation Act of 1978: *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, $17,085,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, $230,000,000.

MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, $7,765,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $11,925,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, $3,250,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws,

$274,224,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935, and as amended by the Labor-Management Relations Act, 1947, and as defined in section 3(f) of the Act of June 25, 1938, and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

ADMINISTRATIVE PROVISIONS

SEC. 408. None of the funds provided by this Act or previous Acts making appropriations for the National Labor Relations Board may be used to issue any new administrative directive or regulation that would provide employees any means of voting through any electronic means in an election to determine a representative for the purposes of collective bargaining.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, $13,230,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, $12,639,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $29,000,000, which shall include amounts becoming available in fiscal year 2016 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2017, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board (''Board'') for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $111,225,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: *Provided*, That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: *Provided further*, That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than $8,437,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $11,400,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $46,305,733,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: *Provided further*, That not more than $101,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and remain available through September 30, 2018.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2017, $14,500,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $10,598,945,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: *Provided*, That not less than $2,300,000 shall be for the Social Security Advisory Board: *Provided further*, That, $116,000,000 may be used for the costs associated with conducting continuing disability reviews under titles II and XVI of the Social Security Act and conducting redeterminations of eligibility under title XVI of the Social Security Act: *Provided further*, That the Commissioner may allocate additional funds under this paragraph above the level specified in the previous proviso for such activities but only to reconcile estimated and actual unit costs for conducting such activities and after notifying the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any such reallocation: *Provided further*, That the acquisition of services to conduct and manage representative payee reviews shall be made using full and open competition procedures: *Provided further*, That, $150,000,000, to remain available until expended, shall be for necessary expenses for the renovation and modernization of the Arthur J. Altmeyer Building: *Provided further*, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2016 not needed for fiscal year 2016 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and nonpayroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further*, That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, for the costs associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, $1,426,000,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That, of such amount, $273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $1,153,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: *Provided further*, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104–121 for fiscal years 1996 through 2002.

In addition, $136,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2016 exceed $136,000,000, the amounts shall be available in fiscal year 2017 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $29,787,000, together with not to exceed $75,713,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the ''Limitation on Administrative Expenses'', Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: *Provided*, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any transfer.

TITLE V

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are au-

thorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

(c) The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for ''Federal Mediation and Conciliation Service, Salaries and Expenses''; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for ''National Mediation Board, Salaries and Expenses''.

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 506. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term ''health benefits coverage'' means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

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

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

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term ''health care entity'' includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 508. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term ''human embryo or embryos'' includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 509. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 511. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children's Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 514. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

SEC. 515. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate information that is deliberately false or misleading.

SEC. 516. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2016 that are different than those specified in this Act, the accompanying detailed table in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or the fiscal year 2016 budget request.

SEC. 517. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding $500,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2016, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 518. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 519. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

SEC. 520. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug: *Provided*, That such limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection drug use, and such program is operating in accordance with State and local law.

SEC. 521. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 522. None of the funds made available under this or any other Act, or any prior Appropriations Act, may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, allied organizations, or successors.

SEC. 523. For purposes of carrying out Executive Order 13589, Office of Management and Budget Memorandum M–12–12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:

(1) the operating divisions of HHS shall be considered independent agencies; and

(2) attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.

SEC. 524. Federal agencies funded under this Act shall clearly state within the text, audio, or video used for advertising or educational purposes, including emails or Internet postings, that the communication is printed, published, or produced and disseminated at U.S. taxpayer expense. The funds used by a Federal agency to carry out this requirement shall be derived from amounts made available to the agency for advertising or other communications regarding the programs and activities of the agency.

SEC. 525. (a) Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall—

(1) be designed to improve outcomes for disconnected youth;

(2) include communities that have recently experienced civil unrest; and

(3) involve Federal programs targeted on disconnected youth, or designed to prevent youth from disconnecting from school or work, that provide education, training, employment, and other related social services. Such Pilots shall be governed by the provisions of section 526 of division H of Public Law 113–76, except that in carrying out such Pilots section 526 shall be applied by substituting ''FISCAL YEAR 2016'' for ''FISCAL YEAR 2014'' in the title of subsection (b) and by substituting ''September 30, 2020'' for ''September 30, 2018'' each place it appears.

(b) In addition, Federal agencies may use Federal discretionary funds that are made available in this Act to participate in Performance Partnership Pilots that are being carried out pursuant to the authority provided by section 526 of division H of Public Law 113–76, and section 524 of division G of Public Law 113–235: *Provided*, That new pilots that are being carried out with discretionary funds made available in division G of Public Law 113–235 shall include communities that have recently experienced civil unrest.

SEC. 526. Not later than 30 days after the end of each calendar quarter, beginning with the first quarter of fiscal year 2013, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a quarterly report on the status of balances of appropriations: *Provided*, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the quarterly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.

SEC. 527. Section 2812(d)(2) of the Public Health Service Act (42 U.S.C. 300hh–11(d)(2)) is amended—

(1) by redesignating the three sentences as subparagraphs (A), (B), and (C), respectively, and indenting accordingly;

(2) in subparagraph (A), as so redesignated, by striking ''An'' and inserting ''IN GENERAL.—An'';

(3) in subparagraph (B), as so redesignated, by striking ''With'' and inserting ''APPLICATION TO TRAINING PROGRAMS.—With'';

(4) in subparagraph (C), as so redesignated, by striking ''In'' and inserting ''RESPONSIBILITY OF LABOR SECRETARY.—In''; and

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

''(D) COMPUTATION OF PAY.—In the event of an injury to such an intermittent disaster response appointee, the position of the employee shall be deemed to be 'one which would have afforded employment for substantially a whole year', for purposes of section 8114(d)(2) of such title.

''(E) CONTINUATION OF PAY.—The weekly pay of such an employee shall be deemed to be the hourly pay in effect on the date of the injury multiplied by 40, for purposes of computing benefits under section 8118 of such title.''.

(RESCISSION)

SEC. 528. Of the funds made available for fiscal year 2016 under section 3403 of Public Law 111–148, $15,000,000 are rescinded.

SEC. 529. Amounts deposited or available in the Child Enrollment Contingency Fund from appropriations to the Fund under section 2104(n)(2)(A)(i) of the Social Security Act and the income derived from investment of those funds pursuant to 2104(n)(2)(C) of that Act, shall not be available for obligation in this fiscal year.

(RESCISSION)

SEC. 530. Of any available amounts appropriated under section 108 of Public Law 111–3, as amended, $4,678,500,000 are hereby rescinded.

This division may be cited as the ''Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2016''.

## DIVISION I—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

### TITLE I

### LEGISLATIVE BRANCH

### SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $18,760; the President Pro Tempore of the Senate, $37,520; Majority Leader of the Senate, $39,920; Minority Leader of the Senate, $39,920; Majority Whip of the Senate, $9,980; Minority Whip of the Senate, $9,980; Chairmen of the Majority and Minority Conference Committees, $4,690 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $4,690 for each Chairman; in all, $174,840.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $14,070 for each such Leader; in all, $28,140.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $179,185,311, which shall be paid from this appropriation without regard to the following limitations:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $2,417,248.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $723,466.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $5,255,576.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $3,359,424.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $15,142,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,658,000 for each such committee; in all, $3,316,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $817,402.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,692,905 for each such committee; in all, $3,385,810.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $436,886.

OFFICE OF THE SECRETARY

For Office of the Secretary, $24,772,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $69,000,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,762,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $48,797,499.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $5,408,500.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,120,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $7,110; Sergeant at Arms and Doorkeeper of the Senate, $7,110; Secretary for the Majority of the Senate, $7,110; Secretary for the Minority of the Senate, $7,110; in all, $28,440.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96–304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, $133,265,000, of which $26,650,000 shall remain available until September 30, 2018.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $508,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $8,750,000 of which $4,350,000 shall remain available until September 30, 2020 and of which $2,500,000 shall remain available until expended.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $130,000,000, which shall remain available until September 30, 2020.

MISCELLANEOUS ITEMS

For miscellaneous items, $21,390,270 which shall remain available until September 30, 2018.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $390,000,000 of which $19,121,212 shall remain available until September 30, 2018.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 1. Notwithstanding any other provision of law, any amounts appropriated under this Act under the heading ''SENATE'' under the heading ''CONTINGENT EXPENSES OF THE SENATE'' under the heading ''SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT'' shall be available for obligation only during the fiscal year or fiscal years for which such amounts are made available. Any unexpended balances under such allowances remaining after the end of the period of availability shall be returned to the Treasury in accordance with the undesignated paragraph under the center heading ''GENERAL PROVISION'' under chapter XI of the Third Supplemental Appropriation Act, 1957 (2 U.S.C. 4107) and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

AUTHORITY FOR TRANSFER OF FUNDS

SEC. 2. Section 1 of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 6153) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

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

''(c)(1) The Chaplain of the Senate may, during any fiscal year, at the election of the Chaplain of the Senate, transfer funds from the appropriation account for salaries for the Office of the Chaplain of the Senate to the account, within the contingent fund of the Senate, from which expenses are payable for the Office of the Chaplain.

''(2) The Chaplain of the Senate may, during any fiscal year, at the election of the Chaplain of the Senate, transfer funds from the appropriation account for expenses, within the contingent fund of the Senate, for the Office of the Chaplain to the account from which salaries are payable for the Office of the Chaplain of the Senate.'';

(3) in subsection (d), as so redesignated—

(A) in paragraph (1), by inserting ''or the Office of the Chaplain of the Senate, as the case may be,'' after ''such committee'' each place it appears; and

(B) in paragraph (2), by inserting ''or the Chaplain of the Senate, as the case may be,'' after ''the Chairman''; and

(4) in subsection (e), as so redesignated, by inserting ''or the Chaplain of the Senate, as the case may be,'' after ''The Chairman of a committee''.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,180,736,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $22,278,891, including: Office of the Speaker, $6,645,417, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,180,048, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $7,114,471, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,886,632, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,459,639, including $5,000 for official expenses of the Minority Whip; Republican Conference, $1,505,426; Democratic Caucus, $1,487,258: *Provided*, That such amount for salaries and expenses shall remain available from January 3, 2016 until January 2, 2017.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $554,317,732.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $123,903,173: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2016.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,271,004, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2016.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $178,531,768, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, and including not more than $25,000 for official representation and reception expenses, of which not more than $20,000 is for the Family Room and not more than $2,000 is for the Office of the Chaplain, $24,980,898; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Su-

perintendent of Garages and the Office of Emergency Management, and including not more than $3,000 for official representation and reception expenses, $14,827,120 of which $4,784,229 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than $3,000 for official representation and reception expenses, $117,165,000, of which $1,350,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $4,741,809; for salaries and expenses of the Office of General Counsel, $1,413,450; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $1,974,606; for salaries and expenses of the Office of the Law Revision Counsel of the House, $3,119,766; for salaries and expenses of the Office of the Legislative Counsel of the House, $8,352,975; for salaries and expenses of the Office of Interparliamentary Affairs, $814,069; for other authorized employees, $1,142,075.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $278,433,432, including: supplies, materials, administrative costs and Federal tort claims, $3,625,236; official mail for committees, leadership offices, and administrative offices of the House, $190,486; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $251,629,425, to remain available until March 31, 2017; Business Continuity and Disaster Recovery, $16,217,008 of which $5,000,000 shall remain available until expended; transition activities for new members and staff, $2,084,000, to remain available until expended; Wounded Warrior Program $2,500,000, to remain available until expended; Office of Congressional Ethics, $1,467,030; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $720,247.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 101. (a) Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2016. Any amount remaining after all payments are made under such allowances for fiscal year 2016 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 102. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 103. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 104. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds $1,000 for the vehicle in any month.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 105. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF DAILY CALENDAR

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Calendar of the House of Representatives which is prepared by the Clerk of the House of Representatives.

DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

SEC. 108. None of the funds made available by this Act may be used to deliver a printed copy of the Congressional Pictorial Directory to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,203,000, to be disbursed by the Secretary of the Senate.

JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES OF 2017

For salaries and expenses associated with conducting the inaugural ceremonies of the President and Vice President of the United States, January 20, 2017, in accordance with such program as may be adopted by the joint congressional committee authorized to conduct the inaugural ceremonies of 2017, $1,250,000 to be disbursed by the Secretary of the Senate and to remain available until September 30, 2017: *Provided*, That funds made available under this heading shall be available for payment, on a direct or reimbursable basis, whether incurred on, before, or after, October 1, 2016: *Provided further*, That the compensation of any employee of the Committee on Rules and Administration of the Senate who has been designated to perform service with respect to the inaugural ceremonies of 2017 shall continue to be paid by the Committee on Rules and Administration, but the account from which such staff member is paid may be reimbursed for the services of the staff member out of funds made available under this heading: *Provided further*, That there are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary, without fiscal year limitation, for agency contributions related to the compensation of employees of the joint congressional committee.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $10,095,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of $2,175 per month to the Attending Physician;

(2) an allowance of $1,300 per month to the Senior Medical Officer;

(3) an allowance of $725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of $725 per month to 2 assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) $2,692,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,784,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, $1,400,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $309,000,000 of which overtime shall not exceed $30,928,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $66,000,000, to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2016 shall be paid by the Secretary of Homeland Security from funds

available to the Department of Homeland Security.

ADMINISTRATIVE PROVISION

DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT ASSISTANCE

SEC. 1001. (a) IN GENERAL.—Section 2802(a)(1) of the Supplemental Appropriations Act, 2001 (2 U.S.C. 1905(a)(1)) is amended by striking ''District of Columbia)'' and inserting the following: ''District of Columbia), and from any other source in the case of assistance provided in connection with an activity that was not sponsored by Congress''.

(b) CONFORMING AMENDMENT.—Section 2802(a)(2) of such Act (2 U.S.C. 1905(a)(2)) is amended by striking ''law enforcement assistance to any Federal, State, or local government agency (including any agency of the District of Columbia)'' and inserting ''any law enforcement assistance for which reimbursement described in paragraph (1) is made''.

(c) EFFECTIVE DATE.—The amendments made by this section shall only apply with respect to any reimbursement received before, on, or after the date of the enactment of the Act.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,959,000, of which $450,000 shall remain available until September 30, 2017: *Provided*, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $46,500,000.

ARCHITECT OF THE CAPITOL

CAPITAL CONSTRUCTION AND OPERATIONS

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for all necessary expenses for surveys and studies, construction, operation, and general and administrative support in connection with facilities and activities under the care of the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $91,589,000.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $46,737,000, of which $22,737,000 shall remain available until September 30, 2020.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $11,880,000, of which $2,000,000 shall remain available until September 30, 2020.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $84,221,000, of which $26,283,000 shall remain available until September 30, 2020.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $174,962,000, of which $48,885,000 shall remain available until September 30, 2020, and of which $62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, $10,000,000, to remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Publishing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $94,722,499, of which $17,581,499 shall remain available until September 30, 2020: *Provided*, That not more than $9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2016.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $40,689,000, of which $15,746,000 shall remain available until September 30, 2020.

CAPITOL POLICE BUILDINGS, GROUNDS, AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, $25,434,000, of which $7,901,000 shall remain available until September 30, 2020.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $12,113,000, of which $2,100,000 shall remain available until September 30, 2020: *Provided*, That, of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, $20,557,000.

ADMINISTRATIVE PROVISIONS

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 1101. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program.

SCRIMS

SEC. 1102. None of the funds made available by this Act may be used for scrims containing photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

ACQUISITION OF PARCEL AT FORT MEADE

SEC. 1103. (a) ACQUISITION.—The Architect of the Capitol is authorized to acquire from the Maryland State Highway Administration, at no cost to the United States, a parcel of real property (including improvements thereon) consisting of approximately 7.34 acres located within the portion of Fort George G. Meade in Anne Arundel County, Maryland, that was transferred to the Architect of the Capitol by the Secretary of the Army pursuant to section 122 of the Military Construction Appropriations Act, 1994 (2 U.S.C. 141 note).

(b) TERMS AND CONDITIONS.—The terms and conditions applicable under subsections (b) and (d) of section 122 of the Military Construction Appropriations Act, 1994 (2 U.S.C. 141 note) to the property acquired by the Architect of the Capitol pursuant to such section shall apply to the real property acquired by the Architect pursuant to the authority of this section.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $425,971,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2016, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2016 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,350,000: *Provided further*, That, of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses

for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, $8,231,000 shall remain available until expended for the digital collections and educational curricula program: *Provided further*, That, of the total amount appropriated, $1,300,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $58,875,000, of which not more than $30,000,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2016 under section 708(d) of title 17, United States Code: *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than $5,777,000 shall be derived from collections during fiscal year 2016 under sections 111(d)(2), 119(b)(3), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $35,777,000: *Provided further*, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than $6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That, notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $106,945,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For all necessary expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $50,248,000: *Provided*, That of the total amount appropriated, $650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1201. (a) IN GENERAL.—For fiscal year 2016, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $186,015,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

LIBRARIAN OF CONGRESS EMERITUS

SEC. 1202. (a) DESIGNATION OF JAMES BILLINGTON AS LIBRARIAN OF CONGRESS EMERITUS.—As an honorary designation, James H. Billington, upon leaving service as the Librarian of Congress, may be known as the Librarian of Congress Emeritus.

(b) NO APPOINTMENT TO GOVERNMENT SERVICE; AVAILABILITY OF INCIDENTAL SUPPORT.—The honorary designation under this section does not constitute an appointment to a position in the Federal Government under title 5, United States Code. Notwithstanding the previous sentence, in connection with his activities as Librarian of Congress Emeritus, James H. Billington may receive incidental administrative and clerical support through the Library of Congress.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $79,736,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $30,500,000: *Provided*, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2014 and 2015 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, $6,832,000, to remain available until expended, for information technology development and facilities repair: *Provided*, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Publishing Office Business Operations Revolving Fund: *Provided further*, That not more than $7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: *Provided further*, That the business operations revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the business operations revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That activities financed through the business operations revolving fund may provide information in any format: *Provided further*, That the business operations revolving fund and the funds provided under the heading ''Public Information Programs of the Superintendent of Documents'' may not be used for contracted security services at GPO's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code,

but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $531,000,000: *Provided*, That, in addition, $25,450,000 of payments received under sections 782, 791, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

ADMINISTRATIVE PROVISION

FEDERAL GOVERNMENT DETAILS

SEC. 1301. (a) PERMITTING DETAILS FROM OTHER FEDERAL OFFICES.—Section 731 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(k) FEDERAL GOVERNMENT DETAILS.—The activities of the Government Accountability Office may, in the reasonable discretion of the Comptroller General, be carried out by receiving details of personnel from other offices of the Federal Government on a reimbursable, partially-reimbursable, or nonreimbursable basis.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each succeeding fiscal year.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $5,600,000: *Provided*, That funds made available to support Russian participants shall only be used for those engaging in free market development, humanitarian activities, and civic engagement, and shall not be used for officials of the central government of Russia.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), $430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2016 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

LANDSCAPE MAINTENANCE

SEC. 206. For fiscal year 2016 and each fiscal year thereafter, the Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets, in Square 580 up to the beginning of I–395.

LIMITATION ON TRANSFERS

SEC. 207. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 208. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

BATTERY RECHARGING STATIONS FOR PRIVATELY OWNED VEHICLES IN PARKING AREAS UNDER THE JURISDICTION OF THE LIBRARIAN OF CONGRESS AT NO NET COST TO THE FEDERAL GOVERNMENT

SEC. 209. (a) DEFINITION.—In this section, the term ''covered employee'' means—

(1) an employee of the Library of Congress; or

(2) any other individual who is authorized to park in any parking area under the jurisdiction of the Library of Congress on the Library of Congress buildings and grounds.

(b) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (3), funds appropriated to the Architect of the Capitol under the heading ''Capitol Power Plant'' under the heading ''ARCHITECT OF THE CAPITOL'' in any fiscal year are available to construct, operate, and maintain on a reimbursable basis battery recharging stations in parking areas under the jurisdiction of the Library of Congress on Library of Congress buildings and grounds for use by privately owned vehicles used by covered employees.

(2) VENDORS AUTHORIZED.—In carrying out paragraph (1), the Architect of the Capitol may use one or more vendors on a commission basis.

(3) APPROVAL OF CONSTRUCTION.—The Architect of the Capitol may construct or direct the construction of battery recharging stations described under paragraph (1) after—

(A) submission of written notice detailing the numbers and locations of the battery recharging stations to the Joint Committee on the Library; and

(B) approval by that Committee.

(c) FEES AND CHARGES.—

(1) IN GENERAL.—Subject to paragraph (2), the Architect of the Capitol shall charge fees or charges for electricity provided to covered employees sufficient to cover the costs to the Architect of the Capitol to carry out this section, including costs to any vendors or other costs associated with maintaining the battery charging stations.

(2) APPROVAL OF FEES OR CHARGES.—The Architect of the Capitol may establish and adjust fees or charges under paragraph (1) after—

(A) submission of written notice detailing the amount of the fee or charge to be established or adjusted to the Joint Committee on the Library; and

(B) approval by that Committee.

(d) DEPOSIT AND AVAILABILITY OF FEES, CHARGES, AND COMMISSIONS.—Any fees, charges, or commissions collected by the Architect of the Capitol under this section shall be—

(1) deposited in the Treasury to the credit of the appropriations account described under subsection (b); and

(2) available for obligation without further appropriation during the fiscal year collected.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal year, the Architect of the Capitol shall submit a report on the financial administration and cost recovery of activities under this section with respect to that fiscal year to the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and Senate.

(2) AVOIDING SUBSIDY.—

(A) DETERMINATION.—Not later than 3 years after the date of enactment of this Act and every 3 years thereafter, the Architect of the Capitol shall submit a report to the Joint Committee on the Library determining whether covered employees using battery charging stations as authorized by this section are receiving a subsidy from the taxpayers.

(B) MODIFICATION OF RATES AND FEES.—If a determination is made under subparagraph (A) that a subsidy is being received, the Architect of the Capitol shall submit a plan to the Joint Committee on the Library on how to update the program to ensure no subsidy is being received. If the Joint Committee

does not act on the plan within 60 days, the Architect of the Capitol shall take appropriate steps to increase rates or fees to ensure reimbursement for the cost of the program consistent with an appropriate schedule for amortization, to be charged to those using the charging stations.

(f) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SELF-CERTIFICATION OF PERFORMANCE APPRAISAL SYSTEMS FOR SENIOR-LEVEL EMPLOYEES

SEC. 210. (a) SELF-CERTIFICATION BY LIBRARIAN OF CONGRESS, ARCHITECT OF THE CAPITOL, AND DIRECTOR OF GOVERNMENT PUBLISHING OFFICE.—Section 5307(d) of title 5, United States Code, is amended—

(1) in paragraph (1)(A), by striking ''this title or section 332(f), 603, or 604 of title 28'' and inserting ''this title, section 332(f), 603, or 604 of title 28, or section 108 of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 1849)''; and

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

''(5)(A) Notwithstanding any provision of paragraph (3), any regulations, certifications, or other measures necessary to carry out this subsection—

''(i) with respect to employees of the Library of Congress shall be the responsibility of the Librarian of Congress;

''(ii) with respect to employees of the Office of the Architect of the Capitol shall be the responsibility of the Architect of the Capitol; and

''(iii) with respect to employees of the Government Publishing Office shall be the responsibility of the Director of the Government Publishing Office.

''(B) The regulations under this paragraph shall be consistent with those promulgated under paragraph (3).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

This division may be cited as the ''Legislative Branch Appropriations Act, 2016''.

## DIVISION J—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

### TITLE I

### DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $663,245,000, to remain available until September 30, 2020: *Provided*, That, of this amount, not to exceed $109,245,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,669,239,000, to remain available until September 30, 2020: *Provided*, That, of this amount, not to exceed $91,649,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That none of the funds made available under this heading may be obligated for the Townsend Bombing Range Expansion, Phase 2, until the Secretary of the Navy enters into an agreement with local stakeholders that addresses the disposition and management of the timber and forest resources in the proposed areas of expansion.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,389,185,000, to remain available until September 30, 2020: *Provided*, That of this amount, not to exceed $89,164,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,242,867,000, to remain available until September 30, 2020: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $175,404,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the funds made available by this title to construct fiscal year 2016 Special Operations Command military construction projects, not to exceed 75 percent shall be available until the Commander of the Special Operations Command has complied with the certification and reporting requirements in the last proviso under the heading ''Department of Defense—Military Construction, Defense-Wide'' in title I of H.R. 2029, as passed by the House of Representatives on April 30, 2015.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $197,237,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed $20,337,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $138,738,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed $5,104,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $113,595,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed $9,318,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $36,078,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed $2,208,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $65,021,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed $13,400,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $135,000,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $108,695,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $375,611,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $16,541,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $353,036,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $160,498,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $331,232,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $58,668,000.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $266,334,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'', to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(RESCISSION OF FUNDS)

SEC. 125. Of the unobligated balances available for ''Military Construction, Army'' and ''Family Housing Construction, Army'', from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $86,420,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 126. Of the unobligated balances available for ''Military Construction, Air Force'', from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $46,400,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 127. Of the unobligated balances available for ''Military Construction, Defense-Wide'', from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $134,000,000 are hereby rescinded.

SEC. 128. For an additional amount for ''Military Construction, Army'', $34,500,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is for projects as authorized in the National Defense Authorization Act for Fiscal Year 2016: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 129. For an additional amount for ''Military Construction, Navy and Marine Corps'', $34,500,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects identified in the Department of the Navy's Unfunded Priority List for Fiscal Year 2016: *Provided further*, That such funding is for projects as authorized in the National Defense Authorization Act for Fiscal Year 2016: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Navy shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 130. For an additional amount for ''Military Construction, Army National Guard'', $51,300,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is for projects as authorized in the National Defense Authorization Act for Fiscal Year 2016: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 131. For an additional amount for ''Military Construction, Army Reserve'', $34,200,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is for projects as authorized in the National Defense Authorization Act for Fiscal Year 2016: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 132. Notwithstanding section 124, for an additional amount for ''Military Construction, Army'' in this title, $30,000,000 is provided for advances to the Federal Highway Administration, Department of Transportation, for construction of access roads as authorized by section 210 of title 23, United States Code.

SEC. 133. For an additional amount for ''Military Construction, Air Force'', $21,000,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is for projects as authorized in the National Defense Authorization Act for Fiscal Year 2016: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 134. For an additional amount for ''Military Construction, Air National Guard'', $6,100,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is for projects as authorized in the National Defense Authorization Act for Fiscal Year 2016: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 135. For the purposes of this Act, the term ''congressional defense committees'' means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

(RESCISSION OF FUNDS)

SEC. 136. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $105,000,000 are hereby rescinded.

SEC. 137. For an additional amount for ''Military Construction, Air Force Reserve'', $10,400,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is for projects as authorized in the National Defense Authorization Act for Fiscal Year 2016: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Commit-

tees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 138. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress (''the Committees'') a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: *Provided*, That the term ''United States'' in this section does not include any territory or possession of the United States.

SEC. 139. None of the funds made available by this Act may be used to carry out the closure or transfer of the United States Naval Station, Guantánamo Bay, Cuba.

## TITLE II

## DEPARTMENT OF VETERANS AFFAIRS

### VETERANS BENEFITS ADMINISTRATION

#### COMPENSATION AND PENSIONS

#### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $162,948,673,000, to remain available until expended, of which $86,083,128,000 shall become available on October 1, 2016: *Provided*, That not to exceed $15,562,000 of the amount made available for fiscal year 2016 and $16,021,000 of the amount made available for fiscal year 2017 under this heading shall be reimbursed to ''General Operating Expenses, Veterans Benefits Administration'', and ''Information Technology Systems'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and Pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical Care Collections Fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

#### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, $30,654,185,000, to remain available until expended, of which $16,340,828,000 shall become available on October 1, 2016: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

#### VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $169,080,000, to remain available until expended, of which $91,920,000 shall become available on October 1, 2016.

#### VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, during fiscal year 2016, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $164,558,000.

#### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $31,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,952,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $367,000, which may be paid to the appropriation for ''General Operating Expenses, Veterans Benefits Administration''.

#### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,134,000.

### VETERANS HEALTH ADMINISTRATION

#### MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $2,369,158,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2015; and, in addition, $51,673,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: *Provided*, That, of the amount made available on October 1, 2016, under this heading, $1,400,000,000 shall remain available until September 30, 2018: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further*, That, of the amount made available on October 1, 2016, under this heading, not less than $1,500,000,000 shall be available for Hepatitis C Virus (HCV) clinical treatments, including clinical treatments with modern medications that have significantly higher cure rates than older medications, are easier to prescribe, and have fewer and milder side effects: *Provided further*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of gender appropriate prosthetics.

#### MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $6,524,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: *Provided*, That, of the amount made available on October 1, 2016, under this heading, $100,000,000 shall remain available until September 30, 2018.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; $105,132,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2015; and, in addition, $5,074,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: *Provided*, That, of the amount made available on October 1, 2016, under this heading, $250,000,000 shall remain available until September 30, 2018.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research

and development as authorized by chapter 73 of title 38, United States Code, $630,735,000, plus reimbursements, shall remain available until September 30, 2017: *Provided*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for gender appropriate prosthetic research and toxic exposure research.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $271,220,000, of which not to exceed $26,600,000 shall remain available until September 30, 2017.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $336,659,000, of which not to exceed $10,000,000 shall remain available until September 30, 2017: *Provided*, That funds provided under this heading may be transferred to ''General Operating Expenses, Veterans Benefits Administration''.

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, $109,884,000, of which not to exceed $10,788,000 shall remain available until September 30, 2017.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,707,734,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That, of the funds made available under this heading, not to exceed $160,000,000 shall remain available until September 30, 2017.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $4,133,363,000, plus reimbursements: *Provided*, That $1,115,757,000 shall be for pay and associated costs, of which not to exceed $34,800,000 shall remain available until September 30, 2017: *Provided further*, That $2,512,863,000 shall be for operations and maintenance, of which not to exceed $175,000,000 shall remain available until September 30, 2017: *Provided further*, That $504,743,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2017: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the ''Information Technology Systems'' account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to define data standards, code sets, and value sets used to enable interoperability: *Provided further*, That, of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a report that describes: (1) the status of and changes to the VistA Evolution program plan dated March 24, 2014 (hereinafter referred to as the ''Plan''), the VistA 4 product roadmap dated February 26, 2015 (''Roadmap''), and the VistA 4 Incremental Life Cycle Cost Estimate, dated October 26, 2014; (2) any changes to the scope or functionality of projects within the VistA Evolution program as established in the Plan; (3) actual program costs incurred to date; (4) progress in meeting the schedule milestones that have been established in the Plan; (5) a Project Management Accountability System (PMAS) Dashboard Progress report that identifies each VistA Evolution project being tracked through PMAS, what functionality it is intended to provide, and what evaluation scores it has received throughout development; (6) the definition being used for interoperability between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs, the metrics to measure the extent of interoperability, the milestones and timeline associated with achieving interoperability, and the baseline measurements associated with interoperability; (7) progress toward developing and implementing all components and levels of interoperability, including semantic interoperability; (8) the change management tools in place to facilitate the implementation of VistA Evolution and interoperability; and (9) any changes to the governance structure for the VistA Evolution program and its chain of decisionmaking authority: *Provided further*, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $136,766,000, of which not to exceed $12,676,000 shall remain available until September 30, 2017.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $1,243,800,000, of which $1,163,800,000 shall remain available until September 30, 2020, and of which $80,000,000 shall remain available until expended: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2016, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2016; and (2) by the awarding of a construction contract by September 30, 2017: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: *Provided further*, That, of the amount made available under this heading, $649,000,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

(1) enters into an agreement with an appropriate non-Department of Veterans Affairs Federal entity to serve as the design and/or construction agent for any Veterans Health Administration major construction project

with a Total Estimated Cost of $100,000,000 or above by providing full project management services, including management of the project design, acquisition, construction, and contract changes, consistent with section 502 of Public Law 114–58; and

(2) certifies in writing that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns and provides a copy of the agreement entered into and any required supplementary information to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $406,200,000, to remain available until September 30, 2020, along with unobligated balances of previous ''Construction, Minor Projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $120,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2016 for ''Compensation and Pensions'', ''Readjustment Benefits'', and ''Veterans Insurance and Indemnities'' may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2016, in this or any other Act, under the ''Medical Services'', ''Medical Support and Compliance'', and ''Medical Facilities'' accounts may be transferred among the accounts: *Provided*, That any transfers between the ''Medical Services'' and ''Medical Support and Compliance'' accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the ''Medical Services'' and ''Medical Support and Compliance'' accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the ''Medical Facilities'' account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, Major Projects'', and ''Construction, Minor Projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the ''Medical Services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and Pensions'', ''Readjustment Benefits'', and ''Veterans Insurance and Indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2015.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from ''Compensation and Pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2016, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the ''General Operating Expenses, Veterans Benefits Administration'' and ''Information Technology Systems'' accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2016 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2016 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $43,700,000 for the Office of Resolution Management and $3,400,000 for the Office of Employment Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the ''General Administration'' and ''Information Technology Systems'' accounts for use by the office that provided the service.

(TRANSFER OF FUNDS)

SEC. 211. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016 for the Office of Rural Health under the heading ''Medical Services'', including any advance appropriation for fiscal year 2016 provided in prior appropriation Acts, up to $20,000,000 may be transferred to and merged with funds appropriated under the heading ''Grants for Construction of State Extended Care Facilities''.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, Major Projects'' and ''Construction, Minor Projects'' accounts and be

used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, Major Projects'' and ''Construction, Minor Projects''.

SEC. 214. Amounts made available under ''Medical Services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical Services'', to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term ''rural Alaska'' shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, Major Projects'' and ''Construction, Minor Projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: *Provided*, That, at a minimum, the report shall include the direction contained in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) in the paragraph entitled ''Quarterly Report'', under the heading ''General Administration''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the ''Medical Services'', ''Medical Support and Compliance'', ''Medical Facilities'', ''General Operating Expenses, Veterans Benefits Administration'', ''General Administration'', and ''National Cemetery Administration'' accounts for fiscal year 2016 may be transferred to or from the ''Information Technology Systems'' account: *Provided*, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the ''Information Technology Systems'' account: *Provided further*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2016 for ''Medical Services'', ''Medical Support and Compliance'', ''Medical Facilities'', ''Construction, Minor Projects'', and ''Information Technology Systems'', up to $267,521,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 223 of Title II of Division I of Public Law 113–235 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2016, for ''Medical Services'', ''Medical Support and Compliance'', and ''Medical Facilities'', up to $265,675,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for ''Medical Services'', ''Medical Support and Compliance'', and ''Medical Facilities'', a minimum of $15,000,000 shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division I of Public Law 113–235, the following amounts which became available on October 1, 2015, are hereby rescinded from the following accounts in the amounts specified:

(1) ''Department of Veterans Affairs, Medical Services'', $1,400,000,000.

(2) ''Department of Veterans Affairs, Medical Support and Compliance'', $100,000,000.

(3) ''Department of Veterans Affairs, Medical Facilities'', $250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2017:

(1) ''Department of Veterans Affairs, Medical Services'', $1,400,000,000.

(2) ''Department of Veterans Affairs, Medical Support and Compliance'', $100,000,000.

(3) ''Department of Veterans Affairs, Medical Facilities'', $250,000,000.

SEC. 227. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. None of the funds made available for ''Construction, Major Projects'' may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 229. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days, disaggregated by initial and supplemental claims; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: *Pro-*

*vided*, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

SEC. 230. Of the funds provided to the Department of Veterans Affairs for fiscal year 2016 for ''Medical Services'' and ''Medical Support and Compliance'', a maximum of $5,000,000 may be obligated from the ''Medical Services'' account and a maximum of $154,596,000 may be obligated from the ''Medical Support and Compliance'' account for the VistA Evolution and electronic health record interoperability projects: *Provided*, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 231. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 232. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

SEC. 233. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

(INCLUDING TRANSFER OF FUNDS)

SEC. 234. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the ''Medical Services'' account any discretionary appropriations made available for fiscal year 2016 in this title (except appropriations made to the ''General Operating Expenses, Veterans Benefits Administration'' account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2016, that were provided in advance by appropriations Acts: *Provided*, That transfers shall be made only with the approval of the Office of Management and Budget: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: *Provided further*, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 235. Amounts made available for the Department of Veterans Affairs for fiscal year 2016, under the ''Board of Veterans Appeals'' and the ''General Operating Expenses, Veterans Benefits Administration'' accounts may be transferred between such accounts: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval from such Committees for such request.

(RESCISSION OF FUNDS)

SEC. 236. Of the unobligated balances available within the ''DOD–VA Health Care Sharing Incentive Fund'', $30,000,000 are hereby rescinded.

SEC. 237. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed $5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

SEC. 238. Section 2302(a)(2)(A)(viii) of title 5, United States Code, is amended by inserting ''or under title 38'' after ''of this title''.

SEC. 239. Section 312 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) Whenever the Inspector General, in carrying out the duties and responsibilities established under the Inspector General Act of 1978 (5 U.S.C. App.), issues a work product that makes a recommendation or otherwise suggests corrective action, the Inspector General shall—

''(A) submit the work product to—

''(i) the Secretary;

''(ii) the Committee on Veterans' Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate;

''(iii) the Committee on Veterans' Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives;

''(iv) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

''(v) any Member of Congress upon request; and

''(B) the Inspector General shall submit all final work products to—

''(i) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

''(ii) any Member of Congress upon request; and

''(C) not later than 3 days after the work product is submitted in final form to the Secretary, post the work product on the Internet website of the Inspector General.

''(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law.''.

SEC. 240. None of the funds provided in this Act may be used to pay the salary of any individual who (a) was the Executive Director of the Office of Acquisition, Logistics and Construction, and (b) who retired from Federal service in the midst of an investigation, initiated by the Department of Veterans Affairs, into delays and cost overruns associated with the design and construction of the new medical center in Aurora, Colorado.

SEC. 241. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 242. None of the amounts appropriated or otherwise made available by title II may be used to carry out the Home Marketing Incentive Program of the Department of Veterans Affairs or to carry out the Appraisal Value Offer Program of the Department with respect to an employee of the Department in a senior executive position (as defined in section 713(g) of title 38, United States Code): *Provided*, That the Secretary may waive this prohibition with respect to the use of the Home Marketing Incentive Program and Appraisal Value Offer Program to recruit for a position for which recruitment or retention of qualified personnel is likely to be difficult in the absence of the use of these incentives: *Provided further*, That within 15 days of a determination by the Secretary to waive this prohibition, the Secretary shall submit written notification thereof to the Committees on Appropriations of both Houses of Congress containing the reasons and identifying the position title for which the waiver has been issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 243. There is hereby established in the Treasury of the United States a fund to be known as the ''Recurring Expenses Transformational Fund'' (the Fund): *Provided*, That unobligated balances of expired discretionary funds appropriated in this or any succeeding fiscal year from the General Fund of the Treasury to the Department of Veterans Affairs by this or any other Act may be transferred (at the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated) into the Fund: *Provided further*, That amounts deposited in the Fund shall be available until expended, and in addition to such other funds as may be available for such purposes, for facilities infrastructure improvements, including nonrecurring maintenance, at existing hospitals and clinics of the Veterans Health Administration, and information technology systems improvements and sustainment, subject to approval by the Office of Management and Budget: *Provided further*, That prior to obligation of any amounts in the Fund, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make such obligation and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

## TITLE III

## RELATED AGENCIES

### AMERICAN BATTLE MONUMENTS COMMISSION

#### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $105,100,000, to remain available until expended.

#### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

#### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Vet-

erans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $32,141,000: *Provided*, That $2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $79,516,000, of which not to exceed $15,000,000 shall remain available until September 30, 2018. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the ''Lease of Department of Defense Real Property for Defense Agencies'' account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $64,300,000, of which $1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: *Provided*, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, $20,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading ''Department of Defense—Civil, Cemeterial Expenses, Army'', may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 404. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 405. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 406. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 407. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 408. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 409. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 410. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 411. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 412. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This division may be cited as the ''Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016''.

## DIVISION K—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2016

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, $5,622,170,000, of which up to $629,055,000 may remain available until September 30, 2017, and of which up to $1,428,468,000 may remain available until expended for Worldwide Security Protection: *Provided*, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, $2,181,622,000, of which up to $358,833,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $1,561,840,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, $791,121,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $1,087,587,000, of which up to $1,069,635,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) not to exceed $1,840,900 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, and, in addition, as authorized by section 5 of such Act, $743,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section;

(B) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(C) not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

(6) TRANSFER, REPROGRAMMING, AND OTHER MATTERS.—

(A) Notwithstanding any other provision of this Act, funds may be reprogrammed within

and between paragraphs (1) through (4) under this heading subject to section 7015 of this Act.

(B) Of the amount made available under this heading, not to exceed $10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading ''Emergencies in the Diplomatic and Consular Service'', to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Funds appropriated under this heading may be made available for Conflict Stabilization Operations and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife.

(E) Funds appropriated under this heading in this Act that are designated for Worldwide Security Protection shall continue to be made available for support of security-related training at sites in existence prior to the enactment of this Act: *Provided*, That in addition to such funds, up to $99,113,000 of the funds made available under this heading in this Act may be obligated for a Foreign Affairs Security Training Center (FASTC) only after the Secretary of State—

(i) submits to the appropriate congressional committees a comprehensive analysis of a minimum of three different locations for FASTC assessing the feasibility and comparing the costs and benefits of delivering training at each such location; and

(ii) notifies the appropriate congressional committees at least 15 days in advance of such obligation: *Provided*, That such notification shall also include a justification for any decision made by the Department of State to obligate funds for FASTC.

(F) None of the funds appropriated under this heading may be used for the preservation of religious sites unless the Secretary of State determines and reports to the Committees on Appropriations that such sites are historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $66,400,000, to remain available until expended, as authorized.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $72,700,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections: *Provided*, That of the funds appropriated under this heading, $10,905,000 may remain available until September 30, 2017.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $590,900,000, to remain available until expended, of which not less than $236,000,000 shall be for the Fulbright Program and not less than $102,000,000 shall be for Citizen Exchange Program, including $4,000,000 for the Congress-Bundestag Youth Exchange: *Provided,* That fees or other payments received from, or in connection with, English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: *Provided further*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing modifications made to existing educational and cultural exchange programs since calendar year 2014, including for special academic and special professional and cultural exchanges: *Provided further*, That a portion of the Fulbright awards from the Eurasia and Central Asia regions shall be designated as Edmund S. Muskie Fellowships, following consultation with the Committees on Appropriations: *Provided further*, That Department of State-designated sponsors may not issue a Form DS–2019 (Certificate of Eligibility for Exchange Visitor (J–1) Status) to place student participants in seafood product preparation or packaging positions in the Summer Work Travel program in fiscal year 2016 unless prior to issuing such Form the sponsor provides to the Secretary of State a description of such program and verifies in writing to the Secretary that such program fully complies with part 62 of title 22 of the Code of Federal Regulations, notwithstanding subsection 62.32(h)(16) of such part, and with the requirements specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided further*, That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, $8,030,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $30,036,000, to remain available until September 30, 2017.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $785,097,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation expenses as authorized: *Provided,* That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $688,799,000, to remain available until expended: *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales for all projects in fiscal year 2016.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $7,900,000, to remain available until expended as authorized, of which not to exceed $1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading ''Repatriation Loans Program Account'', subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,300,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,444,528.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $30,000,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized, $158,900,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,344,458,000: *Provided*, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: *Provided further*, That not later than May 1, 2016, and 30 days after the end of fiscal year 2016, the Secretary of State shall report to the Committees on Appropriations any credits available to the United States, including from the United Nations Tax Equalization Fund, and provide updated fiscal year 2016 and fiscal year 2017 assessment costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently available to the United States and provide updated assessment costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations:

*Provided further*, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: *Provided further*, That the Secretary of State shall review the budgetary and personnel procedures of the United Nations and affiliated agencies funded under this heading and, not later than 180 days after enactment of this Act, submit a report to the Committees on Appropriations on steps taken at each agency to eliminate unnecessary administrative costs and duplicative activities and ensure that personnel practices are transparent and merit-based.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $666,574,000, of which 15 percent shall remain available until September 30, 2017: *Provided*, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified of: (1) the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; and (2) the sources of funds, including any reprogrammings and transfers, that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: *Provided further*, That none of the funds appropriated under this heading may be made available for obligation unless the Secretary of State certifies and reports to the Committees on Appropriations on a peacekeeping mission-by-mission basis that the United Nations is implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation or other violations of human rights, and to bring to justice individuals who engage in such acts while participating in such mission, including prosecution in their home countries and making information about such prosecutions publicly available on the Web site of the United Nations: *Provided further*, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that American manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: *Provided further*, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: *Provided further*, That not later than May 1, 2016, and 30 days after the end of fiscal year 2016, the Secretary of State shall report to the Committees on Appropriations any credits available to the United States, including those resulting from United Nations peacekeeping missions or the United Nations Tax Equalization Fund, and provide updated fiscal year 2016 and fiscal year 2017 assessment costs including offsets from available credits: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently available to the United States and provide updated assessment costs including offsets from available credits: *Provided further*, That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall work with the United Nations and members of the United Nations Security Council to evaluate and prioritize peacekeeping missions, and to consider a draw down when mission goals have been substantially achieved: *Provided further*, That notwithstanding any other provision of law, funds appropriated or otherwise made available under this heading shall be available for United States assessed contributions up to the amount specified in Annex IV accompanying United Nations General Assembly Resolution 64/220: *Provided further*, That such funds may be made available above the amount authorized in section 404(b)(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note) only if the Secretary of State determines and reports to the appropriate congressional committees that it is important to the national interest of the United States.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation expenses; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $45,307,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $28,400,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by the North American Free Trade Agreement Implementation Act (Public Law 103–182), $12,330,000: *Provided*, That of the amount provided under this heading for the International Joint Commission, up to $500,000 may remain available until September 30, 2017, and $9,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $36,681,000: *Provided*, That the United States share of such expenses may be advanced to the respective commissions pursuant to section 3324 of title 31, United States Code.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the Broadcasting Board of Governors (BBG), as authorized, to carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, $734,087,000: *Provided*, That in addition to amounts otherwise available for such purposes, up to $31,135,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $15,000,000 shall be for Internet freedom programs: *Provided further*, That of the total amount appropriated under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for such expenses within the United States as authorized, and not to exceed $30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: *Provided further*, That the authority provided by section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 6206 note) shall remain in effect through September 30, 2016: *Provided further*, That the BBG shall notify the Committees on Appropriations within 15 days of any determination by the Board that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity's journalistic code of ethics: *Provided further*, That significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $5,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide,

in addition to amounts otherwise available for such purposes, $4,800,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), $17,000,000, to remain available until expended.

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act (22 U.S.C. 4601 et seq.), $35,300,000, to remain available until September 30, 2017, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, as authorized by section 633 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2016, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2016, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by section 5376 of title 5, United States Code; or for purposes which are not in accordance with section 200 of title 2 of the Code of Federal Regulations, including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2016, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $16,700,000.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act (22 U.S.C. 4412), $170,000,000, to remain available until expended, of which $117,500,000 shall be allocated in the traditional and customary manner, including for the core institutes, and $52,500,000 shall be for democracy programs.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, $676,000, as authorized by chapter 3123 of title 54, United States Code: *Provided*, That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 312304(b) of such chapter: *Provided further*, That such authority shall terminate on October 1, 2016: *Provided further*, That the Commission shall notify the Committees on Appropriations prior to exercising such authority.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.), $3,500,000, to remain available until September 30, 2017, including not more than $4,000 for representation expenses.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $2,579,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2017.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911 et seq.), $2,000,000, including not more than $3,000 for representation expenses, to remain available until September 30, 2017.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), $3,500,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2017: *Provided*, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall continue in effect during fiscal year 2016 and shall apply to funds appropriated under this heading as if included in this Act.

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $1,143,614,000, of which up to $171,542,000 may remain available until September 30, 2017: *Provided*, That none of the funds appropriated under this heading and under the heading ''Capital Investment Fund'' in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development (USAID), unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: *Provided further*, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to ''Operating Expenses'' in accordance with the provisions of those sections: *Provided further*, That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses, and not to exceed $100,500 shall be for official residence expenses, for USAID during the current fiscal year.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $168,300,000, to remain available until expended: *Provided*, That this amount is in addition to funds otherwise available for such purposes: *Provided further*, That funds appropriated under this heading shall be available subject to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $66,000,000, of which up to $9,900,000 may remain available until September 30, 2017, for the Office of Inspector General of the United States Agency for International Development.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, as follows:

GLOBAL HEALTH PROGRAMS

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $2,833,450,000, to remain available until September 30, 2017, and which shall be apportioned directly to the United States Agency for International Development (USAID): *Provided*, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; and (7) family planning/reproductive health: *Provided further*, That funds appropriated under this paragraph may be made available for a United States contribution to the GAVI Alliance: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a pro-

gram of coercive abortion or involuntary sterilization: *Provided further*, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: *Provided further*, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further*, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $5,670,000,000, to remain available until September 30, 2020, which shall be apportioned directly to the Department of State: *Provided*, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), as amended, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That the amount of such contribution should be $1,350,000,000: *Provided further*, That section 202(d)(4)(A)(i) and (vi) of Public Law 108–25, as amended, shall be applied with respect to such funds made available for fiscal years 2015 and 2016 by substituting ''2004'' for ''2009'': *Provided further*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2016 may be made available to USAID for technical assistance related to the activities of the Global Fund, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds appropriated under this paragraph, up to $17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, $2,780,971,000, to remain available until September 30, 2017.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $874,763,000, to remain available until expended.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development (USAID), pursuant to section 491 of the Foreign Assistance Act of 1961, $30,000,000, to remain available until expended, to support transition to democracy and long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the Secretary of State determines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISES FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to support programs and activities to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, $10,000,000, to remain available until expended: *Provided*, That funds appropriated under this heading may be made available on such terms and conditions as are appropriate and necessary for the purposes of preventing or responding to such challenges and crises, except that no funds shall be made available for lethal assistance or to respond to natural disasters: *Provided further*, That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961: *Provided further*, That funds appropriated under this heading may be used for administrative expenses, in addition to funds otherwise made available for such purposes, except that such expenses may not exceed 5 percent of the funds appropriated under this heading: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days prior to the obligation of funds.

DEVELOPMENT CREDIT AUTHORITY

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development (USAID), as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $40,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading ''Assistance for Europe, Eurasia and Central Asia'': *Provided*, That funds provided under this paragraph and funds provided as a gift that are used for purposes of this paragraph pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro- and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: *Provided further*, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed $300,000,000: *Provided further*, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $1,500,000,000.

In addition, for administrative expenses to carry out credit programs administered by

USAID, $8,120,000, which may be transferred to, and merged with, funds made available under the heading ''Operating Expenses'' in title II of this Act: *Provided*, That funds made available under this heading shall remain available until September 30, 2018.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $1,896,315,000, to remain available until September 30, 2017.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, $150,500,000, to remain available until September 30, 2017, of which $88,500,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, and $62,000,000 shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102–511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179), $491,119,000, to remain available until September 30, 2017, which shall be available, notwithstanding any other provision of law, except section 7070 of this Act, for assistance and related programs for countries identified in section 3 of Public Law 102–511 and section 3(c) of Public Law 101–179, in addition to funds otherwise available for such purposes: *Provided*, That funds appropriated by this Act under the headings ''Global Health Programs'' and ''Economic Support Fund'' that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of Public Law 102–511 and section 601 of Public Law 101–179: *Provided further*, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $931,886,000, to remain available until expended, of which not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements, and $10,000,000 shall be made available for refugees resettling in Israel.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $50,000,000, to remain available until expended.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501 et seq.), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $410,000,000, of which $5,150,000 is for the Office of Inspector General, to remain available until September 30, 2017: *Provided*, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by section 16 of the Peace Corps Act (22 U.S.C. 2515), an amount not to exceed $5,000,000: *Provided further*, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: *Provided further*, That of the funds appropriated under this heading, not to exceed $104,000 may be available for representation expenses, of which not to exceed $4,000 may be made available for entertainment expenses: *Provided further*, That any decision to open, close, significantly reduce, or suspend a domestic or overseas office or country program shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, except that prior consultation and regular notification procedures may be waived when there is a substantial security risk to volunteers or other Peace Corps personnel, pursuant to section 7015(e) of this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That notwithstanding the previous proviso, section 614 of division E of Public Law 113–76 shall apply to funds appropriated under this heading.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.) (MCA), $901,000,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, up to $105,000,000 may be available for administrative expenses of the Millennium Challenge Corporation (the Corporation): *Provided further*, That up to 5 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the MCA for fiscal year 2016: *Provided further*, That section 605(e) of the MCA shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: *Provided further*, That the Chief Executive Officer of the Corporation shall notify the Committees on Appropriations not later than 15 days prior to commencing negotiations for any country compact or threshold country program; signing any such compact or threshold program; or terminating or suspending any such compact or threshold program: *Provided further*, That funds appropriated under this heading by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are available to implement section 609(g) of the MCA shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That no country should be eligible for a threshold program after such country has completed a country compact: *Provided further*, That any funds that are deobligated from a Millennium Challenge Compact shall be subject to the regular notification procedures of the Committees on Appropriations prior to re-obligation: *Provided further*, That notwithstanding section 606(a)(2) of the MCA, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: *Provided further*, That notwithstanding section 606(b)(1) of the MCA, in addition to countries described in the preceding proviso, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is not among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: *Provided further*, That any Millennium Challenge Corporation candidate country under section 606 of the MCA with a per capita income that changes in the fiscal year such that the country would be reclassified from a low income country to a lower middle income country or from a lower middle income country to a low income country shall retain its candidacy status in its former income classification for the fiscal year and the 2 subsequent fiscal years: *Provided further*, That publication in the Federal Register of a notice of availability of a copy of a Compact on the Millennium Challenge Corporation Web site shall be deemed to satisfy the requirements of section 610(b)(2) of the MCA for such Compact: *Provided further*, That none of the funds made available by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be available for a threshold program in a country that is not currently a candidate country: *Provided further*, That the Comptroller General of the United States shall provide to the appropriate congressional committees a review of authorities that may allow the Millennium Challenge Corporation to obligate funds that are unobligated from prior fiscal years for compacts in countries that are not eligible for a compact in the current fiscal year: *Provided further*, That such review shall include an assessment as set forth in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided further*, That funds appropriated under this heading shall be used on a reimbursable basis for such review: *Provided further*, That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $22,500,000, to remain available until September 30, 2017: *Provided*, That of the funds appropriated under this heading, not to exceed $2,000 may be available for representation expenses.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980 (Public Law 96–533), $30,000,000, to remain available until September 30, 2017, of which not to exceed $2,000 may be available for representation expenses: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation

(USADF): *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the Board of Directors of the USADF may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: *Provided further*, That the USADF shall submit a report to the Committees on Appropriations after each time such waiver authority is exercised: *Provided further*, That the USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions: *Provided further*, That the USADF may maintain bank accounts outside the United States Treasury and retain any interest earned on such accounts, in furtherance of the purposes of the African Foundation Development Act: *Provided further*, That the USADF may not withdraw any appropriation from the Treasury prior to the need of spending such funds for program purposes.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $23,500,000, to remain available until September 30, 2018, which shall be available notwithstanding any other provision of law.

## TITLE IV

## INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $894,821,000, to remain available until September 30, 2017: *Provided*, That the provision of assistance by any other United States Government department or agency which is comparable to assistance that may be made available under this heading, but which is provided under any other provision of law, should be provided only with the concurrence of the Secretary of State and in accordance with the provisions of sections 481(b) and 622(c) of the Foreign Assistance Act of 1961: *Provided further*, That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of that Act, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, and other judicial authorities, utilizing regional partners: *Provided further*, That not less than $54,975,000 of the funds appropriated under this heading shall be transferred to, and merged with, funds appropriated by this Act under the heading ''Assistance for Europe, Eurasia and Central Asia'', which shall be available for the same purposes as funds appropriated under this heading: *Provided further*, That funds made available under this heading that are transferred to another department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $5,000,000, and any agreement made pursuant to section 632(a) of such Act, shall be subject to the regular notification procedures of the Committees on Appropriations.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $506,381,000, to remain available until September 30, 2017, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act, or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): *Provided*, That the Secretary of State shall inform the appropriate congressional committees of information regarding any separate arrangements relating to the ''Road-map for the Clarification of Past and Present Outstanding Issues Regarding Iran's Nuclear Program'' between the IAEA and the Islamic Republic of Iran, in classified form if necessary, if such information becomes known to the Department of State: *Provided further*, That for the clearance of unexploded ordnance, the Secretary of State should prioritize those areas where such ordnance was caused by the United States: *Provided further*, That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be available notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: *Provided further*, That funds made available under this heading for the Counterterrorism Partnerships Fund shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds made available for conventional weapons destruction programs, including demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities, subject to the regular notification procedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $131,361,000: *Provided*, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: *Provided further*, That of the funds appropriated under this heading, not less than $35,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: *Provided further*, That none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $108,115,000, of which up to $4,000,000 may remain available until September 30, 2017: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further*, That of the funds appropriated under this heading, not to exceed $55,000 may be available for entertainment expenses.

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $4,737,522,000: *Provided*, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: *Provided further*, That of the funds appropriated under this heading, not less than $3,100,000,000 shall be available for grants only for Israel, and funds are available for assistance for Jordan and Egypt subject to section 7041 of this Act: *Provided further*, That the funds appropriated under this heading for assistance for Israel shall be disbursed within 30 days of enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than $815,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That none of the funds made available under this heading shall be made available to support or continue any program initially funded under the authority of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), or section 2282 of title 10, United States Code, unless the Secretary of State, in coordination with the Secretary of Defense, has justified such program to the Committees on Appropriations: *Provided further*, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of section 1501(a) of title 31, United States Code.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense

services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: *Provided further*, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than $75,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be available for entertainment expenses and not to exceed $130,000 may be available for representation expenses: *Provided further*, That not more than $904,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2016 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

## TITLE V

## MULTILATERAL ASSISTANCE

### FUNDS APPROPRIATED TO THE PRESIDENT

#### INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $339,000,000, of which up to $10,000,000 may be made available for the Intergovernmental Panel on Climate Change/United Nations Framework Convention on Climate Change: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund.

### INTERNATIONAL FINANCIAL INSTITUTIONS

#### GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $168,263,000, to remain available until expended.

#### CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,197,128,000, to remain available until expended.

#### CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury for the United States share of the paid-in portion of the increases in capital stock, $186,957,000, to remain available until expended.

#### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed $2,928,990,899.

#### CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Clean Technology Fund by the Secretary of the Treasury, $170,680,000, to remain available until expended.

#### CONTRIBUTION TO THE STRATEGIC CLIMATE FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Strategic Climate Fund by the Secretary of the Treasury, $49,900,000, to remain available until expended.

#### CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $102,020,448, to remain available until expended.

#### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $4,098,794,833.

#### CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

For payment to the Asian Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of increase in capital stock, $5,608,435, to remain available until expended.

#### CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank's Asian Development Fund by the Secretary of the Treasury, $104,977,000, to remain available until expended.

#### CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $34,118,027, to remain available until expended.

#### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $507,860,808.

#### CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, $175,668,000, to remain available until expended.

#### CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $31,930,000, to remain available until expended.

#### GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

For payment to the Global Agriculture and Food Security Program by the Secretary of the Treasury, $43,000,000, to remain available until expended.

#### CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT BANK

For payment to the North American Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $10,000,000, to remain available until expended.

#### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The Secretary of the Treasury may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $255,000,000.

## TITLE VI

## EXPORT AND INVESTMENT ASSISTANCE

### EXPORT-IMPORT BANK OF THE UNITED STATES

#### INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $6,000,000, to remain available until September 30, 2017.

#### PROGRAM ACCOUNT

The Export-Import Bank (the Bank) of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act.

#### ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed $106,250,000: *Provided*, That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: *Provided further*, That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the

legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: *Provided further*, That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945, as amended, and the Federal Credit Reform Act of 1990, as amended, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: *Provided*, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0: *Provided further*, That amounts collected in fiscal year 2016 in excess of obligations, up to $10,000,000 shall become available on September 1, 2016, and shall remain available until September 30, 2019.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided*, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $62,787,000: *Provided further*, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $20,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2016, 2017, and 2018: *Provided further*, That funds so obligated in fiscal year 2016 remain available for disbursement through 2024; funds obligated in fiscal year 2017 remain available for disbursement through 2025; and funds obligated in fiscal year 2018 remain available for disbursement through 2026: *Provided further*, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: *Provided further*, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $60,000,000, to remain available until September 30, 2017: *Provided*, That of the amounts made available under this heading, up to $2,500,000 may be made available to provide comprehensive procurement advice to foreign governments to support local procurements funded by the United States Agency for International Development, the Millennium Challenge Corporation, and the Department of State: *Provided further*, That of the funds appropriated under this heading, not more than $5,000 may be available for representation and entertainment expenses.

## TITLE VII

## GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by section 3109 of such title and for hire of passenger transportation pursuant to section 1343(b) of title 31, United States Code.

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2016 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) CAPITAL SECURITY COST SHARING.—Of funds provided under title I of this Act, except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

(b) EXCEPTION.—Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the United States Marine Corps.

(c) NEW DIPLOMATIC FACILITIES.—For the purposes of calculating the fiscal year 2016 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the Department of State's contribution for this purpose.

(d) CONSULTATION AND NOTIFICATION REQUIREMENTS.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas diplomatic facilities during fiscal year 2016, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That notifications pursuant to this subsection shall include the information enumerated under the heading ''Embassy Security, Construction, and Maintenance'' in House Report 114–154: *Provided further*, That any such notification for a new diplomatic facility justified to the Committees on Appropriations in Appendix 1 of the Congressional Budget Justification, Department of State, Diplomatic Engagement, Fiscal Year 2016, or not previously justified to such Committees, shall also include confirmation that the Department of State has completed the requisite value engineering studies required pursuant to OMB Circular A–131, Value Engineering December 31, 2013 and the Bureau of Overseas Building Operations Policy and Procedure Directive, P&PD, Cost 02: Value Engineering.

(e) REPORTS.—

(1) None of the funds appropriated under the heading ''Embassy Security, Construction, and Maintenance'' in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, made available through Federal agency Capital Security Cost Sharing contributions and reimbursements, or generated from the proceeds of real property sales, other than from real property sales located in London, United Kingdom, may be made available for site acquisition and mitigation, planning, design, or construction of the New London Embassy: *Provided*, That the reporting requirement contained in section 7004(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall remain in effect during fiscal year 2016.

(2) Within 45 days of enactment of this Act and every 4 months thereafter until September 30, 2016, the Secretary of State shall submit to the Committees on Appropriations a report on the new Mexico City Embassy and Beirut Embassy projects: *Provided*, That such report shall include, for each of the projects—

(A) cost projections;

(B) cost containment efforts;

(C) project schedule and actual project status;

(D) the impact of currency exchange rate fluctuations on project costs;

(E) revenues derived from, or estimated to be derived from, real property sales in Mexico City, Mexico for the embassy project in Mexico City and in Beirut, Lebanon for the embassy project in Beirut; and

(F) options for modifying the scope of the project in the event that costs escalate above amounts justified to the Committees on Appropriations in Appendix 1 of the Congressional Budget Justification, Department of State Operations, Fiscal Year 2015 for the Mexico City Embassy project, and in Appendix 1 of the Congressional Budget Justification, Department of State, Diplomatic En-

gagement, Fiscal Year 2016 for the Beirut Embassy project.

(f) INTERIM AND TEMPORARY FACILITIES ABROAD.—

(1) Funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'' may be made available to address security vulnerabilities at interim and temporary facilities abroad, including physical security upgrades and local guard staffing, except that the amount of funds made available for such purposes from this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be a minimum of $25,000,000: *Provided*, That the uses of such funds should be the responsibility of the Assistant Secretary of State for the Bureau of Diplomatic Security and Foreign Missions, in consultation with the Director of the Bureau of Overseas Buildings Operations: *Provided further*, That such funds shall be subject to prior consultation with the Committees on Appropriations.

(2) Notwithstanding any other provision of law, the opening, closure, or any significant modification to an interim or temporary diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

(3) Not later than 60 days after enactment of this Act, the Department of State shall document standard operating procedures and best practices associated with the delivery, construction, and protection of temporary structures in high threat and conflict environments: *Provided*, That the Secretary of State shall inform the Committees on Appropriations after completing such documentation.

(g) TRANSFER AUTHORITY.—Funds appropriated under the heading ''Diplomatic and Consular Programs'', including for Worldwide Security Protection, and under the heading ''Embassy Security, Construction, and Maintenance'' in titles I and VIII of this Act may be transferred to, and merged with, funds appropriated by such titles under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, or to prevent or respond to security situations and requirements, following consultation with, and subject to the regular notification procedures of, such Committees: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

LOCAL GUARD CONTRACTS

SEC. 7006. In evaluating proposals for local guard contracts, the Secretary of State shall award contracts in accordance with section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864), except that the Secretary may grant authorization to award such contracts on the basis of best value as determined by a cost-technical tradeoff analysis (as described in Federal Acquisition Regulation part 15.101), notwithstanding subsection (c)(3) of such section: *Provided*, That the authority in this section shall apply to any options for renewal that may be exercised under such contracts that are awarded during the current fiscal year: *Provided further*, That the Secretary shall notify the appropriate congressional committees at least 15 days prior to making an award pursuant to this section for a local guard and protective service contract for a United States diplomatic facility not deemed ''high-risk, high-threat''.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance, and guarantees of the Export-Import Bank or its agents.

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military plays a decisive role: *Provided*, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—

(1) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading ''Representation Expenses''.

(2) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(3) Any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) TITLE VI TRANSFER AUTHORITIES.—Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2016, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—

(1) None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(3) Any agreement entered into by the United States Agency for International Development (USAID) or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Global Health Programs'', ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided*, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(d) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriation account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such audits: *Provided*, That such audits shall be transmitted to the Committees on Appropriations by the Department of State or USAID, as appropriate: *Provided further*, That funds transferred under such authority may be made available for the cost of such audits.

(f) REPORT.—Not later than 90 days after enactment of this Act, the Secretary of

State and the USAID Administrator shall each submit a report to the Committees on Appropriations detailing all transfers to another agency of the United States Government made pursuant to sections 632(a) and 632(b) of the Foreign Assistance Act of 1961 with funds provided in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) as of the date of enactment of this Act: *Provided*, That such reports shall include a list of each transfer made pursuant to such sections with the respective funding level, appropriation account, and the receiving agency.

PROHIBITION ON FIRST-CLASS TRAVEL

SEC. 7010. None of the funds made available in this Act may be used for first-class travel by employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

AVAILABILITY OF FUNDS

SEC. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the headings ''Development Credit Authority'' and ''Assistance for Europe, Eurasia and Central Asia'' shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That the Secretary of State shall provide a report to the Committees on Appropriations not later than October 30, 2016, detailing by account and source year, the use of this authority during the previous fiscal year.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 7012. No part of any appropriation provided under titles III through VI in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance for such country is in the national interest of the United States.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2016 on funds appropriated by this Act by a foreign government or entity against United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors, and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2017 and allocated for the central government of such country and for the West Bank and Gaza program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations, not later than September 30, 2017, that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity if the Secretary of State reports to the Committees on Appropriations that—

(A) such country or entity does not assess taxes on United States assistance or has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the term ''bilateral agreement'' refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement; and

(2) the term ''taxes and taxation'' shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

(h) REPORT.—The Secretary of State, in consultation with the heads of other relevant departments or agencies, shall submit a report to the Committees on Appropriations, not later than 90 days after the enactment of this Act, detailing steps taken by such departments or agencies to comply with the requirements of this section.

RESERVATIONS OF FUNDS

SEC. 7014. (a) REPROGRAMMING.—Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) EXTENSION OF AVAILABILITY.—In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development (USAID) that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: *Provided*, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) OTHER ACTS.—Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: *Provided*, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) NOTIFICATION OF CHANGES IN PROGRAMS, PROJECTS, AND ACTIVITIES.—None of the funds made available in titles I and II of this Act, or in prior appropriations Acts to the agencies and departments funded by this Act that remain available for obligation in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the agencies and departments funded by this Act, shall be available for obligation to—

(1) create new programs;

(2) eliminate a program, project, or activity;

(3) close, suspend, open, or reopen a mission or post;

(4) create, close, reorganize, or rename bureaus, centers, or offices; or

(5) contract out or privatize any functions or activities presently performed by Federal employees;

unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation.

(b) NOTIFICATION OF REPROGRAMMING OF FUNDS.—None of the funds provided under titles I and II of this Act, or provided under previous appropriations Acts to the agency or department funded under titles I and II of this Act that remain available for obligation in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agency or department funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds

in excess of $1,000,000 or 10 percent, whichever is less, that—

(1) augments or changes existing programs, projects, or activities;

(2) relocates an existing office or employees;

(3) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(4) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) NOTIFICATION REQUIREMENT.—None of the funds made available by this Act under the headings ''Global Health Programs'', ''Development Assistance'', ''International Organizations and Programs'', ''Trade and Development Agency'', ''International Narcotics Control and Law Enforcement'', ''Economic Support Fund'', ''Democracy Fund'', ''Assistance for Europe, Eurasia and Central Asia'', ''Peacekeeping Operations'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Millennium Challenge Corporation'', ''Foreign Military Financing Program'', ''International Military Education and Training'', and ''Peace Corps'', shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: *Provided further*, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

(d) NOTIFICATION OF TRANSFER OF FUNDS.—Notwithstanding any other provision of law, with the exception of funds transferred to, and merged with, funds appropriated under title I of this Act, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations, and funds made available for programs previously authorized under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) or section 2282 of title 10, United States Code, shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) WAIVER.—The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided*, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) COUNTRY NOTIFICATION REQUIREMENTS.—None of the funds appropriated under titles III through VI of this Act may be obligated or expended for assistance for Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Colombia, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Pakistan, the Russian Federation, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the regular notification procedures of the Committees on Appropriations.

(g) WITHHOLDING OF FUNDS.—Funds appropriated by this Act under titles III and IV that are withheld from obligation or otherwise not programmed as a result of application of a provision of law in this or any other Act shall, if reprogrammed, be subject to the regular notification procedures of the Committees on Appropriations.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 7016. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 7017. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under titles I and III through V of this Act, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961 or section 7048(a) of this Act, shall remain available for obligation until September 30, 2018: *Provided*, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

ALLOCATIONS

SEC. 7019. (a) ALLOCATION TABLES.—Subject to subsection (b), funds appropriated by this Act under titles III through V shall be made available in the amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided*, That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to the Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961 (FAA).

(b) AUTHORIZED DEVIATIONS.—Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may only deviate up to 5 percent from the amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided*, That such percentage may be exceeded only to respond to significant, exigent, or unforeseen events, or to address other exceptional circumstances directly related to the national interest: *Provided further*, That deviations pursuant to the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) LIMITATION.—For specifically designated amounts that are included, pursuant to subsection (a), in the report required by section 653(a) of the FAA, no deviations authorized by subsection (b) may take place until submission of such report.

REPRESENTATION AND ENTERTAINMENT EXPENSES

SEC. 7020. (a) USES OF FUNDS.—Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests—

(1) are primarily for fostering relations outside of the Executive Branch;

(2) are principally for meals and events of a protocol nature;

(3) are not for employee-only events; and

(4) do not include activities that are substantially of a recreational character.

(b) LIMITATIONS.—None of the funds appropriated or otherwise made available by this Act under the headings ''International Military Education and Training'' or ''Foreign Military Financing Program'' for Informa-

tional Program activities or under the headings ''Global Health Programs'', ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) PROHIBITION.—None of the funds appropriated or otherwise made available by titles III through VI of this Act may be made available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act: *Provided*, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: *Provided further*, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) DETERMINATION.—Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interests of the United States.

(3) REPORT.—Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

(b) BILATERAL ASSISTANCE.—

(1) LIMITATIONS.—Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(2) WAIVER.—The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: *Provided*, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading ''Trade and Development Agency'', may be obligated and expended notwithstanding section 10 of Public Law 91–672, section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act ''program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: ''Economic Support Fund'' and ''Foreign Military Financing Program'', ''program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account; and for the development assistance accounts of the United States Agency for International Development, ''program, project, and activity'' shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to Congress; or

(2) allocated by the Executive Branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: *Provided*, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) WORLD MARKETS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: *Provided further*, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) EXPORTS.—None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit United States producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions, as defined in section 7034(r)(3) of this Act, to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

SEPARATE ACCOUNTS

SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) AGREEMENTS.—If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development (USAID) shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The USAID Administrator shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) IN GENERAL.—If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'': *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2016, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83–480): *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

LOCAL COMPETITION

SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO COMPETITION FOR LOCAL ENTITIES.—Funds appropriated by this Act that are made available to the United States Agency for International Development (USAID) may only be made available for limited competitions through local entities if—

(1) prior to the determination to limit competition to local entities, USAID has—

(A) assessed the level of local capacity to effectively implement, manage, and account for programs included in such competition; and

(B) documented the written results of the assessment and decisions made; and

(2) prior to making an award after limiting competition to local entities—

(A) each successful local entity has been determined to be responsible in accordance with USAID guidelines; and

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) REPORTING REQUIREMENT.—In addition to the requirements of subsection (a)(1), the USAID Administrator shall report, on an annual basis, to the appropriate congressional committees on all awards subject to limited or no competition for local entities: *Provided*, That such report should be posted on the USAID Web site: *Provided further*, That the requirements of this subsection shall only apply to awards in excess of $3,000,000 and sole source awards to local entities in excess of $2,000,000.

(c) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect during fiscal year 2016, as amended by the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS AND REPORT.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution adopts and implements a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 25 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: *Provided*, That not later than 180 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken by the United States executive directors and the international financial institutions consistent with this subsection.

(b) SAFEGUARDS.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development and the International Development Association to vote against any loan, grant, policy, or strategy if such institution has adopted and is implementing any social or environmental safeguard relevant to such loan, grant, policy, or strategy that provides less protection than World Bank safeguards in effect on September 30, 2015.

(c) COMPENSATION.—None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) HUMAN RIGHTS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution conducts rigorous human rights due diligence and risk management, as appropriate, in connection with any loan, grant, policy, or strategy of such institution: *Provided*, That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in forced displacement or other violation of human rights.

(e) FRAUD AND CORRUPTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to promote in loan, grant, and other financing agreements improvements in borrowing countries' financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption.

(f) BENEFICIAL OWNERSHIP INFORMATION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution collects, verifies, and publishes, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, that receives funds appropriated by this Act that are provided as payment to such institution: *Provided*, That not later than 180 days after enactment of this Act, the Secretary

shall submit a report to the Committees on Appropriations on steps taken by the United States executive directors and the international financial institutions consistent with this subsection.

(g) WHISTLEBLOWER PROTECTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that each such institution is effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(1) protection against retaliation for internal and lawful public disclosure;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

(4) access to independent adjudicative bodies, including external arbitration; and

(5) results that eliminate the effects of proven retaliation.

DEBT-FOR-DEVELOPMENT

SEC. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) REQUIREMENTS.—Funds appropriated by this Act may be made available for direct government-to-government assistance only if—

(A)(i) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified vulnerabilities or weaknesses of such agency or ministry have been addressed;

(ii) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;

(iii) the recipient agency or ministry has adopted competitive procurement policies and systems;

(iv) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes;

(v) no level of acceptable fraud is assumed; and

(vi) the government of the recipient country is taking steps to publicly disclose on an annual basis its national budget, to include income and expenditures;

(B) the recipient government is in compliance with the principles set forth in section 7013 of this Act;

(C) the recipient agency or ministry is not headed or controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act;

(D) the Government of the United States and the government of the recipient country have agreed, in writing, on clear and achievable objectives for the use of such assistance, which should be made available on a cost-reimbursable basis; and

(E) the recipient government is taking steps to protect the rights of civil society, including freedoms of expression, association, and assembly.

(2) CONSULTATION AND NOTIFICATION.—In addition to the requirements in paragraph (1), no funds may be made available for direct government-to-government assistance without prior consultation with, and notification of, the Committees on Appropriations: *Provided*, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): *Provided further*, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) SUSPENSION OF ASSISTANCE.—The Administrator of the United States Agency for International Development (USAID) or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) SUBMISSION OF INFORMATION.—The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2017 congressional budget justification materials, amounts planned for assistance described in paragraph (1) by country, proposed funding amount, source of funds, and type of assistance.

(5) REPORT.—Not later than 90 days after the enactment of this Act and 6 months thereafter until September 30, 2016, the USAID Administrator shall submit to the Committees on Appropriations a report that—

(A) details all assistance described in paragraph (1) provided during the previous 6-month period by country, funding amount, source of funds, and type of such assistance; and

(B) the type of procurement instrument or mechanism utilized and whether the assistance was provided on a reimbursable basis.

(6) DEBT SERVICE PAYMENT PROHIBITION.—None of the funds made available by this Act may be used for any foreign country for debt service payments owed by any country to any international financial institution: *Provided*, That for purposes of this paragraph, the term ''international financial institution'' has the meaning given the term in section 7034(r)(3) of this Act.

(b) NATIONAL BUDGET AND CONTRACT TRANSPARENCY.—

(1) MINIMUM REQUIREMENTS OF FISCAL TRANSPARENCY.—The Secretary of State shall continue to update and strengthen the ''minimum requirements of fiscal transparency'' for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) DEFINITION.—For purposes of paragraph (1), ''minimum requirements of fiscal transparency'' are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).

(3) DETERMINATION AND REPORT.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of ''significant progress'' or ''no significant progress'' in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual ''Fiscal Transparency Report'' to be posted on the Department of State Web site: *Provided*, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fiscal years, and include specific recommendations of short- and long-term steps such government should take to improve fiscal transparency: *Provided further*, That the annual report shall include a detailed description of how funds appropriated by this Act are being used to improve fiscal transparency, and identify benchmarks for measuring progress.

(4) ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: *Provided*, That such sums shall be in addition to funds otherwise made available for such purposes: *Provided further*, That a description of the uses of such funds shall be included in the annual ''Fiscal Transparency Report'' required by paragraph (3).

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

(1)(A) INELIGIBILITY.—Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(B) The Secretary may also publicly or privately designate or identify officials of foreign governments and their immediate family members about whom the Secretary has such credible information without regard to whether the individual has applied for a visa.

(2) EXCEPTION.—Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: *Provided*, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) WAIVER.—The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) REPORT.—Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations and the Committees on the Judiciary describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) POSTING OF REPORT.—Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State Web site.

(6) CLARIFICATION.—For purposes of paragraphs (1)(B), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or

permits to enter the United States shall not be considered confidential.

(d) EXTRACTION OF NATURAL RESOURCES.—

(1) ASSISTANCE.—Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2052) and to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(2) UNITED STATES POLICY.—

(A) The Secretary of the Treasury shall inform the management of the international financial institutions, and post on the Department of the Treasury Web site, that it is the policy of the United States to vote against any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export of a natural resource if the government of such country has in place laws, regulations, or procedures to prevent or limit the public disclosure of company payments as required by United States law, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered for—

(i) accurately accounting for and public disclosure of payments to the host government by companies involved in the extraction and export of natural resources;

(ii) the independent auditing of accounts receiving such payments and public disclosure of the findings of such audits; and

(iii) public disclosure of such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(B) The requirements of subparagraph (A) shall not apply to assistance for the purpose of building the capacity of such government to meet the requirements of this subparagraph.

(e) FOREIGN ASSISTANCE WEB SITE.—Funds appropriated by this Act under titles I and II, and funds made available for any independent agency in title III, as appropriate, shall be made available to support the provision of additional information on United States Government foreign assistance on the Department of State foreign assistance Web site: *Provided*, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request, to the Department of State.

DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING.—

(1) Of the funds appropriated by this Act, not less than $2,308,517,000 shall be made available for democracy programs.

(2) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $32,000,000 shall be made available for the Near East Regional Democracy program.

(b) AUTHORITY.—Funds made available by this Act for democracy programs may be made available notwithstanding any other provision of law, and with regard to the National Endowment for Democracy (NED), any regulation.

(c) DEFINITION OF DEMOCRACY PROGRAMS.—For purposes of funds appropriated by this Act, the term ''democracy programs'' means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states, and institutions that are responsive and accountable to citizens.

(d) PROGRAM PRIORITIZATION.—Funds made available pursuant to this section that are made available for programs to strengthen government institutions shall be prioritized for those institutions that demonstrate a commitment to democracy and the rule of law, as determined by the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate.

(e) RESTRICTION ON PRIOR APPROVAL.—With respect to the provision of assistance for democracy programs in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: *Provided*, That the Secretary of State, in coordination with the USAID Administrator, shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(f) PROGRAM DESIGN AND IMPLEMENTATION.—

(1) CLARIFICATION OF USE.—Not later than 90 days after enactment of this Act, the Secretary of State and USAID Administrator, following consultation with democracy program implementing partners, shall each establish guidelines for clarifying program design and objectives for democracy programs, including the uses of contracts versus grants and cooperative agreements in the conduct of democracy programs carried out with funds appropriated by this Act: *Provided*, That such guidelines, which shall be made available to all relevant agency personnel, shall be in accordance with—

(A) the Quadrennial Diplomacy and Development Review, 2015, regarding the objectives of promoting resilient, open, and democratic societies;

(B) the ADVANCE Democracy Act of 2007 (title XXI of Public Law 110–53; 22 U.S.C. 8201 et seq.), including the foreign policy objectives contained therein; and

(C) sections 6303 through 6305 of title 31, United States Code, regarding the selection of contracts and assistance instruments.

(2) CONTINUATION OF CURRENT PRACTICES.—USAID shall continue to implement civil society and political competition and consensus building programs abroad with funds appropriated by this Act in a manner that recognizes the unique benefits of grants and cooperative agreements in implementing such programs: *Provided*, That nothing in this paragraph shall be construed to affect the ability of any entity, including United States small businesses, from competing for proposals for USAID-funded civil society and political competition and consensus building programs.

(3) REPORT.—Not later than September 30, 2017, the Secretary of State and USAID Administrator shall each submit to the Committees on Appropriations a report detailing the use of contracts, grants, and cooperative agreements in the conduct of democracy programs with funds made available by the Department of State, Foreign Operations, and Related Programs Act, 2015 (division J of Public Law 113–235), which shall include funding level, account, program sector and subsector, and a brief summary of purpose.

(g) STRATEGIC REVIEWS AND REPORT.—

(1) COUNTRY STRATEGIES.—Prior to the obligation of funds made available by this Act for Department of State and USAID democracy programs for a nondemocratic or democratic transitioning country for which a country strategy has been concluded after the date of enactment of this Act, as required by section 2111(c)(1) of the ADVANCE Democracy Act of 2007 (title XXI of Public Law 110–53; 22 U.S.C. 8211) or similar provision of law or regulation, the Under Secretary for Civilian Security, Democracy and Human Rights, Department of State, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall review such strategy to ensure that it includes—

(A) specific goals and objectives for such program, including a specific plan and timeline to measure impacts;

(B) an assessment of the risks associated with the conduct of such program to intended beneficiaries and implementers, including steps to support and protect such individuals; and

(C) the funding requirements to initiate and sustain such program in fiscal year 2016 and subsequent fiscal years, as appropriate: *Provided*, That for the purposes of this paragraph, the term ''nondemocratic or democratic transitioning country'' shall have the same meaning as in section 2104(6) of Public Law 110–53.

(2) REPORT.—Not later than September 30, 2016, the Secretary of State, in consultation with the USAID Administrator, shall submit a report, including a classified annex if necessary, to the appropriate congressional committees detailing the methodology and guidelines established and implemented by the Department of State and USAID, respectively, to carry out the requirements of this subsection: *Provided*, That such report shall also include an analysis of the political and social conditions in a nondemocratic or democratic transitioning country that are a prerequisite for the conduct of democracy programs.

(h) CONSULTATION AND COMMUNICATION REQUIREMENTS.—

(1) COUNTRY ALLOCATIONS.—The Deputy Secretary for Management and Resources, Department of State, shall consult with the Under Secretary for Civilian Security, Democracy and Human Rights, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, on the proposed funding levels for democracy programs by country in the report submitted to Congress pursuant to section 653(a) of the Foreign Assistance Act of 1961.

(2) INFORMING THE NATIONAL ENDOWMENT FOR DEMOCRACY.—The Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall regularly inform the National Endowment for Democracy of democracy programs that are planned and supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(3) REPORT ON PROGRAM CHANGES.—The Secretary of State or the USAID Administrator, as appropriate, shall report to the Committees on Appropriations within 30 days of a decision to significantly change the objectives or the content of a democracy program or to close such a program due to the increasingly repressive nature of the host country government: *Provided*, That the report shall also include a strategy for continuing support for democracy promotion, if such programming is feasible, and may be submitted in classified form, if necessary.

INTERNATIONAL RELIGIOUS FREEDOM

SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM.—Funds appropriated by this Act under the heading ''Diplomatic and Consular Programs'' shall be made available for the Office of the Ambassador-at-Large for International Religious Freedom and the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia, as authorized in the Near East and South Central Asia Religious Freedom Act of 2014 (Public Law 113-161), and including for support staff, at not less than the amounts contained for such Office and Envoy in the table under such heading in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(b) ASSISTANCE.—

(1) INTERNATIONAL RELIGIOUS FREEDOM PROGRAMS.—Of the funds appropriated by this Act under the heading ''Democracy Fund'' and available for the Human Rights and Democracy Fund (HRDF), not less than $10,000,000 shall be made available for international religious freedom programs: *Provided*, That the Ambassador-at-Large for International Religious Freedom shall consult with the Committees on Appropriations on the uses of such funds.

(2) PROTECTION AND INVESTIGATION PROGRAMS.—Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs to protect vulnerable and persecuted religious minorities: *Provided*, That a portion of such funds shall be made available for programs to investigate the persecution of such minorities by governments and non-state actors and for the public dissemination of information collected on such persecution, including on the Department of State Web site.

(3) HUMANITARIAN PROGRAMS.—Funds appropriated by this Act under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance'' shall be made available for humanitarian assistance for vulnerable and persecuted religious minorities.

(4) RESPONSIBILITY OF FUNDS.—Funds made available by paragraphs (1) and (2) shall be the responsibility of the Ambassador-at-Large for International Religious Freedom, in consultation with other relevant United States Government officials.

(c) INTERNATIONAL BROADCASTING.—Funds appropriated by this Act under the heading ''Broadcasting Board of Governors, International Broadcasting Operations'' shall be made available for programs related to international religious freedom, including reporting on the condition of vulnerable and persecuted religious groups.

(d) ATROCITIES PREVENTION.—Not later than 90 days after enactment of this Act, the Secretary of State, after consultation with the heads of other United States Government agencies represented on the Atrocities Prevention Board (APB) and representatives of human rights organizations, as appropriate, shall submit to the appropriate congressional committees an evaluation of the persecution of, including attacks against, Christians and people of other religions in the Middle East by violent Islamic extremists and the Muslim Rohingya people in Burma by violent Buddhist extremists, including whether either situation constitutes mass atrocities or genocide (as defined in section 1091 of title 18, United States Code), and a detailed description of any proposed atrocities prevention response recommended by the APB: *Provided*, That such evaluation and response may include a classified annex, if necessary.

(e) DESIGNATION OF NON-STATE ACTORS.—The President shall, concurrent with the annual foreign country review required by section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), review and identify any non-state actors in such countries that have engaged in particularly severe violations of religious freedom, and designate, in a manner consistent with such Act, each such group as a non-state actor of particular concern for religious freedom operating in such reviewed country or surrounding region: *Provided*, That whenever the President designates such a non-state actor under this subsection, the President shall, as soon as practicable after the designation is made, submit a report to the appropriate congressional committees detailing the reasons for such designation.

(f) REPORT.—Not later than September 30, 2016, the Secretary of State, in consultation with the Chairman of the Broadcasting Board of Governors and the Administrator of the United States Agency for International Development, shall submit a report, including a classified annex if necessary, to the appropriate congressional committees detailing, by account, agency, and on a country-by-country basis, funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for the previous 2 fiscal years for international religious freedom programs; protection and investigation programs regarding vulnerable and persecuted religious minorities; humanitarian and relief assistance for such minorities; and international broadcasting regarding religious freedom.

SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) LAW ENFORCEMENT AND SECURITY.—

(1) CHILD SOLDIERS.—Funds appropriated by this Act should not be used to support any military training or operations that include child soldiers.

(2) CROWD CONTROL ITEMS.—Funds appropriated by this Act should not be used for tear gas, small arms, light weapons, ammunition, or other items for crowd control purposes for foreign security forces that use excessive force to repress peaceful expression, association, or assembly in countries undergoing democratic transition.

(3) DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION.—Section 7034(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2016 as if part of this Act.

(4) FORENSIC ASSISTANCE.—

(A) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $4,000,000 shall be made available for forensic anthropology assistance related to the exhumation of mass graves and the identification of victims of war crimes and crimes against humanity, of which not less than $3,000,000 should be made available for such assistance in Guatemala, Peru, Colombia, Iraq, and Sri Lanka, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(B) Of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'', not less than $4,000,000 shall be made available for DNA forensic technology programs to combat human trafficking in Central America.

(5) INTERNATIONAL PRISON CONDITIONS.—Section 7065 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2016 as if part of this Act.

(6) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other subnational entity emerging from instability, as well as a nation emerging from instability.

(7) SECURITY ASSISTANCE REPORT.—Not later than 120 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on funds obligated and expended during fiscal year 2015, by country and purpose of assistance, under the headings ''Peacekeeping Operations'', ''International Military Education and Training'', and ''Foreign Military Financing Program''.

(8) LEAHY VETTING REPORT.—

(A) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees on foreign assistance cases submitted for vetting for purposes of section 620M of the Foreign Assistance Act of 1961 during the preceding fiscal year, including:

(i) the total number of cases submitted, approved, suspended, or rejected for human rights reasons; and

(ii) for cases rejected, a description of the steps taken to assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice, in accordance with section 620M(c) of the Foreign Assistance Act of 1961.

(B) The report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(9) ANNUAL FOREIGN MILITARY TRAINING REPORT.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961, the term ''military training provided to foreign military personnel by the Department of Defense and the Department of State'' shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated by section 517(b) of such Act as a major non-NATO ally.

(c) WORLD FOOD PROGRAMME.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development (USAID), from this or any other Act, may be made available as a general contribution to the World Food Programme, notwithstanding any other provision of law.

(d) DIRECTIVES AND AUTHORITIES.—

(1) RESEARCH AND TRAINING.—Funds appropriated by this Act under the heading ''Assistance for Europe, Eurasia and Central Asia'' shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501 et seq.).

(2) GENOCIDE VICTIMS MEMORIAL SITES.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' may be made available as contributions to establish and maintain memorial sites of genocide, subject to the regular notification procedures of the Committees on Appropriations.

(3) ADDITIONAL AUTHORITIES.—Of the amounts made available by title I of this Act under the heading ''Diplomatic and Consular

Programs'', up to $500,000 may be made available for grants pursuant to section 504 of Public Law 95–426 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities.

(4) EXTENSION OF LEGAL PROTECTION.—No conviction issued by the Cairo Criminal Court on June 4, 2013, in ''Public Prosecution Case No. 1110 for the Year 2012'', against a citizen or national of the United States or an alien lawfully admitted for permanent residence in the United States, shall be considered a conviction for the purposes of United States law or for any activity undertaken within the jurisdiction of the United States during fiscal year 2016 and any fiscal year thereafter.

(5) MODIFICATION OF LIFE INSURANCE SUPPLEMENTAL APPLICABLE TO THOSE KILLED IN TERRORIST ATTACKS.—

(A) Section 415(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3975(a)(1)) is amended by striking ''a payment from the United States in an amount that, when added to the amount of the employee's employer-provided group life insurance policy coverage (if any), equals $400,000'' and inserting ''a special payment of $400,000, which shall be in addition to any employer provided life insurance policy coverage''.

(B) The insurance benefit under section 415 of the Foreign Service Act of 1980 (22 U.S.C. 3975), as amended by subparagraph (A), shall be applicable to eligible employees who die as a result of injuries sustained while on duty abroad because of an act of terrorism, as defined in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 (22 U.S.C. 2656f(d)), anytime on or after April 18, 1983.

(6) AUTHORITY.—The Administrator of the United States Agency for International Development may use funds appropriated by this Act under title III to make innovation incentive awards: *Provided*, That each individual award may not exceed $100,000: *Provided further*, That no more than 10 such awards may be made during fiscal year 2016: *Provided further*, That for purposes of this paragraph the term ''innovation incentive award'' means the provision of funding on a competitive basis that—

(A) encourages and rewards the development of solutions for a particular, well-defined problem related to the alleviation of poverty; or

(B) helps identify and promote a broad range of ideas and practices facilitating further development of an idea or practice by third parties.

(e) PARTNER VETTING.—Funds appropriated by this Act or in titles I through IV of prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be used by the Secretary of State and the USAID Administrator, as appropriate, to support the continued implementation of the Partner Vetting System (PVS) pilot program: *Provided*, That the Secretary of State and the USAID Administrator shall inform the Committees on Appropriations, at least 30 days prior to completion of the pilot program, on the criteria for evaluating such program, including for possible expansion: *Provided further*, That not later than 180 days after completion of the pilot program, the Secretary and USAID Administrator shall jointly submit a report to the Committees on Appropriations, in classified form if necessary, detailing the findings, conclusions, and any recommendations for expansion of such program: *Provided further*, That not less than 30 days prior to the implementation of any recommendations for expanding the PVS pilot program the Secretary of State and USAID Administrator shall consult with the Committees on Appropriations and with representatives of agency implementing partners on the findings, conclusions, and recommendations in such report, as appropriate.

(f) CONTINGENCIES.—During fiscal year 2016, the President may use up to $125,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(g) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: *Provided*, That the Secretary shall report to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(h) REPORT REPEALED.—Section 616(c) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (division A of Public Law 105–277) is hereby repealed.

(i) TRANSFERS FOR EXTRAORDINARY PROTECTION.—The Secretary of State may transfer to, and merge with, funds under the heading ''Protection of Foreign Missions and Officials'' unobligated balances of expired funds appropriated under the heading ''Diplomatic and Consular Programs'' for fiscal year 2016, except for funds designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated: *Provided*, That not more than $50,000,000 may be transferred.

(j) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.—Section 7034(k) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2016 as if part of this Act.

(k) EXTENSION OF AUTHORITIES.—

(1) PASSPORT FEES.—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting ''September 30, 2016'' for ''September 30, 2010''.

(2) ACCOUNTABILITY REVIEW BOARDS.—The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan through September 30, 2016, except that the notification and reporting requirements contained in such section shall include the Committees on Appropriations.

(3) INCENTIVES FOR CRITICAL POSTS.—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2016.

(4) FOREIGN SERVICE OFFICER ANNUITANT WAIVER.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting ''September 30, 2016'' for ''October 1, 2010'' in paragraph (2).

(5) DEPARTMENT OF STATE CIVIL SERVICE ANNUITANT WAIVER.—Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting ''September 30, 2016'' for ''October 1, 2010'' in paragraph (2).

(6) USAID CIVIL SERVICE ANNUITANT WAIVER.—Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting ''September 30, 2016'' for ''October 1, 2010'' in subparagraph (B).

(7) OVERSEAS PAY COMPARABILITY AND LIMITATION.—

(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1904) shall remain in effect through September 30, 2016.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(8) CATEGORICAL ELIGIBILITY.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(A) in section 599D (8 U.S.C. 1157 note)—

(i) in subsection (b)(3), by striking ''and 2015'' and inserting ''2015, and 2016''; and

(ii) in subsection (e), by striking ''2015'' each place it appears and inserting ''2016''; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking ''2015'' and inserting ''2016''.

(9) INSPECTOR GENERAL ANNUITANT WAIVER.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212) shall remain in effect through September 30, 2016.

(10) EXTENSION OF LOAN GUARANTEES TO ISRAEL.—Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading ''Loan Guarantees to Israel''—

(A) in the matter preceding the first proviso, by striking ''September 30, 2015'' and inserting ''September 30, 2019''; and

(B) in the second proviso, by striking ''September 30, 2015'' and inserting ''September 30, 2019''.

(11) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

(A) Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''more than 11 years after the date of enactment of this Act'' and inserting ''after September 30, 2017''.

(B) Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''and 2015'' and inserting ''2015, 2016, and 2017''.

(12) UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) shall be applied by substituting ''September 30, 2016'' for ''October 1, 2015''.

(l) DEPARTMENT OF STATE WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to the Department of State for payments to the Working Capital Fund may only be used for the service centers included in Appendix 1 of the Congressional Budget Justification, Department of State, Diplomatic Engagement, Fiscal Year 2016: *Provided*, That the amounts for such service centers shall be the amounts included in such budget except as provided in section 7015(b) of this Act: *Provided further*, That Federal agency components shall be charged only for their direct usage of each Working Capital Fund service: *Provided further*, That Federal agency components may only pay for Working Capital Fund services that are consistent with the component's purpose and authorities: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service.

(m) HUMANITARIAN ASSISTANCE.—Funds appropriated by this Act that are available for

monitoring and evaluation of assistance under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance'' shall, as appropriate, be made available for the regular collection of feedback obtained directly from beneficiaries on the quality and relevance of such assistance: *Provided*, That the Department of State and USAID shall conduct regular oversight to ensure that such feedback is collected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance, and require such partners that receive funds under such headings to establish procedures for collecting and responding to such feedback.

(n) HIV/AIDS WORKING CAPITAL FUND.—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–477) may be made available for pharmaceuticals and other products for child survival, malaria, and tuberculosis to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: *Provided*, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–477) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(o) LOAN GUARANTEES AND ENTERPRISE FUNDS.—

(1) LOAN GUARANTEES.—Funds appropriated under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Jordan, Ukraine, and Tunisia, which are authorized to be provided: *Provided*, That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

(2) ENTERPRISE FUNDS.—Funds appropriated under the heading ''Economic Support Fund'' in this Act may be made available to establish and operate one or more enterprise funds for Egypt and Tunisia: *Provided*, That the first, third and fifth provisos under section 7041(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall apply to funds appropriated by this Act under the heading ''Economic Support Fund'' for an enterprise fund or funds to the same extent and in the same manner as such provision of law applied to funds made available under such section (except that the clause excluding subsection (d)(3) of section 201 of the SEED Act shall not apply): *Provided further*, That in addition to the previous proviso, the authorities in the matter preceding the first proviso of such section may apply to any such enterprise fund or funds: *Provided further*, That the authority of any such enterprise fund or funds to provide assistance shall cease to be effective on December 31, 2026.

(3) CONSULTATION AND NOTIFICATION.—Funds made available by this subsection shall be subject to prior consultation with the appropriate congressional committees, and subject to the regular notification procedures of the Committees on Appropriations.

(p) ASSESSMENT OF INDIRECT COSTS.—Not later than 90 days after enactment of this Act and following consultation with the Committees on Appropriations, the Secretary of State and the Administrator of the United States Agency for International Development (USAID) shall submit to such Committees an assessment of the effectiveness of current policies and procedures in ensuring that payments for indirect costs, including for negotiated indirect cost rate agreements (NICRA), are reasonable and comply with the Federal Acquisition Regulations (FAR), as applicable, and title 2, part 200 of the Code of Federal Regulations (CFR); an assessment of potential benefits of setting a cap on such indirect costs to ensure the cost-effective use of appropriated funds; a plan to revise such policies and procedures to strengthen compliance with the FAR and CFR and ensure that indirect costs are reasonable; and a timeline for implementing such plan.

(q) SMALL GRANTS AND ENTITIES.—

(1) Of the funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'', not less than $45,000,000 shall be made available for the Small Grants Program pursuant to section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), as amended by this Act, which may remain available until September 30, 2020.

(2) Not later than 45 days after enactment of this Act, the Administrator of the United States Agency for International Development (USAID) shall post on the USAID Web site detailed information describing the process by which small nongovernmental organizations, educational institutions, and other small entities seeking funding from USAID for unsolicited proposals through grants, cooperative agreements, and other assistance mechanisms and agreements, can apply for such funding: *Provided*, That the USAID Administrator should ensure that each bureau, office, and overseas mission has authority to approve, and sufficient funds to implement, such grants or other agreements that meet appropriate criteria for unsolicited proposals.

(3) Section 7080 of Public Law 113–235 is amended as follows:

(A) in subsections (b) and (c), strike ''Grants'', and insert ''Awards'';

(B) in subsection (c)(1), delete ''or'' after ''proposals;'';

(C) in subsection (c)(2) delete the period after ''process'', and insert ''; or'';

(D) after subsection (c)(2), insert ''(3) as otherwise allowable under Federal Acquisition Regulations and USAID procurement policies.''; and

(E) in subsection (e)(3), strike ''12'', and insert ''20'', and strike ''administrative and oversight expenses associated with managing'' and insert ''administrative expenses, and other necessary support associated with managing and strengthening''.

(4) For the purposes of section 7080 of Public Law 113–235, ''eligible entities'' shall be defined as small local, international, and United States-based nongovernmental organizations, educational institutions, and other small entities that have received less than a total of $5,000,000 in USAID funding over the previous five years: *Provided*, That departments or centers of such educational institutions may be considered individually in determining such eligibility.

(r) DEFINITIONS.—

(1) Unless otherwise defined in this Act, for purposes of this Act the term ''appropriate congressional committees'' shall mean the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

(2) Unless otherwise defined in this Act, for purposes of this Act the term ''funds appropriated in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs'' shall mean funds that remain available for obligation, and have not expired.

(3) For the purposes of this Act ''international financial institutions'' shall mean the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) Any reference to Southern Kordofan in this or any other Act making appropriations for the Department of State, foreign operations, and related programs shall be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7035. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel; and

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and

other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interest of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act (''Limitation on Assistance for the Palestinian Authority'').

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: *Provided further*, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2016, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading ''Economic Support Fund'' for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: *Provided*, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) RECOGNITION OF ACTS OF TERRORISM.—None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism.

(2) SECURITY ASSISTANCE AND REPORTING REQUIREMENT.—Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) AUDITS BY THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and sub-grantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act up to $500,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection: *Provided*, That such funds are in addition to funds otherwise available for such purposes.

(e) COMPTROLLER GENERAL OF THE UNITED STATES AUDIT.—Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2016 under the heading ''Economic Support Fund'', and such audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) NOTIFICATION PROCEDURES.—Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

(g) REPORT.—Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13).

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interest of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: *Provided*, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

(2) Notwithstanding the limitation of paragraph (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on Appropriations that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in section

620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961, as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446) with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: *Provided*, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance for Egypt, except for this subsection and section 620M of the Foreign Assistance Act of 1961, and may only be made available for assistance for the Government of Egypt if the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

(A) sustaining the strategic relationship with the United States; and

(B) meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(2) ECONOMIC SUPPORT FUND.—

(A) FUNDING.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', up to $150,000,000 may be made available for assistance for Egypt, of which not less than $35,000,000 should be made available for higher education programs including not less than $10,000,000 for scholarships at not-for-profit institutions for Egyptian students with high financial need: *Provided*, That such funds may be made available for democracy programs and for development programs in the Sinai: *Provided further*, That such funds may not be made available for cash transfer assistance or budget support unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(B) WITHHOLDING.—The Secretary of State shall withhold from obligation funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for Egypt, an amount of such funds that the Secretary determines to be equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt until the Secretary certifies and reports to the Committees on Appropriations that the Government of Egypt has dismissed the convictions issued by the Cairo Criminal Court on June 4, 2013, in ''Public Prosecution Case No. 1110 for the Year 2012''.

(3) FOREIGN MILITARY FINANCING PROGRAM.—

(A) CERTIFICATION.—Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', $1,300,000,000, to remain available until September 30, 2017, may be made available for assistance for Egypt: *Provided*, That 15 percent of such funds shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt is taking effective steps to—

(i) advance democracy and human rights in Egypt, including to govern democratically and protect religious minorities and the rights of women, which are in addition to steps taken during the previous calendar year for such purposes;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations and the media to function without interference;

(iii) release political prisoners and provide detainees with due process of law;

(iv) hold Egyptian security forces accountable, including officers credibly alleged to have violated human rights; and

(v) provide regular access for United States officials to monitor such assistance in areas where the assistance is used:

*Provided further*, That such funds may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations: *Provided further*, That the certification requirement of this paragraph shall not apply to funds appropriated by this Act under such heading for counterterrorism, border security, and nonproliferation programs for Egypt.

(B) WAIVER.—The Secretary of State may waive the certification requirement in subparagraph (A) if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States, and submits a report to such Committees containing a detailed justification for the use of such waiver and the reasons why any of the requirements of subparagraph (A) cannot be met.

(4) OVERSIGHT AND CONSULTATION REQUIREMENTS.—

(A) The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Egypt.

(B) Not later than 90 days after enactment of this Act, the Secretary shall consult with the Committees on Appropriations on any plan to restructure military assistance for Egypt.

(b) IRAN.—

(1) FUNDING.—Funds appropriated by this Act under the headings ''Diplomatic and Consular Programs'', ''Economic Support Fund'', and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be used by the Secretary of State—

(A) to support the United States policy to prevent Iran from achieving the capability to produce or otherwise obtain a nuclear weapon;

(B) to support an expeditious response to any violation of the Joint Comprehensive Plan of Action or United Nations Security Council Resolution 2231;

(C) to support the implementation and enforcement of sanctions against Iran for support of terrorism, human rights abuses, and ballistic missile and weapons proliferation; and

(D) for democracy programs for Iran, to be administered by the Assistant Secretary for Near Eastern Affairs, Department of State, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(2) CONTINUATION OF PROHIBITION.—The terms and conditions of paragraph (2) of section 7041(c) in division I of Public Law 112–74 shall continue in effect during fiscal year 2016 as if part of this Act.

(3) REPORTS.—

(A) The Secretary of State shall submit to the Committees on Appropriations the semiannual report required by section 2 of the Iran Nuclear Agreement Review Act of 2015 (42 U.S.C. 2160e(d)(4)).

(B) Not later than 180 days after the date of enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on the status of the implementation and enforcement of bilateral United States and multilateral sanctions against Iran and actions taken by the United States and the international community to enforce such sanctions against Iran: *Provided*, That the report shall also include any entities involved in the testing of a ballistic missile by the Government of Iran after October 1, 2015, and note whether such entities are currently under United States sanctions: *Provided further*, That such report shall be submitted in an unclassified form, but may contain a classified annex if necessary.

(c) IRAQ.—

(1) PURPOSES.—Funds appropriated by this Act shall be made available for assistance for Iraq to promote governance, security, and internal and regional stability, including in Kurdistan and other areas impacted by the conflict in Syria, and among religious and ethnic minority populations in Iraq.

(2) LIMITATION.—None of the funds appropriated by this Act may be made available for construction, rehabilitation, or other improvements to United States diplomatic facilities in Iraq on property for which no land-use agreement has been entered into by the Governments of the United States and Iraq: *Provided*, That the restrictions in this paragraph shall not apply if such funds are necessary to protect United States diplomatic facilities or the security, health, and welfare of United States personnel.

(3) KURDISTAN REGIONAL GOVERNMENTS SECURITY SERVICES.—Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' that are available for assistance for Iraq should be made available to enhance the capacity of Kurdistan Regional Government security services and for security programs in Kurdistan to address requirements arising from the violence in Syria and Iraq: *Provided*, That the Secretary of State shall consult with the Committees on Appropriations prior to obligating such funds.

(4) BASING RIGHTS AGREEMENT.—None of the funds appropriated or otherwise made available by this Act may be used by the Government of the United States to enter into a permanent basing rights agreement between the United States and Iraq.

(d) JORDAN.—

(1) FUNDING LEVELS.—Of the funds appropriated by this Act under titles III and IV, not less than $1,275,000,000 shall be made available for assistance for Jordan, of which not less than $204,000,000 shall be for budget support for the Government of Jordan and $100,000,000 shall be for water sector support: *Provided*, That such assistance for water sector support shall be subject to prior consultation with the Committees on Appropriations.

(2) RESPONSE TO THE SYRIAN CRISIS.—Funds appropriated by this Act shall be made available for programs to implement the Jordan Response Plan 2015 for the Syria Crisis, including assistance for host communities in Jordan: *Provided*, That not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations describing United States and other donor contributions to such Plan.

(e) LEBANON.—

(1) LIMITATION.—None of the funds appropriated by this Act may be made available for the Lebanese Internal Security Forces (ISF) or the Lebanese Armed Forces (LAF) if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act.

(2) CONSULTATION REQUIREMENT.—Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' that are available for assistance for Lebanon may be made available for programs and equipment for the ISF and the LAF to address security and stability requirements in areas affected by the conflict in Syria, following consultation with the appropriate congressional committees.

(3) ECONOMIC SUPPORT FUND.—Funds appropriated by this Act under the heading ''Economic Support Fund'' that are available for assistance for Lebanon may be made available notwithstanding section 1224 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2346 note).

(4) FOREIGN MILITARY FINANCING PROGRAM.—In addition to the activities described in paragraph (2), funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon's borders, interdicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: *Provided*, That funds may not be obligated for assistance for the LAF until the Secretary of State submits to the Committees on Appropriations a detailed spend plan, including actions to be taken to ensure equipment provided to the LAF is only used for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2016: *Provided further*, That any notification submitted pursuant to such sections shall include any funds specifically intended for lethal military equipment.

(f) LIBYA.—

(1) FUNDING.—Of the funds appropriated by titles III and IV of this Act, not less than $20,000,000 shall be made available for assistance for Libya for programs to strengthen governing institutions and civil society, improve border security, and promote democracy and stability in Libya, and for activities to address the humanitarian needs of the people of Libya.

(2) LIMITATIONS.—

(A) COOPERATION ON THE SEPTEMBER 2012 ATTACK ON UNITED STATES PERSONNEL AND FACILITIES.—None of the funds appropriated by this Act may be made available for assistance for the central Government of Libya unless the Secretary of State reports to the Committees on Appropriations that such government is cooperating with United States Government efforts to investigate and bring to justice those responsible for the attack on United States personnel and facilities in Benghazi, Libya in September 2012: *Provided*, That the limitation in this paragraph shall not apply to funds made available for the purpose of protecting United States Government personnel or facilities.

(B) INFRASTRUCTURE PROJECTS.—The limitation on the uses of funds in section 7041(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) shall apply to funds appropriated by this Act that are made available for assistance for Libya.

(3) CERTIFICATION REQUIREMENT.—Prior to the initial obligation of funds made available by this Act for assistance for Libya, the Secretary of State shall certify and report to the Committees on Appropriations that all practicable steps have been taken to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Libya, including a description of the vetting procedures to be used for recipients of assistance made available under title IV of this Act.

(g) MOROCCO.—

(1) AVAILABILITY AND CONSULTATION REQUIREMENT.—Funds appropriated under title III of this Act shall be made available for assistance for the Western Sahara: *Provided*, That not later than 90 days after enactment of this Act and prior to the obligation of such funds the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall consult with the Committees on Appropriations on the proposed uses of such funds.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' that are available for assistance for Morocco may only be used for the purposes requested in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2016.

(h) SYRIA.—

(1) NON-LETHAL ASSISTANCE.—Funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Peacekeeping Operations'' shall be made available, notwithstanding any other provision of law except for this subsection, for non-lethal assistance for programs to address the needs of civilians affected by conflict in Syria, and for programs that seek to—

(A) establish governance in Syria that is representative, inclusive, and accountable;

(B) expand the role of women in negotiations to end the violence and in any political transition in Syria;

(C) develop and implement political processes that are democratic, transparent, and adhere to the rule of law;

(D) further the legitimacy of the Syrian opposition through cross-border programs;

(E) develop civil society and an independent media in Syria;

(F) promote economic development in Syria;

(G) document, investigate, and prosecute human rights violations in Syria, including through transitional justice programs and support for nongovernmental organizations;

(H) counter extremist ideologies;

(I) assist Syrian refugees whose education has been interrupted by the ongoing conflict to complete higher education requirements at regional academic institutions; and

(J) assist vulnerable populations in Syria and in neighboring countries.

(2) SYRIAN ORGANIZATIONS.—Funds appropriated by this Act that are made available for assistance for Syria pursuant to the authority of this subsection shall be made available, on an open and competitive basis, for a program to strengthen the capability of Syrian civil society organizations to address the immediate and long-term needs of the Syrian people inside Syria in a manner that supports the sustainability of such organizations in implementing Syrian-led humanitarian and development programs and the comprehensive strategy required in section 7041(i)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(3) STRATEGY UPDATE.—Funds appropriated by this Act that are made available for assistance for Syria pursuant to the authority of this subsection may only be made available after the Secretary of State, in consultation with the heads of relevant United States Government agencies, submits, in classified form if necessary, an update to the comprehensive strategy required in section 7041(i)(3) of Public Law 113–76.

(4) MONITORING AND OVERSIGHT.—Prior to the obligation of funds appropriated by this Act and made available for assistance for Syria, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such assistance inside Syria: *Provided*, That the Secretary shall promptly inform the appropriate congressional committees of each significant instance in which assistance provided pursuant to this subsection has been compromised, to include the type and amount of assistance affected, a description of the incident and parties involved, and an explanation of the response of the Department of State.

(5) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(i) TUNISIA.—Of the funds appropriated under titles III and IV of this Act, not less than $141,900,000 shall be made available for assistance for Tunisia.

(j) WEST BANK AND GAZA.—

(1) REPORT ON ASSISTANCE.—Prior to the initial obligation of funds made available by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;

(B) improve security in the region;

(C) continue support for transparent and accountable government institutions;

(D) promote a private sector economy; or

(E) address urgent humanitarian needs.

(2) LIMITATIONS.—

(A)(i) None of the funds appropriated under the heading ''Economic Support Fund'' in this Act may be made available for assistance for the Palestinian Authority, if after the date of enactment of this Act—

(I) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(II) the Palestinians initiate an International Criminal Court (ICC) judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) The Secretary of State may waive the restriction in clause (i) of this subparagraph resulting from the application of subclause (I) of such clause if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(B)(i) The President may waive the provisions of section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204) if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate congressional committees that the

Palestinians have not, after the date of enactment of this Act—

(I) obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians; and

(II) taken any action with respect to the ICC that is intended to influence a determination by the ICC to initiate a judicially authorized investigation, or to actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) Not less than 90 days after the President is unable to make the certification pursuant to clause (i) of this subparagraph, the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: *Provided*, That any waiver of the provisions of section 1003 of Public Law 100–204 under clause (i) of this subparagraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(iii) Any waiver pursuant to this subparagraph shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(3) REDUCTION.—The Secretary of State shall reduce the amount of assistance made available by this Act under the heading ''Economic Support Fund'' for the Palestinian Authority by an amount the Secretary determines is equivalent to the amount expended by the Palestinian Authority as payments for acts of terrorism by individuals who are imprisoned after being fairly tried and convicted for acts of terrorism and by individuals who died committing acts of terrorism during the previous calendar year: *Provided*, That the Secretary shall report to the Committees on Appropriations on the amount reduced for fiscal year 2016 prior to the obligation of funds for the Palestinian Authority.

(4) SECURITY REPORT.—The reporting requirements contained in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority.

AFRICA

SEC. 7042. (a) BOKO HARAM.—Funds appropriated by this Act that are made available for assistance for Cameroon, Chad, Niger, and Nigeria—

(1) shall be made available for assistance for women and girls who are targeted by the terrorist organization Boko Haram, consistent with the provisions of section 7059 of this Act; and

(2) may be made available for counterterrorism programs to combat Boko Haram.

(b) CENTRAL AFRICAN REPUBLIC.—Funds made available by this Act for assistance for the Central African Republic shall be made available for reconciliation and peacebuilding programs, including activities to promote inter-faith dialogue at the national and local levels, and for programs to prevent crimes against humanity.

(c) COUNTERTERRORISM PROGRAMS.—Of the funds appropriated by this Act, not less than $69,821,000 should be made available for the Trans-Sahara Counter-terrorism Partnership program, and not less than $24,150,000 should be made available for the Partnership for Regional East Africa Counterterrorism program.

(d) ETHIOPIA.—

(1) FORCED EVICTIONS.—

(A) Funds appropriated by this Act for assistance for Ethiopia may not be made available for any activity that supports forced evictions.

(B) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against financing for any activity that supports forced evictions in Ethiopia.

(2) CONSULTATION REQUIREMENT.—Programs and activities to improve livelihoods shall include prior consultation with, and the participation of, affected communities, including in the South Omo and Gambella regions.

(3) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Ethiopia may only be made available for border security and counterterrorism programs, support for international peacekeeping efforts, and assistance for the Ethiopian Defense Command and Staff College.

(e) LAKE CHAD BASIN COUNTRIES.—Funds appropriated by this Act shall be made available for democracy and other development programs in Cameroon, Chad, Niger, and Nigeria, following consultation with the Committees on Appropriations: *Provided*, That such democracy programs should protect freedoms of expression, association and religion, including for journalists, civil society, and opposition political parties, and should be used to assist the governments of such countries to strengthen accountability and the rule of law, including within the security forces.

(f) LORD'S RESISTANCE ARMY.—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord's Resistance Army (LRA) consistent with the goals of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act (Public Law 111–172), including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

(g) POWER AFRICA INITIATIVE.—Funds appropriated by this Act that are made available for the Power Africa initiative shall be subject to the regular notification procedures of the Committees on Appropriations.

(h) PROGRAMS IN AFRICA.—

(1) Of the funds appropriated by this Act under the headings ''Global Health Programs'' and ''Economic Support Fund'', not less than $7,000,000 shall be made available for the purposes of section 7042(g)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'', not less than $8,000,000 shall be made available for the purposes of section 7042(g)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(3) Funds made available under paragraphs (1) and (2) shall be programmed in a manner that leverages a United States Government-wide approach to addressing shared challenges and mutually beneficial opportunities, and shall be the responsibility of United States Chiefs of Mission in countries in Africa seeking enhanced partnerships with the United States in areas of trade, investment, development, health, and security.

(i) SOUTH SUDAN.—

(1) Funds appropriated by this Act that are made available for assistance for South Sudan should—

(A) be prioritized for programs that respond to humanitarian needs and the delivery of basic services and to mitigate conflict and promote stability, including to address protection needs and prevent and respond to gender-based violence;

(B) support programs that build resilience of communities to address food insecurity, maintain educational opportunities, and enhance local governance;

(C) be used to advance democracy, including support for civil society, independent media, and other means to strengthen the rule of law;

(D) support the transparent and sustainable management of natural resources by assisting the Government of South Sudan in conducting regular audits of financial accounts, including revenues from oil and gas, and the timely public disclosure of such audits; and

(E) support the professionalization of security forces, including human rights and accountability to civilian authorities.

(2) None of the funds appropriated by this Act that are available for assistance for the central Government of South Sudan may be made available until the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking effective steps to—

(A) end hostilities and pursue good faith negotiations for a political settlement of the internal conflict;

(B) provide access for humanitarian organizations;

(C) end the recruitment and use of child soldiers;

(D) protect freedoms of expression, association, and assembly;

(E) reduce corruption related to the extraction and sale of oil and gas; and

(F) establish democratic institutions, including accountable military and police forces under civilian authority.

(3) The limitation of paragraph (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance to support South Sudan peace negotiations or to advance or implement a peace agreement; and

(C) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement (CPA) and mutual arrangements related to the CPA.

(j) SUDAN.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(3) The limitations of paragraphs (1) and (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance for democracy programs;

(C) assistance for the Darfur region, Southern Kordofan State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement (CPA), mutual arrangements related to post-referendum issues associated with the CPA, or any other internationally recognized viable peace agreement in Sudan.

(k) ZIMBABWE.—

(1) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe, except to meet basic

human needs or to promote democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that the rule of law has been restored, including respect for ownership and title to property, and freedoms of expression, association, and assembly.

(2) None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports as required in paragraph (1), and funds may be made available for macroeconomic growth assistance if the Secretary reports to the Committees on Appropriations that such government is implementing transparent fiscal policies, including public disclosure of revenues from the extraction of natural resources.

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) ASIA REBALANCING INITIATIVE.—Except for paragraphs (1)(C), (4), (5)(B) and (C), and 6(B), section 7043(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2016 as if part of this Act: *Provided*, That section 7043(a)(8) of such Act shall be applied to funds appropriated by this Act by adding ''East Asia,'' before ''South East Asia''.

(b) BURMA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—

(A) Funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for Burma may be made available notwithstanding any other provision of law, except for this subsection, and following consultation with the appropriate congressional committees.

(B) Funds appropriated under title III of this Act for assistance for Burma—

(i) may not be made available for budget support for the Government of Burma;

(ii) shall be made available to strengthen civil society organizations in Burma, including as core support for such organizations;

(iii) shall be made available for the implementation of the democracy and human rights strategy required by section 7043(b)(3)(A) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76);

(iv) shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading ''Migration and Refugee Assistance'';

(v) shall be made available for programs to promote ethnic and religious tolerance, including in Rakhine and Kachin states;

(vi) may not be made available to any successor or affiliated organization of the State Peace and Development Council (SPDC) controlled by former SPDC members that promotes the repressive policies of the SPDC, or to any individual or organization credibly alleged to have committed gross violations of human rights, including against Rohingya and other minority groups;

(vii) may be made available for programs administered by the Office of Transition Initiatives, United States Agency for International Development (USAID), for ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace, which may include support to representatives of ethnic armed groups for this purpose; and

(viii) may not be made available to any organization or individual the Secretary of State determines and reports to the appropriate congressional committees advocates violence against ethnic or religious groups and individuals in Burma, including such organizations as Ma Ba Tha.

(2) INTERNATIONAL SECURITY ASSISTANCE.—None of the funds appropriated by this Act under the headings ''International Military Education and Training'' and ''Foreign Military Financing Program'' may be made available for assistance for Burma: *Provided*, That the Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response in a manner consistent with the prior fiscal year, and following consultation with the appropriate congressional committees.

(3) MULTILATERAL ASSISTANCE.—The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support projects in Burma only if such projects—

(A) promote accountability and transparency, including on-site monitoring throughout the life of the project;

(B) are developed and carried out in accordance with best practices regarding environmental conservation; social and cultural protection and empowerment of local populations, particularly ethnic nationalities; and extraction of resources;

(C) do not promote the displacement of local populations without appropriate consultation, harm mitigation and compensation, and do not provide incentives for, or facilitate, the forced migration of indigenous communities; and

(D) do not partner with or otherwise involve military-owned enterprises or state-owned enterprises associated with the military.

(4) ASSESSMENT.—Not later than 180 days after enactment of this Act, the Comptroller General of the United States shall initiate an assessment of democracy programs in Burma conducted by the Department of State and USAID, including the strategy for such programs, and programmatic implementation and results: *Provided*, That of the funds appropriated by this Act and made available for assistance for Burma, up to $100,000 shall be made available to the Comptroller for such assessment.

(5) PROGRAMS, POSITION, AND RESPONSIBILITIES.—

(A) Any new program or activity in Burma initiated in fiscal year 2016 shall be subject to prior consultation with the appropriate congressional committees.

(B) Section 7043(b)(7) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2016 as if part of this Act.

(C) The United States Chief of Mission in Burma, in consultation with the Assistant Secretary for the Bureau of Democracy, Human Rights, and Labor, Department of State, shall be responsible for democracy programs in Burma.

(c) CAMBODIA.—

(1) KHMER ROUGE TRIBUNAL.—Of the funds appropriated by this Act that are made available for assistance for Cambodia, up to $2,000,000 may be made available for a contribution to the Extraordinary Chambers in the Court of Cambodia (ECCC), in a manner consistent with prior fiscal years, except that such funds may only be made available for a contribution to the appeals process in Case 002/01.

(2) RESEARCH AND EDUCATION.—Funds made available by this Act for democracy programs in Cambodia shall be made available for research and education programs associated with the Khmer Rouge genocide in Cambodia.

(3) REIMBURSEMENTS.—The Secretary of State shall continue to consult with the Principal Donors Group on reimbursements to the Documentation Center of Cambodia for costs incurred in support of the ECCC.

(d) NORTH KOREA.—

(1) BROADCASTS.—Funds appropriated by this Act under the heading ''International Broadcasting Operations'' shall be made available to maintain broadcasts into North Korea at levels consistent with the prior fiscal year.

(2) REFUGEES.—Funds appropriated by this Act under the heading ''Migration and Refugee Assistance'' shall be made available for assistance for refugees from North Korea, including protection activities in the People's Republic of China and other countries in the Asia region.

(3) DATABASE AND REPORT.—Funds appropriated by this Act under title III shall be made available to maintain a database of prisons and gulags in North Korea, in accordance with section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76): *Provided*, That not later than 30 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations describing the sources of information and format of such database.

(4) LIMITATION ON USE OF FUNDS.—None of the funds made available by this Act under the heading ''Economic Support Fund'' may be made available for assistance for the Government of North Korea.

(e) PEOPLE'S REPUBLIC OF CHINA.—

(1) LIMITATION ON USE OF FUNDS.—None of the funds appropriated under the heading ''Diplomatic and Consular Programs'' in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China (PRC) unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) PEOPLE'S LIBERATION ARMY.—The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People's Liberation Army (PLA) of the PRC, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: *Provided*, That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(3) COUNTER INFLUENCE PROGRAMS.—Funds appropriated by this Act for public diplomacy under title I and for assistance under titles III and IV shall be made available to counter the influence of the PRC, in accordance with the strategy required by section 7043(e)(3) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76), following consultation with the Committees on Appropriations.

(4) COST-MATCHING REQUIREMENT.—Section 7032(f) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2016 as if part of this Act.

(f) TIBET.—

(1) FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the mi-

gration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) PROGRAMS FOR TIBETAN COMMUNITIES.—

(A) Notwithstanding any other provision of law, funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China.

(B) Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs to promote and preserve Tibetan culture, development, and the resilience of Tibetan communities in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: *Provided*, That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet.

(g) VIETNAM.—

(1) DIOXIN REMEDIATION.—Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes.

(2) HEALTH AND DISABILITY PROGRAMS.—Funds appropriated by this Act under the heading ''Development Assistance'' shall be made available for health and disability programs in areas sprayed with Agent Orange and otherwise contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment and/or cognitive or developmental disabilities.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) DIPLOMATIC OPERATIONS.—

(A) FACILITIES.—Funds appropriated by this Act under the headings ''Diplomatic and Consular Programs'', ''Embassy Security, Construction, and Maintenance'', and ''Operating Expenses'' that are available for construction and renovation of United States Government facilities in Afghanistan may not be made available if the purpose is to accommodate Federal employee positions or to expand aviation facilities or assets above those notified by the Department of State and the United States Agency for International Development (USAID) to the Committees on Appropriations, or contractors in addition to those in place on the date of enactment of this Act: *Provided*, That the limitations in this paragraph shall not apply if funds are necessary to implement plans for accommodating other United States Government agencies under Chief of Mission authority per section 3927 of title 22, United States Code, or to protect such facilities or the security, health, and welfare of United States Government personnel.

(B) PERSONNEL REPORT.—Not later than 30 days after enactment of this Act and every 120 days thereafter until September 30, 2016, the Secretary of State shall submit a report, in classified form if necessary, to the appropriate congressional committees detailing by agency the number of personnel present in Afghanistan under Chief of Mission authority per section 3927 of title 22, United States Code, at the end of the 120 day period preceding the submission of such report: *Provided*, That such report shall also include the number of locally employed staff and contractors supporting United States Embassy operations in Afghanistan during the reporting period.

(2) ASSISTANCE AND CONDITIONS.—

(A) FUNDING AND LIMITATIONS.—Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' may be made available for assistance for Afghanistan: *Provided*, That such funds may not be obligated for any project or activity that—

(i) includes the participation of any Afghan individual or organization that the Secretary of State determines to be involved in corrupt practices or a violation of human rights;

(ii) cannot be sustained, as appropriate, by the Government of Afghanistan or another Afghan entity;

(iii) is inaccessible for the purposes of conducting regular oversight in accordance with applicable Federal statutes and regulations; or

(iv) initiates any new, major infrastructure development.

(B) CERTIFICATION AND REPORT.—Prior to the initial obligation of funds made available by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' for assistance for the central Government of Afghanistan, the Secretary of State shall certify and report to the Committees on Appropriations, after consultation with the Government of Afghanistan, that—

(i) goals and benchmarks for the specific uses of such funds have been established by the Governments of the United States and Afghanistan;

(ii) conditions are in place that increase the transparency and accountability of the Government of Afghanistan for funds obligated under the New Development Partnership;

(iii) the Government of Afghanistan is continuing to implement laws and policies to govern democratically and protect the rights of individuals and civil society, including taking consistent steps to protect and advance the rights of women and girls in Afghanistan;

(iv) the Government of Afghanistan is reducing corruption and prosecuting individuals alleged to be involved in illegal activities in Afghanistan;

(v) monitoring and oversight frameworks for programs implemented with such funds are in accordance with all applicable audit policies of the Department of State and USAID;

(vi) the necessary policies and procedures are in place to ensure Government of Afghanistan compliance with section 7013 of this Act; and

(vii) the Government of Afghanistan has established processes for the public reporting of its national budget, including revenues and expenditures.

(C) WAIVER.—The Secretary of State, after consultation with the Secretary of Defense, may waive the certification requirement of subparagraph (B) if the Secretary determines that to do so is important to the national security interest of the United States and the Secretary submits a report to the Committees on Appropriations, in classified form if necessary, on the justification for the waiver and the reasons why any part of the certification requirement of subparagraph (B) has not been met.

(D) PROGRAMS.—Funds appropriated by this Act that are made available for assistance for Afghanistan shall be made available in the following manner—

(i) not less than $50,000,000 shall be made available for rule of law programs, the decisions for which shall be the responsibility of the Chief of Mission, in consultation with other appropriate United States Government officials in Afghanistan;

(ii) for programs that protect the rights of women and girls and promote the political and economic empowerment of women, including their meaningful inclusion in political processes: *Provided*, That such assistance to promote economic empowerment of women shall be made available as grants to Afghan and international organizations, to the maximum extent practicable;

(iii) for programs in South and Central Asia to expand linkages between Afghanistan and countries in the region, subject to the regular notification procedures of the Committees on Appropriations; and

(iv) to assist the Government of Afghanistan to increase revenue collection and expenditure.

(3) GOALS AND BENCHMARKS.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing the goals and benchmarks required in clause (2)(B)(i): *Provided*, That not later than 6 months after the submission of such report and every 6 months thereafter until September 30, 2017, the Secretary of State shall submit a report to such committees on the status of achieving such goals and benchmarks: *Provided further*, That the Secretary of State should suspend assistance for the Government of Afghanistan if any report required by this paragraph indicates that such government is failing to make measurable progress in meeting such goals and benchmarks.

(4) AUTHORITIES.—

(A) Funds appropriated by this Act under title III through VI that are made available for assistance for Afghanistan may be made available—

(i) notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961;

(ii) for reconciliation programs and disarmament, demobilization, and reintegration activities for former combatants who have renounced violence against the Government of Afghanistan, in accordance with section 7046(a)(2)(B)(ii) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74); and

(iii) for an endowment to empower women and girls.

(B) Section 7046(a)(2)(A) of division I of Public Law 112–74 shall apply to funds appropriated by this Act for assistance for Afghanistan.

(C) Section 1102(c) of the Supplemental Appropriations Act, 2009 (title XI of Public Law 111–32) shall continue in effect during fiscal year 2016 as if part of this Act.

(5) BASING RIGHTS AGREEMENT.—None of the funds made available by this Act may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(b) BANGLADESH.—Funds appropriated by this Act under the heading ''Development Assistance'' that are made available for assistance for Bangladesh shall be made available for programs to protect due process of law, and to improve labor conditions by strengthening the capacity of independent workers' organizations in Bangladesh's readymade garment, shrimp, and fish export sectors.

(c) NEPAL.—

(1) BILATERAL ECONOMIC ASSISTANCE.—Funds appropriated by this Act shall be made available for assistance for Nepal for earthquake recovery and reconstruction programs: *Provided*, That such amounts shall be in addition to funds made available by this Act for development and democracy programs in Nepal: *Provided further*, That funds

made available for earthquake recovery and reconstruction programs should—

(A) target affected communities on an equitable basis; and

(B) include sufficient oversight mechanisms, to include the participation of civil society organizations.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' shall only be made available for humanitarian and disaster relief and reconstruction activities in Nepal, and in support of international peacekeeping operations: *Provided*, That such funds may only be made available for any additional uses if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the law of war, and the Nepal Army is cooperating fully with civilian judicial authorities on such efforts.

(d) PAKISTAN.—

(1) CERTIFICATION REQUIREMENT.—None of the funds appropriated or otherwise made available by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Foreign Military Financing Program'' for assistance for the Government of Pakistan may be made available unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Pakistan is—

(A) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and other domestic and foreign terrorist organizations, including taking effective steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(B) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(C) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(D) preventing the proliferation of nuclear-related material and expertise;

(E) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(F) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(2) WAIVER.—The Secretary of State, after consultation with the Secretary of Defense, may waive the certification requirement of paragraph (1) if the Secretary of State determines that to do so is important to the national security interest of the United States and the Secretary submits a report to the Committees on Appropriations, in classified form if necessary, on the justification for the waiver and the reasons why any part of the certification requirement of paragraph (1) has not been met.

(3) ASSISTANCE.—

(A) Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan.

(B) Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' that are available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture IEDs, including calcium ammonium nitrate; to support programs to train border and customs officials in Pakistan and Afghanistan; and for agricultural extension programs that encourage alternative fertilizer use among Pakistani farmers.

(C) Funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for infrastructure projects in Pakistan shall be implemented in a manner consistent with section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(D) Funds appropriated by this Act under titles III and IV for assistance for Pakistan may be made available notwithstanding any other provision of law, except for this subsection and section 620M of the Foreign Assistance Act of 1961.

(E) Of the funds appropriated under title III of this Act that are made available for assistance for Pakistan, $33,000,000 shall be withheld from obligation until the Secretary of State reports to the Committees on Appropriations that Dr. Shakil Afridi has been released from prison and cleared of all charges relating to the assistance provided to the United States in locating Osama bin Laden.

(4) SCHOLARSHIPS FOR WOMEN.—The authority and directives of section 7044(d)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall apply to funds appropriated by this Act that are made available for assistance for Pakistan.

(5) REPORTS.—

(A)(i) The spend plan required by section 7076 of this Act for assistance for Pakistan shall include achievable and sustainable goals, benchmarks for measuring progress, and expected results regarding combating poverty and furthering development in Pakistan, countering terrorism and extremism, and establishing conditions conducive to the rule of law and transparent and accountable governance: *Provided*, That such benchmarks may incorporate those required in title III of the Enhanced Partnership with Pakistan Act of 2009 (22 U.S.C. 8441 et seq.), as appropriate: *Provided further*, That not later than 6 months after submission of such spend plan, and each 6 months thereafter until September 30, 2017, the Secretary of State shall submit a report to the Committees on Appropriations on the status of achieving the goals and benchmarks in such plan.

(ii) The Secretary of State should suspend assistance for the Government of Pakistan if any report required by clause (i) indicates that Pakistan is failing to make measurable progress in meeting such goals or benchmarks.

(B) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the costs and objectives associated with significant infrastructure projects supported by the United States in Pakistan, and an assessment of the extent to which such projects achieve such objectives.

(6) OVERSIGHT.—The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Pakistan.

(e) SRI LANKA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for assistance for Sri Lanka for democracy and economic development programs, particularly in areas recovering from ethnic and religious conflict: *Provided*, That such funds shall be made available for programs to assist in the identification and resolution of cases of missing persons.

(2) CERTIFICATION.—Funds appropriated by this Act for assistance for the central Government of Sri Lanka may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Sri Lanka is continuing to—

(A) address the underlying causes of conflict in Sri Lanka; and

(B) increase accountability and transparency in governance.

(3) INTERNATIONAL SECURITY ASSISTANCE.—Funds appropriated under title IV of this Act that are available for assistance for Sri Lanka shall be subject to the following conditions—

(A) funds under the heading ''Foreign Military Financing Program'' may only be made available for programs to redeploy, restructure, and reduce the size of the Sri Lankan armed forces and shall not exceed $400,000;

(B) funds under the heading ''International Military Education and Training'' may only be made available for training related to international peacekeeping operations and Expanded International Military Education and Training; and

(C) funds under the heading ''Peacekeeping Operations'' may only be made available for training related to international peacekeeping operations.

(f) REGIONAL PROGRAMS.—

(1) Funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for Afghanistan and Pakistan may be provided, notwithstanding any other provision of law that restricts assistance to foreign countries, for cross border stabilization and development programs between Afghanistan and Pakistan, or between either country and the Central Asian countries.

(2) Funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Assistance for Europe, Eurasia and Central Asia'' that are available for assistance for countries in South and Central Asia shall be made available to enhance the recruitment, retention, and professionalism of women in the judiciary, police, and other security forces.

WESTERN HEMISPHERE

SEC. 7045. (a) UNITED STATES ENGAGEMENT IN CENTRAL AMERICA.—

(1) FUNDING.—Subject to the requirements of this subsection, of the funds appropriated under titles III and IV of this Act, up to $750,000,000 may be made available for assistance for countries in Central America to implement the United States Strategy for Engagement in Central America (the Strategy) in support of the Plan of the Alliance for Prosperity in the Northern Triangle of Central America (the Plan): *Provided*, That the Secretary of State and Administrator of the United States Agency for International Development (USAID) shall prioritize such assistance to address the key factors in such countries contributing to the migration of unaccompanied, undocumented minors to the United States: *Provided further*, That such funds shall be made available to the maximum extent practicable on a cost-matching basis.

(2) PRE-OBLIGATION REQUIREMENTS.—Prior to the obligation of funds made available pursuant to paragraph (1), the Secretary of State shall submit to the Committees on Appropriations a multi-year spend plan specifying the proposed uses of such funds in each country and the objectives, indicators to measure progress, and a timeline to implement the Strategy, and the amounts made available from prior Acts making appropriations for the Department of State, foreign

operations, and related programs to support such Strategy: *Provided*, That such spend plan shall also include a description of how such assistance will differ from, complement, and leverage funds allocated by each government and other donors, including international financial institutions.

(3) ASSISTANCE FOR THE CENTRAL GOVERNMENTS OF EL SALVADOR, GUATEMALA, AND HONDURAS.—Of the funds made available pursuant to paragraph (1) that are available for assistance for each of the central governments of El Salvador, Guatemala, and Honduras, the following amounts shall be withheld from obligation and may only be made available as follows:

(A) 25 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is taking effective steps to—

(i) inform its citizens of the dangers of the journey to the southwest border of the United States;

(ii) combat human smuggling and trafficking;

(iii) improve border security; and

(iv) cooperate with United States Government agencies and other governments in the region to facilitate the return, repatriation, and reintegration of illegal migrants arriving at the southwest border of the United States who do not qualify as refugees, consistent with international law.

(B) An additional 50 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is taking effective steps to—

(i) establish an autonomous, publicly accountable entity to provide oversight of the Plan;

(ii) combat corruption, including investigating and prosecuting government officials credibly alleged to be corrupt;

(iii) implement reforms, policies, and programs to improve transparency and strengthen public institutions, including increasing the capacity and independence of the judiciary and the Office of the Attorney General;

(iv) establish and implement a policy that local communities, civil society organizations (including indigenous and other marginalized groups), and local governments are consulted in the design, and participate in the implementation and evaluation of, activities of the Plan that affect such communities, organizations, and governments;

(v) counter the activities of criminal gangs, drug traffickers, and organized crime;

(vi) investigate and prosecute in the civilian justice system members of military and police forces who are credibly alleged to have violated human rights, and ensure that the military and police are cooperating in such cases;

(vii) cooperate with commissions against impunity, as appropriate, and with regional human rights entities;

(viii) support programs to reduce poverty, create jobs, and promote equitable economic growth in areas contributing to large numbers of migrants;

(ix) establish and implement a plan to create a professional, accountable civilian police force and curtail the role of the military in internal policing;

(x) protect the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference;

(xi) increase government revenues, including by implementing tax reforms and strengthening customs agencies; and

(xii) resolve commercial disputes, including the confiscation of real property, between United States entities and such government.

(4) SUSPENSION OF ASSISTANCE AND PERIODIC REVIEW.—

(A) The Secretary of State shall periodically review the progress of each of the central governments of El Salvador, Guatemala, and Honduras in meeting the requirements of paragraphs (3)(A) and (3)(B) and shall, not later than September 30, 2016, submit to the appropriate congressional committees a report assessing such progress: *Provided*, That if the Secretary determines that sufficient progress has not been made by a central government, the Secretary shall suspend, in whole or in part, assistance for such government for programs supporting such requirement, and shall notify such committees in writing of such action: *Provided further*, That the Secretary may resume funding for such programs only after the Secretary certifies to such committees that corrective measures have been taken.

(B) The Secretary of State shall, following a change of national government in El Salvador, Guatemala, or Honduras, determine and report to the appropriate congressional committees that any new government has committed to take the steps to meet the requirements of paragraphs (3)(A) and (3)(B): *Provided*, That if the Secretary is unable to make such a determination in a timely manner, assistance made available under this subsection for such central government shall be suspended, in whole or in part, until such time as such determination and report can be made.

(5) PROGRAMS AND TRANSFER OF FUNDS.—

(A) Funds appropriated by this Act for the Central America Regional Security Initiative may be made available, after consultation with, and subject to the regular notification procedures of, the Committees on Appropriations, to support international commissions against impunity in Honduras and El Salvador, if such commissions are established.

(B) The Department of State and USAID may, following consultation with the Committees on Appropriations, transfer funds made available by this Act under the heading ''Development Assistance'' to the Inter-American Development Bank and the Inter-American Foundation for technical assistance in support of the Strategy.

(b) COLOMBIA.—

(1) ASSISTANCE.—Funds appropriated by this Act and made available to the Department of State for assistance for the Government of Colombia may be used to support a unified campaign against narcotics trafficking, organizations designated as Foreign Terrorist Organizations, and other criminal or illegal armed groups, and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: *Provided*, That the first through fifth provisos of paragraph (1), and paragraph (3) of section 7045(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect during fiscal year 2016 and shall apply to funds appropriated by this Act and made available for assistance for Colombia as if included in this Act: *Provided further*, That of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $133,000,000 shall be made available for assistance for Colombia, of which not less than $126,000,000 shall be apportioned directly to the United States Agency for International Development, and $7,000,000 shall be transferred to, and merged with, funds appropriated by this Act under the heading ''Migration and Refugee Assistance'' for assistance for Colombian refugees in neighboring countries.

(2)(A) Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Colombia, 19 percent may be obligated only in accordance with the conditions under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act).

(B) The limitations of this paragraph shall not apply to funds made available under such heading for aviation instruction and maintenance, and maritime security programs.

(3) NOTIFICATION.—Funds appropriated by this Act that are made available for assistance for Colombia to support the implementation of a peace agreement shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) HAITI.—

(1) FUNDING.—Of the funds appropriated by this Act, not more than $191,413,000 may be made available for assistance for Haiti.

(2) GOVERNANCE CERTIFICATION.—Funds made available in paragraph (1) may not be made available for assistance for the central Government of Haiti unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Haiti is taking effective steps to—

(A) hold free and fair parliamentary elections and seat a new Haitian Parliament;

(B) strengthen the rule of law in Haiti, including by selecting judges in a transparent manner; respect the independence of the judiciary; and improve governance by implementing reforms to increase transparency and accountability;

(C) combat corruption, including by implementing the anti-corruption law enacted in 2014 and prosecuting corrupt officials; and

(D) increase government revenues, including by implementing tax reforms, and increase expenditures on public services.

(3) HAITIAN COAST GUARD.—The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

(d) AIRCRAFT OPERATIONS AND MAINTENANCE.—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act should be borne by the recipient country.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 7046. None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

WAR CRIMES TRIBUNALS

SEC. 7047. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—

(1) Of the funds appropriated under title I and under the heading ''International Organizations and Programs'' in title V of this Act that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 15 percent may not be obligated for such organization, department, or agency until the Secretary of State reports to the Committees on Appropriations that the organization, department, or agency is—

(A) posting on a publicly available Web site, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency, and providing the United States Government with necessary access to such financial and performance audits; and

(B) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(i) protection against retaliation for internal and lawful public disclosures;

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

(iv) access to independent adjudicative bodies, including external arbitration; and

(v) results that eliminate the effects of proven retaliation.

(2) The restrictions imposed by or pursuant to paragraph (1) may be waived on a case-by-case basis if the Secretary of State determines and reports to the Committees on Appropriations that such waiver is necessary to avert or respond to a humanitarian crisis.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) None of the funds made available under title I of this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. App. 2405(j)(1)), supports international terrorism.

(2) None of the funds made available under title I of this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) The Secretary of State may waive the restriction in this subsection if the Secretary reports to the Committees on Appropriations that to do so is in the national interest of the United States.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—None of the funds appropriated by this Act may be made available in support of the United Nations Human Rights Council unless the Secretary of State determines and reports to the Committees on Appropriations that participation in the Council is important to the national interest of the United States and that the Council is taking steps to remove Israel as a permanent agenda item: *Provided*, That such report shall include a description of the national interest served and the steps taken to remove Israel as a permanent agenda item: *Provided further*, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2016, on the resolutions considered in the United Nations Human Rights Council during the previous 12 months, and on steps taken to remove Israel as a permanent agenda item.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report in writing to the Committees on Appropriations on whether the United Nations Relief and Works Agency (UNRWA) is—

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;

(4) taking necessary and appropriate measures to ensure it is operating in compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961 and continuing regular reporting to the Department of State on actions it has taken to ensure conformance with such conditions;

(5) taking steps to ensure the content of all educational materials currently taught in UNRWA-administered schools and summer camps is consistent with the values of human rights, dignity, and tolerance and does not induce incitement;

(6) not engaging in operations with financial institutions or related entities in violation of relevant United States law, and is taking steps to improve the financial transparency of the organization; and

(7) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board's recommendations.

(e) UNITED NATIONS CAPITAL MASTER PLAN.—None of the funds made available in this Act may be used for the design, renovation, or construction of the United Nations Headquarters in New York.

(f) WITHHOLDING REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2016 for contributions to any organization, department, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: *Provided*, That the Secretary of State shall update such report each time additional funds are withheld by operation of any provision of law: *Provided further*, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 7049. (a) AUTHORITY.—Funds made available by titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

PROHIBITION ON PROMOTION OF TOBACCO

SEC. 7050. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

INTERNATIONAL CONFERENCES

SEC. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

AIRCRAFT TRANSFER AND COORDINATION

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Diplomatic and Consular Programs'', ''International Narcotics Control and Law Enforcement'', ''Andean Counterdrug Initiative'', and ''Andean Counterdrug Programs'' may be used for any other program and in any region, including for the transportation of active and standby Civilian Response Corps personnel and equipment during a deployment: *Provided*, That the responsibility for policy decisions and justification for the use of such transfer authority shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: *Provided*, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development (USAID) with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate

Chief of Mission: *Provided*, That such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: *Provided further*, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis: *Provided further*, That funds received by the Department of State for the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Working Capital Fund of the Department and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN GOVERNMENTS

SEC. 7053. The terms and conditions of section 7055 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2011 (division F of Public Law 111–117) shall apply to this Act: *Provided*, That the date ''September 30, 2009'' in subsection (f)(2)(B) of such section shall be deemed to be ''September 30, 2015''.

LANDMINES AND CLUSTER MUNITIONS

SEC. 7054. (a) LANDMINES.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(b) CLUSTER MUNITIONS.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(2) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7055. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by Congress: *Provided*, That not to exceed $25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96–533).

CONSULAR IMMUNITY

SEC. 7056. The Secretary of State, with the concurrence of the Attorney General, may, on the basis of reciprocity and under such terms and conditions as the Secretary may determine, specify privileges and immunities for a consular post, the members of a consular post and their families which result in more favorable or less favorable treatment than is provided in the Vienna Convention on Consular Relations, of April 24, 1963 (T.I.A.S. 6820), entered into force for the United States December 24, 1969: *Provided*, That prior to exercising the authority of this section, the Secretary shall consult with the appropriate congressional committees on the circumstances that may warrant the need for privileges and immunities providing more favorable or less favorable treatment specified under such Convention.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

SEC. 7057. (a) AUTHORITY.—Up to $93,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2017.

(c) CONDITIONS.—The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', are eliminated.

(d) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: *Provided*, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading ''Operating Expenses''.

(e) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980, may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(f) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(g) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83–480), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 15 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83–480), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(h) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(i) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2011 (division F of Public Law 111–117) may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading ''Global Health Programs'' and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided*, That of the funds appropriated under title III of this Act, not less than $575,000,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) GLOBAL FUND.—Of the funds appropriated by this Act that are available for a contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that the Global Fund is—

(1) maintaining and implementing a policy of transparency, including the authority of the Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public Web site;

(2) providing sufficient resources to maintain an independent OIG that—

(A) reports directly to the Board of the Global Fund;

(B) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(C) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents;

(3) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

(D) access to independent adjudicative bodies, including external arbitration; and

(E) results that eliminate the effects of proven retaliation; and

(4) implementing the recommendations contained in the Consolidated Transformation Plan approved by the Board of the Global Fund on November 21, 2011:

*Provided*, That such withholding shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2016 pursuant to the application of any other provision contained in this or any other Act.

(c) CONTAGIOUS INFECTIOUS DISEASE OUTBREAKS.—If the Secretary of State determines and reports to the Committees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, funds made available under title III of this Act may be made available to combat such infectious disease or public health emergency: *Provided*, That funds made available pursuant to the authority of this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

GENDER EQUALITY

SEC. 7059. (a) GENDER EQUALITY.—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

(b) WOMEN'S LEADERSHIP.—Of the funds appropriated by title III of this Act, not less than $50,000,000 shall be made available to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) GENDER-BASED VIOLENCE.—

(1)(A) Of the funds appropriated by titles III and IV of this Act, not less than $150,000,000 shall be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and nonconflict settings.

(B) Funds appropriated by titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(2) Department of State and United States Agency for International Development gender programs shall incorporate coordinated efforts to combat a variety of forms of gender-based violence, including child marriage, rape, female genital cutting and mutilation, and domestic violence, among other forms of gender-based violence in conflict and nonconflict settings.

(d) WOMEN, PEACE, AND SECURITY.—Funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', and ''International Narcotics Control and Law Enforcement'' should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

SECTOR ALLOCATIONS

SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title III of this Act, not less than $800,000,000 should be made available for assistance for basic education, and such funds may be made available notwithstanding any provision of law that restricts assistance to foreign countries, except for the conditions provided in this subsection: *Provided*, That such funds should only be used to implement the stated objectives of basic education programs for each Country Development Cooperation Strategy or similar strategy regarding basic education established by the United States Agency for International Development (USAID).

(B) Not later than 30 days after enactment of this Act, the USAID Administrator shall report to the Committees on Appropriations on the status of cumulative unobligated balances and obligated, but unexpended, balances in each country where USAID provides basic education assistance and such report shall also include details on the types of contracts and grants provided and the goals and objectives of such assistance: *Provided*, That the USAID Administrator shall update such report on a monthly basis during fiscal year 2016: *Provided further*, That if the USAID Administrator determines that any unobligated balances of funds specifically designated for assistance for basic education in prior Acts making appropriations for the Department of State, foreign operations, and related programs are in excess of the absorptive capacity of recipient countries, such funds may be made available for other programs authorized under chapter 1 of part I of the Foreign Assistance Act of 1961, notwithstanding such funding designation: *Provided further*, That the authority of the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(C) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $70,000,000 shall be made available for a contribution to multilateral partnerships that support education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $225,000,000 shall be made available for assistance for higher education, including not less than $35,000,000 for new partnerships between higher education institutions in the United States and developing countries: *Provided*, That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) DEVELOPMENT PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $26,000,000 shall be made available for the American Schools and Hospitals Abroad program, and not less than $11,000,000 shall be made available for cooperative development programs of USAID.

(c) ENVIRONMENT PROGRAMS.—

(1) AUTHORITY.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law except for the provisions of this subsection and only subject to the reporting procedures of the Committees on Appropriations, to support environment programs.

(2) CONSERVATION PROGRAMS AND LIMITATIONS.—

(A) Of the funds appropriated under title III of this Act, not less than $265,000,000 shall be made available for biodiversity conservation programs.

(B) Not less than $80,000,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking.

(C) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the Committees on Appropriations that to do so is in the national security interests of the United States.

(D) Funds appropriated by this Act for biodiversity programs shall not be used to support the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forests as of December 30, 2013, and the Secretary of the Treasury shall instruct the United States executive directors of each international financial institutions (IFI) to vote against any financing of any such activity.

(3) LARGE DAMS.—The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to vote in relation to any loan, grant, strategy, or policy of such institution to support the construction of any large dam consistent with the criteria set forth in Senate Report 114–79, while also considering whether the project involves important foreign policy objectives.

(4) SUSTAINABLE LANDSCAPES.—Of the funds appropriated under title III of this Act, not less than $123,500,000 shall be made available for sustainable landscape programs.

(5) TRANSFER OF FUNDS.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', $9,720,000 shall be transferred to, and merged with, funds appropriated under the heading ''Contribution to the Strategic Climate Fund'', and such transfer shall occur not later than 120 days after the date of enactment of this Act.

(d) FOOD SECURITY AND AGRICULTURAL DEVELOPMENT.—

(1) Of the funds appropriated by title III of this Act, not less than $1,000,600,000 should be made available for food security and agricultural development programs, of which not less than $50,000,000 shall be made available for the Feed the Future Innovation Labs: *Provided*, That such funds may be made available notwithstanding any other provision of law to prevent or address food shortages, and for a United States contribution to the endowment of the Global Crop Diversity Trust.

(2) Funds appropriated under title III of this Act may be made available as a contribution to the Global Agriculture and Food Security Program if such contribution will not cause the United States to exceed 33 percent of the total amount of funds contributed to such Program.

(e) MICROENTERPRISE AND MICROFINANCE.—Of the funds appropriated by this Act, not less than $265,000,000 should be made available for microenterprise and microfinance development programs for the poor, especially women.

(f) PROGRAMS TO COMBAT TRAFFICKING IN PERSONS AND MODERN SLAVERY.—

(1) TRAFFICKING IN PERSONS.—

(A) Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''International Narcotics Control and Law Enforcement'', not less than $60,000,000 shall be made available for activities to combat trafficking in persons internationally.

(B) Funds made available in the previous paragraph shall be made available to support a multifaceted approach to combat human trafficking in Guatemala: *Provided*, That the Secretary of State shall consult with the Committees on Appropriations, not later than 30 days after enactment of this Act, on the use of such funds.

(2) MODERN SLAVERY.—Of the funds appropriated by this Act under the headings ''Development Assistance'' and ''International Narcotics Control and Law Enforcement'', in addition to funds made available pursuant to paragraph (1), $25,000,000 shall be made available for a grant or grants, to be awarded on an open and competitive basis, to reduce the prevalence of modern slavery globally: *Provided*, That such funds shall only be made available in fiscal year 2016 to carry out the End Modern Slavery Initiative Act of 2015 (S. 553, 114th Congress), as reported to the Senate, if such bill is enacted into law: *Provided further*, That if such bill is not enacted into law in fiscal year 2016, funds made available pursuant to this subsection shall be made available for other programs to combat trafficking in persons and modern slavery, following consultation with the appropriate congressional committees.

(g) RECONCILIATION PROGRAMS.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Development Assistance'', not less than $26,000,000 shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil strife and war: *Provided*, That the USAID Administrator shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government.

(h) WATER AND SANITATION.—Of the funds appropriated by this Act, not less than $400,000,000 shall be made available for water supply and sanitation projects pursuant to the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121), of which not less than $145,000,000 shall be for programs in sub-Saharan Africa, and of which not less than $14,000,000 shall be made available for programs to design and build safe, public latrines in Africa and Asia.

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 7061. (a) TRANSFER.—Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $20,000,000 of the funds appropriated under title III of this Act may be transferred to, and merged with, funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided*, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further*, That designated funding levels in this Act shall not be transferred pursuant to this section: *Provided further*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) AUTHORITY.—Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961, the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect until September 30, 2016.

ARMS TRADE TREATY

SEC. 7062. None of the funds appropriated by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE POPULATIONS OR INTERNALLY DISPLACED PERSONS

SEC. 7063. Funds appropriated by this Act under the headings ''Development Assistance'' and ''Economic Support Fund'' shall be made available for programs in countries affected by significant populations of internally displaced persons or refugees to—

(1) expand and improve host government social services and basic infrastructure to accommodate the needs of such populations and persons;

(2) alleviate the social and economic strains placed on host communities;

(3) improve coordination of such assistance in a more effective and sustainable manner; and

(4) leverage increased assistance from donors other than the United States Government for central governments and local communities in such countries.

REPORTING REQUIREMENTS CONCERNING INDIVIDUALS DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

SEC. 7064. Not later than 5 days after the conclusion of an agreement with a country, including a state with a compact of free association with the United States, to receive by transfer or release individuals detained at United States Naval Station, Guantánamo Bay, Cuba, the Secretary of State shall notify the Committees on Appropriations in writing of the terms of the agreement, including whether funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs will be made available for assistance for such country pursuant to such agreement.

MULTI-YEAR PLEDGES

SEC. 7065. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified, including the projected future year costs, in a congressional budget justification;

(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

PROHIBITION ON USE OF TORTURE

SEC. 7066. (a) LIMITATION.—None of the funds made available in this Act may be used to support or justify the use of torture, cruel, or inhumane treatment by any official or contract employee of the United States Government.

(b) ASSISTANCE TO ELIMINATE TORTURE.—Funds appropriated under titles III and IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act.

EXTRADITION

SEC. 7067. (a) LIMITATION.—None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings ''International Disaster Assistance'', ''Complex Crises Fund'', ''International Narcotics Control and Law Enforcement'', ''Migration and Refugee Assistance'', ''United States Emergency Refugee and Migration Assistance Fund'', and ''Nonproliferation, Anti-terrorism, Demining and Related Assistance'') for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) CLARIFICATION.—Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

(c) WAIVER.—The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interests of the United States.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 7068. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt, and the North Atlantic Treaty Organization (NATO), and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 7069. (a) ASSISTANCE FOR UKRAINE.—Of the funds appropriated by this Act under titles III through VI, not less than $658,185,000 shall be made available for assistance for Ukraine.

(b) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That except as otherwise provided in section 7070(a) of this Act, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: *Provided further*, That prior to executing the authority contained in this subsection the Department of State shall consult with the Committees on Appropriations on how such assistance supports the national security interest of the United States.

(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.—Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661

of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

RUSSIA

SEC. 7070. (a) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) DETERMINATION AND CONDITIONS.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea: *Provided*, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this paragraph if the Secretary certifies to such Committees that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea;

(B) the facilitation, financing, or guarantee of United States Government investments in Crimea, if such activity includes the participation of Russian Government officials, or other Russian owned or controlled financial entities; or

(C) assistance for Crimea, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including but not limited to any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea.

(c) ASSISTANCE TO REDUCE VULNERABILITY AND PRESSURE.—Funds appropriated by this Act for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(d) DEMOCRACY PROGRAMS.—Funds appropriated by this Act shall be made available to support the advancement of democracy and the rule of law in the Russian Federation, including to promote Internet freedom, and shall also be made available to support the democracy and rule of law strategy required by section 7071(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(e) REPORTS.—Not later than 45 days after enactment of this Act, the Secretary of State shall update the reports required by section 7071(b)(2), (c), and (e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

INTERNATIONAL MONETARY FUND

SEC. 7071. (a) EXTENSIONS.—The terms and conditions of sections 7086(b) (1) and (2) and 7090(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act.

(b) REPAYMENT.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private creditors.

SPECIAL DEFENSE ACQUISITION FUND

SEC. 7072. Not to exceed $900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (Fund), to remain available for obligation until September 30, 2018: *Provided*, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

COUNTERING FOREIGN FIGHTERS AND VIOLENT EXTREMIST ORGANIZATIONS

SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS AND VIOLENT EXTREMIST ORGANIZATIONS.—Funds appropriated under titles III and IV of this Act shall be made available for programs to—

(1) counter the flow of foreign fighters to countries in which violent extremists or violent extremist organizations operate, including those entities designated as foreign terrorist organizations (FTOs) pursuant to section 219 of the Immigration and Nationality Act (Public Law 82–814), including through programs with partner governments and multilateral organizations to—

(A) counter recruitment campaigns by such entities;

(B) detect and disrupt foreign fighter travel, particularly at points of origin;

(C) implement antiterrorism programs;

(D) secure borders, including points of infiltration and exfiltration by such entities;

(E) implement and establish criminal laws and policies to counter foreign fighters; and

(F) arrest, investigate, prosecute, and incarcerate terrorist suspects, facilitators, and financiers; and

(2) reduce public support for violent extremists or violent extremist organizations, including FTOs, by addressing the specific drivers of radicalization, including through such activities as—

(A) public messaging campaigns to damage their appeal;

(B) programs to engage communities and populations at risk of violent extremist radicalization and recruitment;

(C) counter-radicalization and deradicalization activities for potential and former violent extremists and returning foreign fighters, including in prisons;

(D) law enforcement training programs; and

(E) capacity building for civil society organizations to combat radicalization in local communities.

(b) STRENGTHENING THE STATE SYSTEM.—

(1) Funds appropriated under titles III and IV of this Act shall be made available for programs to strengthen the state system and counter violent extremists and violent extremist organizations, including FTOs, by supporting security and governance programs in countries whose stability and legitimacy are directly threatened by violence against state institutions by such entities, including at the national and local levels, and in fragile states bordering such countries.

(2) Programs funded pursuant to paragraph (1) shall prioritize activities to improve governance, including by—

(A) promoting civil society;

(B) strengthening the rule of law;

(C) professionalizing security services;

(D) increasing transparency and accountability;

(E) combating corruption; and

(F) protecting human rights.

(c) REQUIREMENTS.—

(1) The Secretary of State shall ensure that the programs described in subsection (a) are coordinated with and complement the efforts of other United States Government agencies and international partners, and that such programs are consistent with all applicable laws, regulations, and policies regarding the use of foreign assistance funds: *Provided*, That the Secretary shall also ensure that information gained through the conduct of programs described in subsection (a)(1) is shared in a timely manner with relevant United States Government agencies and other international partners, as appropriate.

(2) Prior to the obligation of funds appropriated by this Act and made available for the purposes of this section, the Secretary of State shall ensure that mechanisms are in place for appropriate monitoring, oversight, and control of such assistance: *Provided*, That the Secretary shall promptly inform the appropriate congressional committees of each significant instance in which assistance provided for such purposes has been compromised, including the amount and type of assistance affected, a description of the incident and parties involved, and an explanation of the response of the Department of State.

(3) Funds appropriated by this Act that are made available for programs described in subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations, and are subject to the additional requirements contained under section 7073 in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided*, That for the purposes of funds appropriated by this Act that are made available for countering violent extremism, as justified to the Committees on Appropriations in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2016, such funds shall only be made available for programs described in subsection (a)(2).

ENTERPRISE FUNDS

SEC. 7074. (a) NOTIFICATION REQUIREMENT.—None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.

(b) DISTRIBUTION OF ASSETS PLAN.—Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) TRANSITION OR OPERATING PLAN.—Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7075. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program and policy.

BUDGET DOCUMENTS

SEC. 7076. (a) OPERATING PLANS.—Not later than 45 days after the date of enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2016, that provides details of the uses of such funds at the program, project, and activity level: *Provided*, That such plans shall include, as applicable, a comparison between the most recent congressional directives or approved funding levels and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: *Provided further*, That if such department, agency, or organization receives an additional amount under the same heading in title VIII of this Act, operating plans required by this subsection shall include consolidated information on all such funds: *Provided further*, That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act), as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(b) SPEND PLANS.—

(1) Prior to the initial obligation of funds, the Secretary of State or Administrator of the United States Agency for International Development (USAID), as appropriate, shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act, for—

(A) assistance for Afghanistan, Lebanon, Pakistan, and the West Bank and Gaza;

(B) Power Africa and the regional security initiatives listed under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act): *Provided*, That the spend plan for such initiatives shall include the amount of assistance planned for each country by account, to the maximum extent practicable; and

(C) democracy programs and sectors enumerated in subsections (a), (c)(2), (d)(1), (e), (f), and (h) of section 7060 of this Act.

(2) Not later than 45 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading ''Department of the Treasury, International Affairs Technical Assistance'' in title III.

(c) SPENDING REPORT.—Not later than 45 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed report on spending of funds made available during fiscal year 2015 under the heading ''Development Credit Authority''.

(d) NOTIFICATIONS.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(e) CONGRESSIONAL BUDGET JUSTIFICATION.—

(1) The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2017: *Provided*, That the appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

(2) The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested under the headings ''Diplomatic and Consular Programs'' and ''Operating Expenses''.

REPORTS AND RECORDS MANAGEMENT

SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

(1) REQUIREMENT.—Any agency receiving funds made available by this Act shall, subject to paragraphs (2) and (3), post on the publicly available Web site of such agency any report required by this Act to be submitted to the Committees on Appropriations, upon a determination by the head of such agency that to do so is in the national interest.

(2) EXCEPTIONS.—Paragraph (1) shall not apply to a report if—

(A) the public posting of such report would compromise national security, including the conduct of diplomacy; or

(B) the report contains proprietary, privileged, or sensitive information.

(3) TIMING AND INTENTION.—The head of the agency posting such report shall, unless otherwise provided for in this Act, do so only after such report has been made available to the Committees on Appropriations for not less than 45 days: *Provided*, That any report required by this Act to be submitted to the Committees on Appropriations shall include information from the submitting agency on whether such report will be publicly posted.

(b) REQUESTS FOR DOCUMENTS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Department of State and the United States Agency for International Development (USAID).

(c) RECORDS MANAGEMENT.—

(1) LIMITATION AND DIRECTIVES.—

(A) None of the funds appropriated by this Act under the headings ''Diplomatic and Consular Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' in title II that are made available to the Department of State and USAID may be made available to support the use or establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program in contravention of the Presidential and Federal Records Act Amendments of 2014 (Public Law 113–187).

(B) The Secretary of State and USAID Administrator shall—

(i) update the policies, directives, and oversight necessary to comply with Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(ii) use funds appropriated by this Act under the headings ''Diplomatic and Consular Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' in title II, as appropriate, to improve Federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

(iii) direct departing employees that all Federal records generated by such employees, including senior officials, belong to the Federal Government; and

(iv) measurably improve the response time for identifying and retrieving Federal records.

(2) REPORT.—Not later than 30 days after enactment of this Act, the Secretary of State and USAID Administrator shall each submit a report to the Committees on Appropriations and to the National Archives and Records Administration detailing, as appropriate and where applicable—

(A) the policy of each agency regarding the use or the establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program;

(B) the extent to which each agency is in compliance with applicable Federal records management statutes, regulations, and policies; and

(C) the steps required, including steps already taken, and the associated costs, to—

(i) comply with paragraph (1)(B) of this subsection;

(ii) ensure that all employees at every level have been instructed in procedures and processes to ensure that the documentation of their official duties is captured, preserved, managed, protected, and accessible in official Government systems of the Department of State and USAID;

(iii) implement the recommendations of the Office of Inspector General, United States Department of State (OIG), in the March 2015 Review of State Messaging and Archive Retrieval Toolset and Record Email (ISP–I–15–15) and any recommendations from the OIG review of the records management practices of the Department of State requested by the Secretary on March 25, 2015, if completed;

(iv) reduce the backlog of Freedom of Information Act and Congressional oversight requests, and measurably improve the response time for answering such requests;

(v) strengthen cyber security measures to mitigate vulnerabilities, including those resulting from the use of personal email accounts or servers outside the .gov domain; and

(vi) codify in the Foreign Affairs Manual and Automated Directives System the updates referenced in paragraph (1)(B) of this subsection, where appropriate.

(3) REPORT ASSESSMENT.—Not later than 180 days after the submission of the reports required by paragraph (2), the Comptroller General of the United States, in consultation with National Archives and Records Administration, as appropriate, shall conduct an assessment of such reports, and shall consult with the Committees on Appropriations on the scope and requirements of such assessment.

(4) FUNDING.—Of funds appropriated by this Act under the heading ''Capital Investment Fund'' in title I, $10,000,000 shall be withheld from obligation until the Secretary submits the report required by paragraph (2).

GLOBAL INTERNET FREEDOM

SEC. 7078. (a) FUNDING.—Of the funds available for obligation during fiscal year 2016 under the headings ''International Broadcasting Operations'', ''Economic Support Fund'', ''Democracy Fund'', and ''Assistance for Europe, Euraisa and Central Asia'', not less than $50,500,000 shall be made available for programs to promote Internet freedom globally: *Provided*, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interests of the United States: *Provided further*, That funds made available pur-

suant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) REQUIREMENTS.—Funds made available pursuant to subsection (a) shall be—

(1) coordinated with other democracy, governance, and broadcasting programs funded by this Act under the headings ''International Broadcasting Operations'', ''Economic Support Fund'', ''Democracy Fund'', ''Complex Crises Fund'', and ''Assistance for Europe, Eurasia and Central Asia'', and shall be incorporated into country assistance, democracy promotion, and broadcasting strategies, as appropriate;

(2) made available to the Bureau of Democracy, Human Rights, and Labor, Department of State for programs to implement the May 2011, International Strategy for Cyberspace and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);

(3) made available to the Broadcasting Board of Governors (BBG) to provide tools and techniques to access the Web sites of BBG broadcasters that are censored, and to work with such broadcasters to promote and distribute such tools and techniques, including digital security techniques;

(4) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(5) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship techniques: *Provided*, That the Secretary of State, in consultation with the BBG Chairman, shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies; and

(6) coordinated by the Assistant Secretary of State for Democracy, Human Rights, and Labor, Department of State, except that the uses of such funds made available under the heading ''International Broadcasting Operations'' shall be the responsibility of the BBG Chairman.

(c) COORDINATION AND SPEND PLANS.—After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the BBG Chairman shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes: *Provided*, That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and USAID offices and bureaus: *Provided further*, That prior to the obligation of such funds, such offices and bureaus shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, to ensure that such programs support the Department of State Internet freedom strategy.

DISABILITY PROGRAMS

SEC. 7079. (a) ASSISTANCE.—Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs and activities administered by the United States Agency for International Development (USAID) to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation.

(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUPPORT.—Of the funds made available pursuant to this section, 5 percent may be used for USAID for management, oversight, and technical support.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7080. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers' rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

(4) for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to—

(A) the third proviso of subsection 7079(b) of the Consolidated Appropriations Act, 2010;

(B) the modification proposed by the Overseas Private Investment Corporation in November 2013 to the Corporation's Environmental and Social Policy Statement relating to coal; or

(C) the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013,

when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to: (i) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and (ii) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

COUNTRY FOCUS AND SELECTIVITY

SEC. 7081. (a) TRANSITION PLAN REQUIREMENT.—Any bilateral country assistance strategy developed after the date of enactment of this Act for the provision of assistance for a foreign country shall include a transition plan identifying end goals and options for winding down, within a targeted period of years, such bilateral assistance: *Provided*, That such transition plan shall be developed by the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), the heads of other relevant Federal agencies, and officials of such foreign government and representatives of civil society, as appropriate.

(b) TARGETED TRANSITIONS.—Not later than 180 days after enactment of this Act, the Secretary of State, in consultation with the USAID Administrator, the heads of other relevant Federal agencies, and the Committees on Appropriations, shall select at least one country in which to establish and implement a transition program to seek to reduce dependency on bilateral foreign assistance and create greater self-sufficiency for such country: *Provided*, That any such selection shall be of a country receiving assistance with funds appropriated under titles III and IV of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that—

(1) is a long-time recipient of such assistance;

(2) has demonstrated, or has been assessed to possess, the capacity for self-sufficiency; and

(3) is not impacted by conflict or crisis, including large numbers of internally displaced persons or significant refugee populations resulting from such conflict or crisis: *Provided further*, That the Secretary shall consult with the Committees on Appropriations prior to the selection of any such country, and on the goals and targets for such program to be established in the selected country: *Provided further*, That such transition should exclude funding for democracy and humanitarian assistance programs: *Provided further*, That assistance may be resumed or continued for any such selected country if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interest of the United States, and such report provides an explanation of such interest being served.

UNITED NATIONS POPULATION FUND

SEC. 7082. (a) CONTRIBUTION.—Of the funds made available under the heading ''International Organizations and Programs'' in this Act for fiscal year 2016, $32,500,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the ''Global Health Programs'' account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available by this Act may be used by UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds made available by this Act for UNFPA may not be made available unless—

(1) UNFPA maintains funds made available by this Act in an account separate from other accounts of UNFPA and does not commingle such funds with other sums; and

(2) UNFPA does not fund abortions.

(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR WITHHOLDING OF FUNDS.—

(1) Not later than 4 months after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations indicating the

amount of funds that UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Diplomatic and Consular Programs'', $2,561,808,000, to remain available until September 30, 2017, of which $1,966,632,000 is for Worldwide Security Protection and shall remain available until expended: *Provided*, That the Secretary of State may transfer up to $10,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in and assistance for Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: *Provided further*, That any such transfer shall be treated as a reprogramming of funds under subsections (a) and (b) of section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That up to $15,000,000 of the funds appropriated under this heading in this title may be made available for Conflict Stabilization Operations and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $66,600,000, to remain available until September 30, 2017, of which $56,900,000 shall be for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: *Provided*, That printing and reproduction costs shall not exceed amounts for such costs during fiscal year 2015: *Provided further*, That notwithstanding any other provision of law, any employee of SIGAR who completes at least 12 months of continuous service after the date of enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance'', $747,851,000, to remain available until expended, of which $735,201,000 shall be for Worldwide Security Upgrades, acquisition, and construction as authorized: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $101,728,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $1,794,088,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'', $10,700,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $139,262,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $1,919,421,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSITION INITIATIVES

For an additional amount for ''Transition Initiatives'', $37,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMPLEX CRISES FUND

For an additional amount for ''Complex Crises Fund'', $20,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund'', $2,422,673,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For an additional amount for ''Assistance for Europe, Eurasia and Central Asia'', $438,569,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'' to respond to refugee crises, including in Africa, the Near East, South and Central Asia, and Europe and Eurasia, $2,127,114,000, to remain available until expended, except that such funds shall not be made available for the resettlement costs of refugees in the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $371,650,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', $379,091,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $469,269,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That funds available for obligation under this heading in this Act may be used to pay assessed expenses of international peacekeeping activities in Somalia, subject to the regular notification procedures of the Committees on Appropriations, except that such expenses shall not exceed the level described in the final proviso under the heading ''Contributions for International Peacekeeping Activities'' in title I of this Act.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $1,288,176,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to

section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

ADDITIONAL APPROPRIATIONS

SEC. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2016.

EXTENSION OF AUTHORITIES AND CONDITIONS

SEC. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

TRANSFER AUTHORITY

SEC. 8003. (a)(1) Funds appropriated by this title in this Act under the headings ''Transition Initiatives'', ''Complex Crises Fund'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' may be transferred to, and merged with, funds appropriated by this title under such headings.

(2) Funds appropriated by this title in this Act under the headings ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Peacekeeping Operations'', and ''Foreign Military Financing Program'' may be transferred to, and merged with, funds appropriated by this title under such headings.

(3) Of the funds appropriated by this title under the heading ''International Disaster Assistance'', up to $600,000,000 may be transferred to, and merged with, funds appropriated by this title under the heading ''Migration and Refugee Assistance''.

(b) Notwithstanding any other provision of this section, not to exceed $15,000,000 from funds appropriated under the heading ''Foreign Military Financing Program'' by this title in this Act and made available for the Europe and Eurasia Regional program may be transferred to, and merged with, funds previously made available under the heading ''Global Security Contingency Fund'' which shall be available only for programs in the Europe and Eurasia region.

(c) The transfer authority provided in subsection (a) may only be exercised to address contingencies.

(d) The transfer authority provided in subsections (a) and (b) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961 which may be exercised by the Secretary of State for the purposes of this title.

TITLE IX

OTHER MATTERS

MULTILATERAL ASSISTANCE

INTERNATIONAL MONETARY PROGRAMS

UNITED STATES QUOTA, INTERNATIONAL MONETARY FUND

DIRECT LOAN PROGRAM ACCOUNT

For an increase in the United States quota in the International Monetary Fund, the dollar equivalent of 40,871,800,000 Special Drawing Rights, to remain available until expended: *Provided*, That notwithstanding the provisos under the heading ''International Assistance Programs—International Monetary Programs—United States Quota, International Monetary Fund'' in the Supplemental Appropriations Act, 2009 (Public Law 111–32), the costs of the amounts provided under this heading in this Act and in Public Law 111–32 shall be estimated on a present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays: *Provided further*, That for purposes of the previous proviso, the discount rate for purposes of the present value calculation shall be the appropriate interest rate on marketable Treasury securities, adjusted for market risk: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount, and the related amount to be rescinded under the heading ''Loans to the International Monetary Fund Direct Loan Program Account'', as an emergency requirement pursuant to section 251(b)(2)(A)(i) and transmits such designation to the Congress.

LOANS TO THE INTERNATIONAL MONETARY FUND

DIRECT LOAN PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

Of the amounts provided under the heading ''International Assistance Programs—International Monetary Programs—Loans to International Monetary Fund'' in the Supplemental Appropriations Act, 2009 (Public Law 111–32), the dollar equivalent of 40,871,800,000 Special Drawing Rights is hereby permanently rescinded as of the date when the rollback of the United States credit arrangement in the New Arrangements to Borrow of the International Monetary Fund is effective, but no earlier than when the increase of the United States quota authorized in section 72 of the Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) becomes effective: *Provided*, That notwithstanding the second through fourth provisos under the heading ''International Assistance Programs—International Monetary Programs—Loans to International Monetary Fund'' in Public Law 111–32, the costs of the amounts under this heading in this Act and in Public Law 111–32 shall be estimated on a present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays: *Provided further*, That for purposes of the previous proviso, the discount rate for purposes of the present value calculation shall be the appropriate interest rate on marketable Treasury securities, adjusted for market risk: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be rescinded only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A)(i) and transmits such designation to the Congress.

GENERAL PROVISIONS

LIMITATIONS ON AND EXPIRATION OF AUTHORITY WITH RESPECT TO NEW ARRANGEMENTS TO BORROW

SEC. 9001. Section 17 of the Bretton Woods Agreements Act (22 U.S.C. 286e–2) is amended—

(1) in subsection (a) by adding at the end the following:

''(5) The authority to make loans under this section shall expire on December 16, 2022.'';

(2) in subsection (b), in paragraphs (1) and (2), by inserting before the end period the following: '', only to the extent that amounts available for such loans are not rescinded by an Act of Congress'';

(3) by adding the following subsection (e), which shall be effective from the first day of the next period of renewal of the NAB decision after enactment of this Act:

''(e) New Requirement for Activation of the New Arrangements to Borrow

''(1) The Secretary of the Treasury shall include in the certification and report required by paragraphs (a)(1), (a)(2), (b)(1), and (b)(2) of this section prior to activation an additional certification and report that—

''(A) the one-year forward commitment capacity of the IMF (excluding borrowed resources) is expected to fall below 100,000,000,000 Special Drawing Rights during the period of the NAB activation; and

''(B) activation of the NAB is in the United States strategic economic interest with the reasons and analysis for that determination.

''(2) Prior to submitting any certification and report required by paragraphs (a)(1), (a)(2), (b)(1), and (b)(2) of this section, the Secretary of the Treasury shall consult with the appropriate congressional committees.''; and

(4) by adding at the end the following:

''(f) In this section, the term 'appropriate congressional committees' means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Financial Services of the House of Representatives.''.

ACCEPTANCE OF AMENDMENTS TO ARTICLES OF AGREEMENT; QUOTA INCREASE

SEC. 9002. The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end the following:

**''SEC. 71. ACCEPTANCE OF AMENDMENTS TO THE ARTICLES OF AGREEMENT OF THE FUND.**

''The United States Governor of the Fund may accept the amendments to the Articles of Agreement of the Fund as proposed in resolution 66–2 of the Board of Governors of the Fund.

**''SEC. 72. QUOTA INCREASE.**

''(a) IN GENERAL.—The United States Governor of the Fund may consent to an increase in the quota of the United States in the Fund equivalent to 40,871,800,000 Special Drawing Rights.

''(b) SUBJECT TO APPROPRIATIONS.—The authority provided by subsection (a) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.''.

REPORT ON METHODOLOGY USED FOR CONGRESSIONAL BUDGET OFFICE COST ESTIMATES

SEC. 9003. (a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of the Congressional Budget Office shall submit a report to the appropriate congressional committees on the methodology used and rationale for incorporating market risk in cost estimates for the International Monetary Fund: *Provided*, That for the purposes of this subsection, the term ''appropriate congressional committees'' means—

(1) the Committees on Appropriations, Budget, Banking, Housing and Urban Affairs, and Foreign Relations of the Senate; and

(2) the Committees on Appropriations, Budget, and Financial Services of the House of Representatives.

(b) REQUIREMENTS.—The report submitted pursuant to subsection (a) shall include matters relevant to the evaluation of the budgetary effects of the participation of the United States in the International Monetary Fund, including the risks associated with—

(1) the current participation of the United States in the International Monetary Fund, including the market risk of the Fund;

(2) countries borrowing from the Fund;

(3) the various loan instruments and assistance activities of the Fund; and

(4) past participation of the United States in the International Monetary Fund, including the historical net cost to the government of previous quota increases.

(c) REVIEW.—Following the submission of the report required by subsection (a), the Committees on Appropriations and Budget of the Senate and the Committees on Appropriations and Budget of the House of Representatives shall review the Congressional Budget Office's market risk scoring methodology and consider options for modifying the budgetary treatment of new appropriations to the International Monetary Fund: *Provided*, That in conducting such review, such committees should consult with other interested parties, including the Office of Management and Budget and the Congressional Budget Office.

REQUIRED CONSULTATIONS WITH CONGRESS IN ADVANCE OF CONSIDERATION OF EXCEPTIONAL ACCESS LENDING

SEC. 9004. (a) IN GENERAL.—The United States Executive Director of the International Monetary Fund (the Fund) (or any designee of the Executive Director) may not vote for the approval of an exceptional access loan to be provided by the Fund to a country unless, not later than 7 days before voting to approve that loan (subject to subsection (c)), the Secretary of the Treasury submits to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Financial Services of the House of Representatives—

(1) a report on the exceptional access program under which the loan is to be provided, including a description of the size and tenor of the program; and

(2) a debt sustainability analysis and related documentation justifying the need for the loan.

(b) ELEMENTS.—A debt sustainability analysis under subsection (a)(2) with respect to an exceptional access loan shall include the following:

(1) any assumptions for growth of the gross domestic product of the country that may receive the loan;

(2) an estimate of whether the public debt of that country is sustainable in the medium term, consistent with the exceptional access lending rules of the Fund;

(3) an estimate of the prospects of that country for regaining access to private capital markets; and

(4) an evaluation of the probability of the success of providing the exceptional access loan.

(c) EXTRAORDINARY CIRCUMSTANCES.—The Secretary may submit the report and analysis required by subsection (a) to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Financial Services of the House of Representatives not later than 2 business days after a decision by the Executive Board of the Fund to approve an exceptional access loan only if the Secretary—

(1) determines and certifies that—

(A) an emergency exists in the country that applied for the loan and that country requires immediate assistance to avoid disrupting orderly financial markets; or

(B) other extraordinary circumstances exist that warrant delaying the submission of the report and analysis; and

(2) submits with the report and analysis a detailed explanation of the emergency or extraordinary circumstances and the reasons for the delay.

(d) FORM OF REPORT AND ANALYSIS.—The report and debt sustainability analysis and related documentation required by subsection (a) may be submitted in classified form.

REPEAL OF SYSTEMIC RISK EXEMPTION TO LIMITATIONS TO ACCESS POLICY OF THE INTERNATIONAL MONETARY FUND

SEC. 9005. (a) POSITION OF THE UNITED STATES.—The Secretary of the Treasury shall direct the United States Executive Director of the International Monetary Fund (the Fund) to use the voice and vote of the United States to urge the Executive Board of the Fund to repeal the systemic risk exemption to the debt sustainability criterion of the Fund's exceptional access framework, as set forth in paragraph 3(b) of Decision No. 14064-(08/18) of the Fund (relating to access policy and limits in the credit tranches and under the extended Fund facility and overall access to the Fund's general resources, and exceptional access policy).

(b) REPORT REQUIRED.—The quota increase authorized by the amendments made by section 9002 shall not be disbursed until the Secretary of the Treasury reports to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Financial Services of the House of Representatives that the United States has taken all necessary steps to secure repeal of the systemic risk exemption to the framework described in subsection (a).

ANNUAL REPORT ON LENDING, SURVEILLANCE, OR TECHNICAL ASSISTANCE POLICIES OF THE INTERNATIONAL MONETARY FUND

SEC. 9006. Not later than one year after the date of the enactment of this Act, and annually thereafter until 2025, the Secretary of the Treasury shall submit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Financial Services of the House of Representatives a written report that includes—

(1) a description of any changes in the policies of the International Monetary Fund (the Fund) with respect to lending, surveillance, or technical assistance;

(2) an analysis of whether those changes, if any, increase or decrease the risk to United States financial commitments to the Fund;

(3) an analysis of any new or ongoing exceptional access loans of the Fund in place during the year preceding the submission of the report; and

(4) a description of any changes to the exceptional access policies of the Fund.

REPORT ON IMPROVING UNITED STATES PARTICIPATION IN THE INTERNATIONAL MONETARY FUND

SEC. 9007. Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Financial Services of the House of Representatives a written report on ways to improve the effectiveness, and mitigate the risks, of United States participation in the International Monetary Fund (the Fund) that includes the following:

(1) An analysis of recent changes to the surveillance products and policies of the Fund and whether those products and policies effectively address the shortcomings of surveillance by the Fund in the periods preceding the global financial crisis that began in 2008 and the European debt crisis that began in 2009.

(2) A discussion of ways to better encourage countries to implement policy recommendations of the Fund, including—

(A) whether the implementation rate of such policy recommendations would increase if the Fund provided regular status reports on whether countries have implemented its policy recommendations; and

(B) whether or not lending by the Fund should be limited to countries that have taken necessary steps to implement such policy recommendations, including an analysis of the potential effectiveness of that limitation.

(3) An analysis of the transparency policy of the Fund, ways that transparency policy can be improved, and whether such improvements would be beneficial.

(4) A detailed analysis of the riskiness of exceptional access loans provided by the Fund, including—

(A) whether the additional interest rate surcharge is working as intended to discourage large and prolonged use of resources of the Fund; and

(B) whether it would be beneficial for the Fund to require collateral when making exceptional access loans, and how requiring collateral would affect the make-up of exceptional access loans and the demand for such loans.

(5) A description of how the classification of loans provided by the Fund would change if Fund quotas were increased under the amendments to the Articles of Agreement of the Fund proposed in resolution 66–2 of the Board of Governors of the Fund, including an assessment of how the quota increase would affect the classification of exceptional access loans outstanding as of the date of the report and whether the quota increase would lead to revisions of the classification of such loans.

(6) A discussion and analysis of lessons learned from the lending arrangements that included the Fund, the European Commission, and the European Central Bank (commonly referred to as the ''Troika'') during the European debt crisis.

(7) An analysis of the risks or benefits of increasing the transparency of the technical assistance projects of the Fund, including a discussion of—

(A) the advantages and disadvantages of the current technical assistance disclosure policies of the Fund;

(B) how technical assistance from the Fund could be better used to prevent crises from happening in the future; and

(C) whether and how the Fund coordinates technical assistance projects with other organizations, including the United States Department of the Treasury, to avoid duplication of efforts.

This division may be cited as the ''Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016''.

## DIVISION L—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

### TITLE I

### DEPARTMENT OF TRANSPORTATION

#### OFFICE OF THE SECRETARY

#### SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $108,750,000, of which not to exceed $2,734,000 shall be available for the immediate Office of the Secretary; not to exceed $1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,609,000 shall be available for the Office of the General Counsel; not to exceed $9,941,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $13,697,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $25,925,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,029,000 shall be available for the Office of Public Affairs; not to exceed $1,737,000 shall be available for the Office of the Executive Secretariat; not to exceed $1,434,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $16,280,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer

funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall transmit to Congress the final Comprehensive Truck Size and Weight Limits Study, as required by section 32801 of Public Law 112–141.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $13,000,000, of which $8,218,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $500,000,000, to remain available through September 30, 2019: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure and land ports of entry): *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $100,000,000: *Provided further*, That not more than 20 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 20 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to $20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $5,000,000, to remain available through September 30, 2017.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, $8,000,000, to remain available through September 30, 2017.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,678,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $8,500,000: *Provided*, That of such amount, $2,500,000 shall be for necessary expenses to establish an Interagency Infrastructure Permitting Improvement Center (IIPIC) that will implement reforms to improve interagency coordination and the expediting of projects related to the permitting and environmental review of major transportation infrastructure projects including one-time expenses to develop and deploy information technology tools to track project schedules and metrics and improve the transparency and accountability of the permitting process: *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $190,039,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $336,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $597,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,084,000, to remain available until September 30, 2017: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 103. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

SEC. 104. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees, provided that such reserve will not exceed one month of benefits payable: *Provided further*, that such reserve may be used only for the purpose of providing for the continuation of transit benefits, provided that the Working Capital Fund will be fully reimbursed by each customer agency for the actual cost of the transit benefit.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $9,909,724,000 of which $7,922,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,505,293,000 shall be available for air traffic organization activities; not to exceed $1,258,411,000 shall be available for aviation safety activities; not to exceed $17,800,000 shall be available for commercial space transportation activities; not to exceed $760,500,000 shall be available for finance and management activities; not to exceed $60,089,000 shall be available for NextGen and operations planning activities; not to exceed $100,880,000 shall be available for security and hazardous materials safety; and not to exceed $206,751,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $154,400,000 shall be for the contract tower program, including the contract tower cost share program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That not later than 60 days after enactment of this Act, the Administrator shall review and update the agency's ''Community Involvement Manual'' related to new air traffic procedures, public outreach and community involvement: *Provided further*, That the Administrator shall complete and implement a plan which enhances community involvement techniques and proactively addresses concerns associated with performance based navigation projects: *Provided further*, That the Administrator shall transmit, in electronic format, the community involvement manual and plan to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science and Transportation not later than 180 days after enactment of this Act.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,855,000,000, of which $470,049,000 shall remain available until September 30, 2016, and $2,384,951,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $166,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for

inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multiphased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $107,100,000 shall be obligated for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $31,000,000 shall be available for Airport Technology Research, and $5,000,000, to remain available until expended, shall be available and transferred to ''Office of the Secretary, Salaries and Expenses'' to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

SEC. 119A. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119B. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119C. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $425,752,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, not to exceed $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America's Surface Transportation Act shall not exceed total obligations of $42,361,000,000 for fiscal year 2016: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $43,100,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2016, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate

amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Fixing America's Surface Transportation Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of the Fixing America's Surface Transportation Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. Section 127 of title 23, United States Code, is amended—

(1) in each of subsections (a)(11)(A) and (B) by striking ''through December 31, 2031'', and

(2) by inserting at the end the following:

''(t) VEHICLES IN IDAHO.—A vehicle limited or prohibited under this section from operating on a segment of the Interstate System in the State of Idaho may operate on such a segment if such vehicle–

''(1) has a gross vehicle weight of 129,000 pounds or less;

''(2) other than gross vehicle weight, complies with the single axle, tandem axle, and bridge formula limits set forth in subsection (a); and

''(3) is authorized to operate on such segment under Idaho State law.''.

SEC. 125. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term ''earmarked amount'' means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the effective date of this Act, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from

projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 126. Notwithstanding any other provision of law, the amount that the Secretary sets aside for fiscal year 2016 under section 130(e)(1) of title 23, United States Code, for the elimination of hazards and the installation of protective devices at railway-highway crossings shall be $350,000,000.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110(a)–(c) of title 49, United States Code, and section 4134 of Public Law 109–59, as amended by Public Law 112–141, as amended by the Fixing America's Surface Transportation Act, $267,400,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $267,400,000 for ''Motor Carrier Safety Operations and Programs'' for fiscal year 2016, of which $9,000,000, to remain available for obligation until September 30, 2018, is for the research and technology program, and of which $34,545,000, to remain available for obligation until September 30, 2018, is for information management: *Provided further*, That $1,000,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Public Law 109–59, as amended by Public Law 112–141, as amended by the Fixing America's Surface Transportation Act.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, as amended by the Fixing America's Surface Transportation Act, $313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $313,000,000 in fiscal year 2016 for ''Motor Carrier Safety Grants''; of which $218,000,000 shall be available for the motor carrier safety assistance program, $30,000,000 shall be available for commercial driver's license program improvement grants, $32,000,000 shall be available for border enforcement grants, $5,000,000 shall be available for performance and registration information system management grants, $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and $3,000,000 shall be available for safety data improvement grants: *Provided further*, That, of the funds made available herein for the motor carrier safety assistance program, $32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. (a) Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

(b) Section 350(d) of the Department of Transportation and Related Agencies Appropriation Act, 2002 (Public Law 107–87) is hereby repealed.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds limited or otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner's permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner's permits to individuals under eighteen years of age as of May 9, 2011.

SEC. 133. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, administer, or enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, and such section shall have no force or effect on submission of the final report issued by the Secretary, as required by section 133 of division K of Public Law 113–235, unless the Secretary and the Inspector General of the Department of Transportation each review and determine that the final report—

(1) meets the statutory requirements set forth in such section; and

(2) establishes that commercial motor vehicle drivers who operated under the restart provisions in effect between July 1, 2013, and the day before the date of enactment of such Public Law demonstrated statistically significant improvement in all outcomes related to safety, operator fatigue, driver health and longevity, and work schedules, in comparison to commercial motor vehicle drivers who operated under the restart provisions in effect on June 30, 2013.

SEC. 134. None of the funds limited or otherwise made available under the heading ''Motor Carrier Safety Operations and Programs'' may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier's Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 135. None of the funds made available by this Act or previous appropriations Acts under the heading ''Motor Carrier Safety Operations and Programs'' shall be used to pay for costs associated with design, development, testing, or implementation of a wireless roadside inspection program until 180 days after the Secretary of Transportation certifies to the House and Senate Committees on Appropriations that such program does not conflict with existing non-Federal electronic screening systems, create capabilities already available, or require additional statutory authority to incorporate generated inspection data into safety determinations or databases, and has restrictions to specifically address privacy concerns of affected motor carriers and operators: *Provided*, That nothing in this section shall be construed as affecting the Department's ongoing research efforts in this area.

SEC. 136. Section 13506(a) of title 49, United States Code, is amended:

(1) in subsection (14) by striking ''or'';

(2) in subsection (15) by striking ''.'' and inserting ''; or''; and

(3) by inserting at the end, ''(16) the transportation of passengers by 9 to 15 passenger motor vehicles operated by youth or family camps that provide recreational or educational activities.''.

SEC. 137. (a) IN GENERAL.—Section 31112(c)(5) of title 49, United States Code, is amended—

(1) by striking ''Nebraska may'' and inserting ''Nebraska and Kansas may''; and

(2) by striking ''the State of Nebraska'' and inserting ''the relevant state''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 31112(c) of such title is amended—

(1) by striking the subsection designation and heading and inserting the following:

''(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, AND KANSAS.—'';

(2) by striking ''; and'' at the end of paragraph (3) and inserting a semicolon; and

(3) by striking the period at the end of paragraph (4) and inserting ''; and''.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $152,800,000, of which $20,000,000 shall remain available through September 30, 2017.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, $142,900,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $142,900,000, of which $137,800,000 shall be for programs authorized under 23 U.S.C. 403 and $5,100,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $142,900,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, $573,332,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of $573,332,000 for programs authorized under 23

U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, of which $243,500,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $274,700,000 shall be for ''National Priority Safety Programs'' under 23 U.S.C. 405; $29,300,000 shall be for ''High Visibility Enforcement Program'' under 23 U.S.C. 404; $25,832,000 shall be for ''Administrative Expenses'' under section 4001(a)(6) of the Fixing America's Surface Transportation Act: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for ''National Priority Safety Programs'' under 23 U.S.C. 405 for ''Impaired Driving Countermeasures'' (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the ''Transfers'' provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within five days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds made available by this Act may be used to obligate or award funds for the National Highway Traffic Safety Administration's National Roadside Survey.

SEC. 143. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $199,000,000, of which $15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding. *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

RAILROAD SAFETY GRANTS

For necessary expenses related to railroad safety grants, $50,000,000, to remain available until expended, of which not to exceed $25,000,000 shall be available to carry out 49 U.S.C. 20167, as in effect the day before the enactment of the Passenger Rail Reform and Investment Act of 2015 (division A, title XI of the Fixing America's Surface Transportation Act); and not to exceed $25,000,000 shall be made available to carry out 49 U.S.C. 20158.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), as in effect the day before the enactment of the Passenger Rail Reform and Investment Act of 2015 (division A, title XI of the Fixing America's Surface Transportation Act), $288,500,000, to remain available until expended: *Provided*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: *Provided further*, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: *Provided further*, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112–55: *Provided further*, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), as in effect the day before the enactment of the Passenger Rail Reform and Investment Act of 2015 (division A, title XI of the Fixing America's Surface Transportation Act), $1,101,500,000, to remain available until expended, of which not to exceed $160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: *Provided*, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further*, That after an initial distribution of up to $200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That of the amounts made available under this heading, up to $50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading ''Operating Grants to the National Railroad Passenger Corporation'' be insufficient to meet operational costs for fiscal year 2016: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110–432, of which up to $500,000 may be available for technical assistance for States, the District of Columbia, and other public entities responsible for the implementation of section 209 of division B of Public Law 110–432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2016 business plan: *Provided further*, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110–432, the Secretary may retain up to an additional $3,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110–432, including the amendments made by section 212 to section 24905 of title 49, United States Code: *Provided further*, That Amtrak shall conduct a business case analysis on capital investments that exceed $10,000,000 in life-cycle costs: *Provided further*, That each contract for a capital acquisition that exceeds $10,000,000 in life-cycle costs shall state that funding is subject to the availability of appropriated funds provided by an appropriations Act.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

(INCLUDING RESCISSIONS)

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2016, a summary of all overtime payments incurred by the Corporation for 2015 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2015 and for the three prior calendar years.

SEC. 152. Of the unobligated balances of funds available to the Federal Railroad Administration from the ''Railroad Research and Development'' account, $1,960,000 is permanently rescinded: *Provided*, That such amounts are made available to enable the Secretary of Transportation to assist Class II and Class III railroads with eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended: *Provided further*, That such funds shall be available for applicant expenses in preparing to apply and applying for direct loans and loan guarantees: *Provided further*, That these funds shall remain available until expended.

SEC. 153. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: $5,000,000 of the unobligated balances of funds made available to fund expenses associated with implementing section 212 of division B of Public Law 110–432 in the Capital and Debt Service Grants to the National Railroad Passenger Corporation account of the Consolidated and Further Continuing Appropriations Act, 2015; and $14,163,385 of the unobligated balances of funds made available from the following accounts in the specified amounts—''Grants to the National Railroad Passenger Corporation'', $267,019; ''Next Generation High-Speed Rail'', $4,944,504; ''Rail Line Relocation and Improvement Program'', $2,241,385; and ''Safety and Operations'', $6,710,477: *Provided*, That such amounts are made available to enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432) for state-of-good-repair backlog and infrastructure improvements on Northeast Corridor shared-use infrastructure identified in the Northeast Corridor Infrastructure and Operations Advisory Commission's approved 5-year capital plan: *Provided further*, That these funds shall remain available until expended and shall be available for grants in an amount not to exceed 50 percent of the total project cost, with the required matching funds to be provided consistent with the Commission's cost allocation policy.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $108,000,000, of which not more than $6,500,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than $1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, and section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, $10,400,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, and section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, shall not exceed total obligations of $9,347,604,639 in fiscal year 2016.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, $2,177,000,000, to remain available until expended.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110–432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading ''Fixed Guideway Capital Investment'' of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 60 percent.

SEC. 164. (a) LOSS OF ELIGIBILITY.—Except as provided in subsection (b), none of the funds in this or any other Act may be available to advance in any way a new light or heavy rail project towards a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.

(b) EXCEPTION FOR A NEW ELECTION.—The Metropolitan Transit Authority of Harris County, Texas, may attempt to construct or construct a new fixed guideway capital project, including light rail, in the locations referred to in subsection (a) if—

(1) voters in the jurisdiction that includes such locations approve a ballot proposition that specifies routes on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas; and

(2) the proposed construction of such routes is part of a comprehensive, multimodal, service-area wide transportation plan that includes multiple additional segments of fixed guideway capital projects, including light rail for the jurisdiction set forth in the ballot proposition. The ballot language shall include reasonable cost estimates, sources of revenue to be used and the total amount of bonded indebtedness to be incurred as well as a description of each route and the beginning and end point of each proposed transit project.

SEC. 165. Of the unobligated amounts made available for fiscal year 2012 or prior fiscal years to carry out the discretionary bus and bus facilities and new fixed guideway capital projects programs under 49 U.S.C. 5309 and the discretionary job access and reverse commute program under section 3037 of the Transportation Equity Act for the 21st Century, $25,397,797 is hereby rescinded.

SEC. 166. Until September 15, 2016, the Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that, during fiscal year 2008 was both initially granted a 60-day period to come into compliance with part 604, and then was subsequently granted an exception from said part: *Provided*, That notwithstanding 49 U.S.C. 5323(t), such transit agency may receive its allocation of urbanized area formula funds apportioned in accordance with 49 U.S.C. 5336.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $28,400,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $210,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $171,155,000, of which $22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $5,000,000 shall remain available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which $2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which $1,200,000 shall remain available until expended for training ship fuel assistance payments, and of which $18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which $3,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreement, and of which $5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 sections 55601(b)(1) and 55601(b)(3): *Provided*, That amounts apportioned for the United States Merchant Marine Academy shall be available only upon allotments made personally by the Secretary of Transportation or the Assistant Secretary for Budget and Programs: *Provided further*, That the Superintendent, Deputy Superintendent and the Director of the Office of Resource Management of the United States Merchant Marine Academy may not be allotment holders for the United States Merchant Marine Academy, and the Administrator of the Maritime Administration shall hold all allotments made by the Secretary of Transportation or the Assistant Secretary for Budget and Programs under the previous proviso: *Provided further*, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: *Provided further*, That not later than January 12, 2016, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281, $5,000,000 to remain available until expended: *Provided*, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: *Provided further*, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $5,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, $8,135,000, of which $5,000,000 shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That not to exceed $3,135,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for ''Operations and Training'', Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet: *Provided*, That such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within the meaning of section 3502 of Public Law 106–398: *Provided further*, That nothing contained herein shall affect the Maritime Administration's authority to award contracts at least cost to the Federal Government and consistent with the requirements of 54 U.S.C. 308704, section 3502, or otherwise authorized under the Federal Acquisition Regulation.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $21,000,000: *Provided*, That no later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $55,619,000, of which $7,570,000 shall remain available until September 30, 2018: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $146,623,000, of which $22,123,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which $124,500,000 shall be derived from the Pipeline Safety Fund, of which $59,835,000 shall remain available until September 30, 2018: *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call state grant program: *Provided further*, That not less than $1,000,000 of the funds provided under this heading shall be for the finalization and implementation of rules required under section 60102(n) of title 49, United States Code, and section 8(b)(3) of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60108 note; 125 Stat. 1911).

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carryout 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: *Provided*, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): *Provided further*, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and

the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $87,472,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $32,375,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than $31,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement totaling $750,000 or more is announced by the department or its modal administrations from—

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings ''National Infrastructure Investments'' in this Act:

*Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'' has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 190. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 191. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 192. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, except for such preferences authorized in this Act, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace

any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the ''Department of Transportation Appropriations Act, 2016''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $13,800,000: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $559,100,000, of which $79,000,000 shall be available for the Office of the Chief Financial Officer; $94,500,000 shall be available for the Office of the General Counsel; $207,600,000 shall be available for the Office of Administration; $56,300,000 shall be available for the Office of the Chief Human Capital Officer; $51,500,000 shall be available for the Office of Field Policy and Management; $17,200,000 shall be available for the Office of the Chief Procurement Officer; $3,300,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,500,000 shall be available for the Office of Strategic Planning and Management; and $45,200,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $205,500,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $104,800,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $375,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $23,100,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $72,000,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $7,000,000.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the United States Treasury, pursuant to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), a working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the ''Fund''): *Provided*, That amounts transferred to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency's printing, records management, space renovation, furniture, or supply services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: *Provided further*, That of the amounts made available in this title for salaries and expenses under the headings ''Executive Offices'', ''Administrative Support Offices'', ''Program Office Salaries and Expenses'', and ''Government National Mortgage Association'', the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional $10,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for use for any office or agency: *Provided further*, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the first proviso: *Provided further*, That with respect to the Fund, the authorities and conditions under this heading shall supplant the authorities and conditions provided under section 7(f) of the Department of Housing and Urban Development Act.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $15,628,525,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $17,681,451,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: *Provided further*, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2016 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2016 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings meas-

ures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary, for the purpose under this paragraph, may use unobligated balances, including recaptures and carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110–329;

(3) $1,650,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,640,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $107,074,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) $60,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over; and

(6) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'' and the heading ''Project-Based Rental Assistance'', for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided,* That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further,* That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ''Act'') $1,900,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2016, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to $3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: *Provided further*, That up to $1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed $21,500,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: *Provided further*, That of the amount made available under the previous proviso, not less than $5,000,000 shall be for safety and security measures: *Provided further*, That of the total amount provided under this heading $35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6)

and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,500,000,000, to remain available until September 30, 2017.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $125,000,000, to remain available until September 30, 2018: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than $75,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: *Provided further*, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading ''Revitalization of Severely Distressed Public Housing (HOPE VI)'' in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 2017: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $650,000,000, to remain available until September 30, 2020: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $3,500,000 shall be contracted for assistance for national or regional organizations representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA: *Provided further*, That of the funds made available under the previous proviso, not less than $2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further*, That of the amounts made available under this heading, $2,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,452,007: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act: *Provided further*, notwithstanding section 302(d) of NAHASDA, if on January 1, 2016, a recipient's total amount of undisbursed block grants in the Department's line of credit control system is greater than three times the formula allocation it would otherwise receive under this heading, the Secretary shall adjust that recipient's formula allocation down by the difference between its total amount of undisbursed block grants in the Department's line of credit control system on January 1, 2016, and three times the formula allocation it would otherwise receive: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous proviso shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment: *Provided further*, That the two previous provisos shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than $8,000,000: *Provided further*, That to take effect, the three previous provisos do not require issuance or amendment of any regulation, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations.

INDIAN HOUSING LOAN GUARANTEE FUND
PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $7,500,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such

loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,190,476,190, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $335,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,060,000,000, to remain available until September 30, 2018, unless otherwise specified: *Provided*, That of the total amount provided, $3,000,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (''the Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further*, That none of the funds made available under this heading may be used for grants for the Economic Development Initiative (''EDI'') or Neighborhood Initiatives activities, Rural Innovation Fund, or for grants pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading $60,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 204 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING RESCISSION)

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further*, That all unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading are hereby permanently rescinded.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $950,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the ''Full-Year Continuing Appropriations Act, 2013'', shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled ''Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards'' which became effective on such date: *Provided further*, That with respect to funds made available under this heading pursuant to such Act and funds provided in prior and subsequent appropriations acts that were or are used by community land trusts for the development of affordable homeownership housing pursuant to section 215(b) of such Act, such community land trusts, notwithstanding section 215(b)(3)(A) of such Act, may hold and exercise purchase options, rights of first refusal or other preemptive rights to purchase the housing to preserve affordability, including but not limited to the right to purchase the housing in lieu of foreclosure: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $50,000,000, to remain available until September 30, 2018: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: *Provided further*, That an additional $5,700,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled or low-income veterans as authorized under section 1079 of Public Law 113–291.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the Continuum of Care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, $2,250,000,000, to remain available until September 30, 2018: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: *Provided further*, That not less than $250,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: *Provided further*, That not less than $1,918,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That up to $7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary shall establish system performance measures for which each continuum of care shall report baseline outcomes, and that relative to fiscal year 2015, under the Continuum of Care competition with respect to funds made available under this heading, the Secretary shall base an increasing share of the score on performance criteria: *Provided further*, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That with respect to funds provided under this heading for the Continuum of Care program for fiscal years 2013, 2014, 2015, and 2016 provision of permanent housing rental as-

sistance may be administered by private nonprofit organizations: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2016: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: *Provided further*, That up to $33,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 10 communities, including at least four rural communities, can dramatically reduce youth homelessness: *Provided further*, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That up to $5,000,000 of the funds appropriated under this heading shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: *Provided further*, That the Secretary may use amounts made available under this heading for the Continuum of Care program to renew a grant originally awarded pursuant to the matter under the heading ''Department of Housing and Urban Development—Permanent Supportive Housing'' in chapter 6 of title III of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2351) for assistance under subtitle F of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11403 et seq.): *Provided further*, That such renewal grant shall be awarded to the same grantee and be subject to the provisions of such Continuum of Care program except that the funds may be used outside the geographic area of the continuum of care.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $10,220,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2015), and $400,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $215,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'', may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $432,700,000 to remain available until September 30, 2019: *Provided*, That of the amount provided under this heading, up to $77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $150,600,000, to remain available until September 30, 2019: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development

Act of 1968, as amended, $47,000,000, to remain available until September 30, 2017, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $30,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $10,500,000, to remain available until expended, of which $10,500,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $5,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2017: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2016, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $500,000,000,000, to remain available until September 30, 2017: *Provided*, That $23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 2016, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $85,000,000, to remain available until September 30, 2017: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2017: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $110,000,000, to remain available until September 30, 2017, of which $20,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, $45,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: *Provided further*, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: *Provided further*, That each

applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $250,000,000, shall remain available until September 30, 2017: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $126,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2016 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Sections 203 and 209 of division C of Public Law 112–55 (125 Stat. 693–694) shall apply during fiscal year 2016 as if such sections were included in this title, except that during such fiscal year such sections shall be applied by substituting ''fiscal year 2016'' for ''fiscal year 2011'' and for ''fiscal year 2012'' each place such terms appear, and shall be amended to reflect revised delineations of statistical areas established by the Office of Management and Budget pursuant to 44 U.S.C. 3504(e)(3), 31 U.S.C. 1104(d), and Executive Order No. 10253.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2016 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. The President's formal budget request for fiscal year 2017, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 210. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 211. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 212. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any

lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 213. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 214. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 215. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2016, insure and enter into commitments to insure mortgages under such section 255.

SEC. 216. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 217. The commitment authority funded by fees as provided under the heading ''Community Development Loan Guarantees Program Account'' may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 218. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 219. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 220. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts ''Executive Offices'' and ''Administrative Support Offices,'' as well as each account receiving appropriations for ''Program Office Salaries and Expenses'', ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'', and ''Office of Inspector General'' within the Department of Housing and Urban Development.

SEC. 221. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 222. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 223. The Secretary is authorized to transfer up to 10 percent or $4,000,000, whichever is less, of funds appropriated for any office under the heading ''Administrative Support Offices'' or for any account under the general heading ''Program Office Salaries and Expenses'' to any other such office or account: *Provided*, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or $4,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or $4,000,000, whichever is less.

SEC. 224. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a ''program of the Department of Housing and Urban Development'' under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 225. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a):

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 226. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2016.

SEC. 227. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 228. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking ''fiscal year'' and all that follows through the period at the end and inserting ''fiscal year 2016.''; and

(2) in subsection (o), by striking ''September'' and all that follows through the period at the end and inserting ''September 30, 2016.''.

SEC. 229. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 230. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 231. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 232. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 233. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 234. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 235. Subsection (b) of section 225 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12755) is amended by adding at the end the following new sentence: ''Such 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (and the termination or refusal to renew is in accordance with the requirements of State or local law).''.

SEC. 236. None of the funds under this title may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development who is subject to administrative discipline in fiscal year 2016, including suspension from work.

SEC. 237. The language under the heading ''Rental Assistance Demonstration'' in the

Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55) is amended:

(1) In proviso eighteen, by inserting ''for fiscal year 2012 and hereafter,'' after ''*Provided further*, That''; and

(2) In proviso nineteen, by striking '', which may extend beyond fiscal year 2016 as necessary to allow processing of all timely applications,''.

SEC. 238. Section 526 (12 U.S.C. 1735f–4) of the National Housing Act is amended by inserting at the end of subsection (b):

''(c) The Secretary may establish an exception to any minimum property standard established under this section in order to address alternative water systems, including cisterns, which meet requirements of State and local building codes that ensure health and safety standards.''.

SEC. 239. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving to Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321) by adding to the program 100 public housing agencies that are designated as high performing agencies under the Public Housing Assessment System (PHAS) or the Section Eight Management Assessment Program (SEMAP). No public housing agency shall be granted this designation through this section that administers in excess of 27,000 aggregate housing vouchers and public housing units. Of the agencies selected under this section, no less than 50 shall administer 1,000 or fewer aggregate housing voucher and public housing units, no less than 47 shall administer 1,001-6,000 aggregate housing voucher and public housing units, and no more than 3 shall administer 6,001–27,000 aggregate housing voucher and public housing units. Of the 100 agencies selected under this section, five shall be agencies with portfolio awards under the Rental Assistance Demonstration that meet the other requirements of this section, including current designations as high performing agencies or such designations held immediately prior to such portfolio awards. Selection of agencies under this section shall be based on ensuring the geographic diversity of Moving to Work agencies. In addition to the preceding selection criteria, agencies shall be designated by the Secretary over a 7-year period. The Secretary shall establish a research advisory committee which shall advise the Secretary with respect to specific policy proposals and methods of research and evaluation for the demonstration. The advisory committee shall include program and research experts from the Department, a fair representation of agencies with a Moving to Work designation, and independent subject matter experts in housing policy research. For each cohort of agencies receiving a designation under this heading, the Secretary shall direct one specific policy change to be implemented by the agencies, and with the approval of the Secretary, such agencies may implement additional policy changes. All agencies designated under this section shall be evaluated through rigorous research as determined by the Secretary, and shall provide information requested by the Secretary to support such oversight and evaluation, including the targeted policy changes. Research and evaluation shall be coordinated under the direction of the Secretary, and in consultation with the advisory committee, and findings shall be shared broadly. The Secretary shall consult the advisory committee with respect to policy changes that have proven successful and can be applied more broadly to all public housing agencies, and propose any necessary statutory changes. The Secretary may, at the request of a Moving to Work agency and one or more adjacent public housing agencies in the same area, designate that Moving to Work agency as a regional agency. A regional Moving to Work agency may administer the assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and g) for the participating agencies within its region pursuant to the terms of its Moving to Work agreement with the Secretary. The Secretary may agree to extend the term of the agreement and to make any necessary changes to accommodate regionalization. A Moving to Work agency may be selected as a regional agency if the Secretary determines that unified administration of assistance under sections 8 and 9 by that agency across multiple jurisdictions will lead to efficiencies and to greater housing choice for low-income persons in the region. For purposes of this expansion, in addition to the provisions of the Act retained in section 204, section 8(r)(1) of the Act shall continue to apply unless the Secretary determines that waiver of this section is necessary to implement comprehensive rent reform and occupancy policies subject to evaluation by the Secretary, and the waiver contains, at a minimum, exceptions for requests to port due to employment, education, health and safety. No public housing agency granted this designation through this section shall receive more funding under sections 8 or 9 of the United States Housing Act of 1937 than it otherwise would have received absent this designation. The Secretary shall extend the current Moving to Work agreements of previously designated participating agencies until the end of each such agency's fiscal year 2028 under the same terms and conditions of such current agreements, except for any changes to such terms or conditions otherwise mutually agreed upon by the Secretary and any such agency and such extension agreements shall prohibit any statutory offset of any reserve balances equal to 4 months of operating expenses. Any such reserve balances that exceed such amount shall remain available to any such agency for all permissible purposes under such agreement unless subject to a statutory offset. In addition to other reporting requirements, all Moving to Work agencies shall report financial data to the Department of Housing and Urban Development as specified by the Secretary, so that the effect of Moving to Work policy changes can be measured.

SEC. 240. (a) AUTHORITY.—Subject to the conditions in subsection (d), the Secretary of Housing and Urban Development may authorize, in response to requests received in fiscal years 2016 through 2020, the transfer of some or all project-based assistance, tenant-based assistance, capital advances, debt, and statutorily required use restrictions from housing assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to other new or existing housing, which may include projects, units, and other types of housing, as permitted by the Secretary.

(b) CAPITAL ADVANCES.—Interest shall not be due and repayment of a capital advance shall not be triggered by a transfer pursuant to this section.

(c) PHASED AND PROPORTIONAL TRANSFERS.—

(1) Transfers under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the housing to which the assistance is transferred, to ensure that such housing meets the conditions under subsection (d).

(2) The capital advance repayment requirements, use restrictions, rental assistance, and debt shall transfer proportionally from the transferring housing to the receiving housing.

(d) CONDITIONS.—The transfers authorized by this section shall be subject to the following conditions:

(1) the owner of the transferring housing shall demonstrate that the transfer is in compliance with applicable Federal, State, and local requirements regarding Housing for Persons with Disabilities and shall provide the Secretary with evidence of obtaining any approvals related to housing disabled persons that are necessary under Federal, State, and local government requirements;

(2) the owner of the transferring housing shall demonstrate to the Secretary that any transfer is in the best interest of the disabled residents by offering opportunities for increased integration or less concentration of individuals with disabilities;

(3) the owner of the transferring housing shall continue to provide the same number of units as approved for rental assistance by the Secretary in the receiving housing;

(4) the owner of the transferring housing shall consult with the disabled residents in the transferring housing about any proposed transfer under this section and shall notify the residents of the transferring housing who are eligible for assistance to be provided in the receiving housing that they shall not be required to vacate the transferring housing until the receiving housing is available for occupancy;

(5) the receiving housing shall meet or exceed applicable physical standards established or adopted by the Secretary; and

(6) if the receiving housing has a mortgage insured under title II of the National Housing Act, any lien on the receiving housing resulting from additional financing shall be subordinate to any federally insured mortgage lien transferred to, or placed on, such housing, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, or rehabilitation of the receiving housing.

(e) PUBLIC NOTICE.—The Secretary shall publish a notice in the Federal Register of the terms and conditions, including criteria for the Department's approval of transfers pursuant to this section no later than 30 days before the effective date of such notice.

SEC. 241. (a) Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading ''General and Special Risk Program Account'', and for the cost of guaranteed notes and other obligations under the heading ''Native American Housing Block Grants'', $12,000,000 is hereby permanently rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the headings ''Rural Housing and Economic Development'', and ''Homeownership and Opportunity for People Everywhere Grants'' are hereby permanently rescinded.

SEC. 242. Funds made available in this title under the heading ''Homeless Assistance Grants'' may be used by the Secretary to participate in Performance Partnership Pilots authorized in an appropriations Act for fiscal year 2016 as initially authorized under section 526 of division H of Public Law 113–76 and extended under section 524 of division G of Public Law 113–235: *Provided*, That such participation shall be limited to no more than 10 continuums of care and housing activities to improve outcomes for disconnected youth.

SEC. 243. With respect to grant amounts awarded under the heading ''Homeless Assistance Grants'' for fiscal years 2015 and 2016 for the Continuum of Care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act,

costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipients CoC program.

SEC. 244. With respect to funds appropriated under the ''Community Development Fund'' heading for formula allocation to states pursuant to 42 U.S.C. 5306(d), the Secretary shall permit a jurisdiction to demonstrate compliance with 42 U.S.C. 5305(c)(2)(A) if it had been designated as majority low- and moderate-income pursuant to data from the 2000 decennial Census and it continues to have economic distress as evidenced by inclusion in a designated Rural Promise Zone or Distressed County as defined by the Appalachian Regional Commission. This section shall apply to any such state funds appropriated under such heading under this Act, in each fiscal year from 2017 through 2020, and under prior appropriation Acts (with respect to any such allocated but uncommitted funds available to any such state).

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2016''.

## TITLE III

## RELATED AGENCIES

### ACCESS BOARD

#### SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,023,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

### FEDERAL MARITIME COMMISSION

#### SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $25,660,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

### NATIONAL RAILROAD PASSENGER CORPORATION

#### OFFICE OF INSPECTOR GENERAL

#### SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $24,499,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2017, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2017 in similar format and substance to those submitted by executive agencies of the Federal Government.

### NATIONAL TRANSPORTATION SAFETY BOARD

#### SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $105,170,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

### NEIGHBORHOOD REINVESTMENT CORPORATION

#### PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $135,000,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That in addition, $40,000,000 shall be made available until expended to the Neighborhood Reinvestment Corporation for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Neighborhood Reinvestment Corporation (NRC) shall make grants to counseling intermediaries approved by the Department of Housing and Urban Development (HUD) (with match to be determined by NRC based on affordability and the economic conditions of an area; a match also may be waived by NRC based on the aforementioned conditions) to provide mortgage foreclosure mitigation assistance primarily to States and areas with high rates of defaults and foreclosures to help eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of such foreclosure. Other than areas with high rates of defaults and foreclosures, grants may also be provided to approved counseling intermediaries based on a geographic analysis of the Nation by NRC which determines where there is a prevalence of mortgages that are risky and likely to fail, including any trends for mortgages that are likely to default and face foreclosure. A State Housing Finance Agency may also be eligible where the State Housing Finance Agency meets all the requirements under this paragraph. A HUD-approved counseling intermediary shall meet certain mortgage foreclosure mitigation assistance counseling requirements, as determined by NRC, and shall be approved by HUD or NRC as meeting these requirements.

(2) Mortgage foreclosure mitigation assistance shall only be made available to homeowners of owner-occupied homes with mortgages in default or in danger of default. These mortgages shall likely be subject to a foreclosure action and homeowners will be provided such assistance that shall consist of activities that are likely to prevent foreclosures and result in the long-term affordability of the mortgage retained pursuant to such activity or another positive outcome for the homeowner. No funds made available under this paragraph may be provided directly to lenders or homeowners to discharge outstanding mortgage balances or for any other direct debt reduction payments.

(3) The use of mortgage foreclosure mitigation assistance by approved counseling intermediaries and State Housing Finance Agencies shall involve a reasonable analysis of the borrower's financial situation, an evaluation of the current value of the property that is subject to the mortgage, counseling regarding the assumption of the mortgage by another non-Federal party, counseling regarding the possible purchase of the mortgage by a non-Federal third party, counseling and advice of all likely restructuring and refinancing strategies or the approval of a work-out strategy by all interested parties.

(4) NRC may provide up to 15 percent of the total funds under this paragraph to its own charter members with expertise in foreclosure prevention counseling, subject to a certification by NRC that the procedures for selection do not consist of any procedures or activities that could be construed as a conflict of interest or have the appearance of impropriety.

(5) HUD-approved counseling entities and State Housing Finance Agencies receiving funds under this paragraph shall have demonstrated experience in successfully working with financial institutions as well as borrowers facing default, delinquency and foreclosure as well as documented counseling capacity, outreach capacity, past successful performance and positive outcomes with documented counseling plans (including post mortgage foreclosure mitigation counseling), loan workout agreements and loan modification agreements. NRC may use other criteria to demonstrate capacity in underserved areas.

(6) Of the total amount made available under this paragraph, up to $2,000,000 may be made available to build the mortgage foreclosure and default mitigation counseling capacity of counseling intermediaries through NRC training courses with HUD-approved counseling intermediaries and their partners, except that private financial institutions that participate in NRC training shall pay market rates for such training.

(7) Of the total amount made available under this paragraph, up to 5 percent may be used for associated administrative expenses for NRC to carry out activities provided under this section.

(8) Mortgage foreclosure mitigation assistance grants may include a budget for outreach and advertising, and training, as determined by NRC.

(9) NRC shall continue to report bi-annually to the House and Senate Committees on Appropriations as well as the Senate Banking Committee and House Financial Services Committee on its efforts to mitigate mortgage default.

### UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

#### OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,530,000.

## TITLE IV

## GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 411. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 415. None of the funds made available by this Act may be used by the Federal Transit Administration to implement, administer, or enforce section 18.36(c)(2) of title 49, Code of Federal Regulations, for construction hiring purposes.

SEC. 416. None of the funds made available by this Act may be used in contravention of the 5th or 14th Amendment to the Constitution or title VI of the Civil Rights Act of 1964.

SEC. 417. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 418. None of the funds made available by this Act may be used in contravention of subpart E of part 5 of the regulations of the Secretary of Housing and Urban Development (24 CFR part 5, subpart E, relating to restrictions on assistance to noncitizens).

SEC. 419. None of the funds made available by this Act may be used to provide financial assistance in contravention of section 214(d) of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a(d)).

SEC. 420. For an additional amount for ''Community Planning and Development, Community Development Fund'', $300,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared in 2015 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) related to the consequences of

Hurricane Joaquin and adjacent storm systems, Hurricane Patricia, and other flood events: *Provided*, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas: *Provided further*, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State or subdivision thereof may use up to five percent of its allocation for administrative costs: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than five days before the effective date of such waiver or alternative requirement: *Provided further*, That of the amounts made available under this section, up to $1,000,000 may be transferred to ''Program Office Salaries and Expenses, Community Planning and Development'' for necessary costs, including information technology costs, of administering and overseeing funds made available under this heading: *Provided further*, That amounts provided under this section shall be designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 421. Effective as of December 4, 2015, and as if included therein as enacted, section 1408 of the Fixing America's Surface Transportation Act (Public Law 114–94) is amended by adding at the end the following:

''(c) APPLICABILITY.—The amendment made by subsection (b) shall apply to projects to repair or reconstruct facilities damaged as a result of a natural disaster or catastrophic failure described in section 125(a) of title 23, United States Code, occurring on or after October 1, 2015.''.

This division may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016''.

## DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016

**SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2016''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

**SEC. 2. DEFINITIONS.**

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

**SEC. 3. EXPLANATORY STATEMENT.**

The explanatory statement regarding this division, printed in the House section of the Congressional Record on or about December 15, 2015, by the Chairman of the Permanent Select Committee on Intelligence of the House of Representatives, shall have the same effect with respect to the implementation of this division as if it were a joint explanatory statement of a committee of conference.

## TITLE I—INTELLIGENCE ACTIVITIES

**SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

Funds are hereby authorized to be appropriated for fiscal year 2016 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

**SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2016, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division of this Act.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

**SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2016 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such schedule for such element.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long-term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

**SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.**

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2016 the sum of $516,306,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2017.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 785 positions as of September 30, 2016. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2016 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2017.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2016, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

**SEC. 105. CLARIFICATION REGARDING AUTHORITY FOR FLEXIBLE PERSONNEL MANAGEMENT AMONG ELEMENTS OF INTELLIGENCE COMMUNITY.**

(a) CLARIFICATION.—Section 102A(v) of the National Security Act of 1947 (50 U.S.C. 3024(v)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) A covered department may appoint an individual to a position converted or established pursuant to this subsection without regard to the civil-service laws, including parts II and III of title 5, United States Code.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to an appointment under section 102A(v) of the National Security Act of 1947 (50 U.S.C. 3024(v)) made on or after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87) and to any proceeding pending on or filed after the date of the enactment of this section that relates to such an appointment.

## TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

**SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2016 the sum of $514,000,000.

## TITLE III—GENERAL PROVISIONS

**SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.**

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

**SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.**

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

**SEC. 303. PROVISION OF INFORMATION AND ASSISTANCE TO INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.**

Section 103H(j)(4) of the National Security Act of 1947 (50 U.S.C. 3033(j)(4)) is amended—

(1) in subparagraph (A), by striking ''any department, agency, or other element of the United States Government'' and inserting ''any Federal, State (as defined in section 804), or local governmental agency or unit thereof''; and

(2) in subparagraph (B), by inserting ''from a department, agency, or element of the Federal Government'' before ''under subparagraph (A)''.

**SEC. 304. INCLUSION OF INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY IN COUNCIL OF INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.**

Section 11(b)(1)(B) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) is amended by striking ''the Office of the Director of National Intelligence'' and inserting ''the Intelligence Community''.

**SEC. 305. CLARIFICATION OF AUTHORITY OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.**

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42

U.S.C. 2000ee(g)) is amended by adding at the end the following new paragraph:

''(5) ACCESS.—Nothing in this section shall be construed to authorize the Board, or any agent thereof, to gain access to information regarding an activity covered by section 503(a) of the National Security Act of 1947 (50 U.S.C. 3093(a)).''.

**SEC. 306. ENHANCING GOVERNMENT PERSONNEL SECURITY PROGRAMS.**

(a) ENHANCED SECURITY CLEARANCE PROGRAMS.—

(1) IN GENERAL.—Part III of title 5, United States Code, is amended by adding at the end the following:

**''Subpart J—Enhanced Personnel Security Programs**

**''CHAPTER 110—ENHANCED PERSONNEL SECURITY PROGRAMS**

''Sec.
''11001. Enhanced personnel security programs.

**''SEC. 11001. ENHANCED PERSONNEL SECURITY PROGRAMS.**

''(a) ENHANCED PERSONNEL SECURITY PROGRAM.—The Director of National Intelligence shall direct each agency to implement a program to provide enhanced security review of covered individuals—

''(1) in accordance with this section; and

''(2) not later than the earlier of—

''(A) the date that is 5 years after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2016; or

''(B) the date on which the backlog of overdue periodic reinvestigations of covered individuals is eliminated, as determined by the Director of National Intelligence.

''(b) COMPREHENSIVENESS.—

''(1) SOURCES OF INFORMATION.—The enhanced personnel security program of an agency shall integrate relevant and appropriate information from various sources, including government, publicly available, and commercial data sources, consumer reporting agencies, social media, and such other sources as determined by the Director of National Intelligence.

''(2) TYPES OF INFORMATION.—Information obtained and integrated from sources described in paragraph (1) may include—

''(A) information relating to any criminal or civil legal proceeding;

''(B) financial information relating to the covered individual, including the credit worthiness of the covered individual;

''(C) publicly available information, whether electronic, printed, or other form, including relevant security or counterintelligence information about the covered individual or information that may suggest ill intent, vulnerability to blackmail, compulsive behavior, allegiance to another country, change in ideology, or that the covered individual lacks good judgment, reliability, or trustworthiness; and

''(D) data maintained on any terrorist or criminal watch list maintained by any agency, State or local government, or international organization.

''(c) REVIEWS OF COVERED INDIVIDUALS.—

''(1) REVIEWS.—

''(A) IN GENERAL.—The enhanced personnel security program of an agency shall require that, not less than 2 times every 5 years, the head of the agency shall conduct or request the conduct of automated record checks and checks of information from sources under subsection (b) to ensure the continued eligibility of each covered individual to access classified information and hold a sensitive position unless more frequent reviews of automated record checks and checks of information from sources under subsection (b) are conducted on the covered individual.

''(B) SCOPE OF REVIEWS.—Except for a covered individual who is subject to more frequent reviews to ensure the continued eligibility of the covered individual to access classified information and hold a sensitive position, the reviews under subparagraph (A) shall consist of random or aperiodic checks of covered individuals, such that each covered individual is subject to at least 2 reviews during the 5-year period beginning on the date on which the agency implements the enhanced personnel security program of an agency, and during each 5-year period thereafter.

''(C) INDIVIDUAL REVIEWS.—A review of the information relating to the continued eligibility of a covered individual to access classified information and hold a sensitive position under subparagraph (A) may not be conducted until after the end of the 120-day period beginning on the date the covered individual receives the notification required under paragraph (3).

''(2) RESULTS.—The head of an agency shall take appropriate action if a review under paragraph (1) finds relevant information that may affect the continued eligibility of a covered individual to access classified information and hold a sensitive position.

''(3) INFORMATION FOR COVERED INDIVIDUALS.—The head of an agency shall ensure that each covered individual is adequately advised of the types of relevant security or counterintelligence information the covered individual is required to report to the head of the agency.

''(4) LIMITATION.—Nothing in this subsection shall be construed to affect the authority of an agency to determine the appropriate weight to be given to information relating to a covered individual in evaluating the continued eligibility of the covered individual.

''(5) AUTHORITY OF THE PRESIDENT.—Nothing in this subsection shall be construed as limiting the authority of the President to direct or perpetuate periodic reinvestigations of a more comprehensive nature or to delegate the authority to direct or perpetuate such reinvestigations.

''(6) EFFECT ON OTHER REVIEWS.—Reviews conducted under paragraph (1) are in addition to investigations and reinvestigations conducted pursuant to section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341).

''(d) AUDIT.—

''(1) IN GENERAL.—Beginning 2 years after the date of the implementation of the enhanced personnel security program of an agency under subsection (a), the Inspector General of the agency shall conduct at least 1 audit to assess the effectiveness and fairness, which shall be determined in accordance with performance measures and standards established by the Director of National Intelligence, to covered individuals of the enhanced personnel security program of the agency.

''(2) SUBMISSIONS TO DNI.—The results of each audit conducted under paragraph (1) shall be submitted to the Director of National Intelligence to assess the effectiveness and fairness of the enhanced personnel security programs across the Federal Government.

''(e) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term in section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341);

''(2) the term 'consumer reporting agency' has the meaning given that term in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a);

''(3) the term 'covered individual' means an individual employed by an agency or a contractor of an agency who has been determined eligible for access to classified information or eligible to hold a sensitive position;

''(4) the term 'enhanced personnel security program' means a program implemented by an agency at the direction of the Director of National Intelligence under subsection (a); and''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 5, United States Code, is amended by adding at the end following:

''Subpart J—Enhanced Personnel Security Programs

''110. Enhanced personnel security programs ..... 11001''.

(b) RESOLUTION OF BACKLOG OF OVERDUE PERIODIC REINVESTIGATIONS.—

(1) IN GENERAL.—The Director of National Intelligence shall develop and implement a plan to eliminate the backlog of overdue periodic reinvestigations of covered individuals.

(2) REQUIREMENTS.—The plan developed under paragraph (1) shall—

(A) use a risk-based approach to—

(i) identify high-risk populations; and

(ii) prioritize reinvestigations that are due or overdue to be conducted; and

(B) use random automated record checks of covered individuals that shall include all covered individuals in the pool of individuals subject to a one-time check.

(3) DEFINITIONS.—In this subsection:

(A) The term ''covered individual'' means an individual who has been determined eligible for access to classified information or eligible to hold a sensitive position.

(B) The term ''periodic reinvestigations'' has the meaning given such term in section 3001(a)(7) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(a)(7)).

**SEC. 307. NOTIFICATION OF CHANGES TO RETENTION OF CALL DETAIL RECORD POLICIES.**

(a) REQUIREMENT TO RETAIN.—

(1) IN GENERAL.—Not later than 15 days after learning that an electronic communication service provider that generates call detail records in the ordinary course of business has changed the policy of the provider on the retention of such call detail records to result in a retention period of less than 18 months, the Director of National Intelligence shall notify, in writing, the congressional intelligence committees of such change.

(2) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a report identifying each electronic communication service provider that has, as of the date of the report, a policy to retain call detail records for a period of 18 months or less.

(b) DEFINITIONS.—In this section:

(1) CALL DETAIL RECORD.—The term ''call detail record'' has the meaning given that term in section 501(k) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(k)).

(2) ELECTRONIC COMMUNICATION SERVICE PROVIDER.—The term ''electronic communication service provider'' has the meaning given that term in section 701(b)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(b)(4)).

**SEC. 308. PERSONNEL INFORMATION NOTIFICATION POLICY BY THE DIRECTOR OF NATIONAL INTELLIGENCE.**

(a) DIRECTIVE REQUIRED.—The Director of National Intelligence shall issue a directive containing a written policy for the timely notification to the congressional intelligence committees of the identities of individuals occupying senior level positions within the intelligence community.

(b) SENIOR LEVEL POSITION.—In identifying positions that are senior level positions in the intelligence community for purposes of

the directive required under subsection (a), the Director of National Intelligence shall consider whether a position—

(1) constitutes the head of an entity or a significant component within an agency;

(2) is involved in the management or oversight of matters of significant import to the leadership of an entity of the intelligence community;

(3) provides significant responsibility on behalf of the intelligence community;

(4) requires the management of a significant number of personnel or funds;

(5) requires responsibility management or oversight of sensitive intelligence activities; and

(6) is held by an individual designated as a senior intelligence management official as such term is defined in section 368(a)(6) of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–259; 50 U.S.C. 404i–1 note).

(c) NOTIFICATION.—The Director shall ensure that each notification under the directive issued under subsection (a) includes each of the following:

(1) The name of the individual occupying the position.

(2) Any previous senior level position held by the individual, if applicable, or the position held by the individual immediately prior to the appointment.

(3) The position to be occupied by the individual.

(4) Any other information the Director determines appropriate.

(d) RELATIONSHIP TO OTHER LAWS.—The directive issued under subsection (a) and any amendment to such directive shall be consistent with the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.).

(e) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees the directive issued under subsection (a).

**SEC. 309. DESIGNATION OF LEAD INTELLIGENCE OFFICER FOR TUNNELS.**

(a) IN GENERAL.—The Director of National Intelligence shall designate an official to manage the collection and analysis of intelligence regarding the tactical use of tunnels by state and nonstate actors.

(b) ANNUAL REPORT.—Not later than the date that is 10 months after the date of the enactment of this Act, and biennially thereafter until the date that is 4 years after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees and the congressional defense committees (as such term is defined in section 101(a)(16) of title 10, United States Code) a report describing—

(1) trends in the use of tunnels by foreign state and nonstate actors; and

(2) collaboration efforts between the United States and partner countries to address the use of tunnels by adversaries.

**SEC. 310. REPORTING PROCESS REQUIRED FOR TRACKING CERTAIN REQUESTS FOR COUNTRY CLEARANCE.**

(a) IN GENERAL.—By not later than September 30, 2016, the Director of National Intelligence shall establish a formal internal reporting process for tracking requests for country clearance submitted to overseas Director of National Intelligence representatives by departments and agencies of the United States. Such reporting process shall include a mechanism for tracking the department or agency that submits each such request and the date on which each such request is submitted.

(b) CONGRESSIONAL BRIEFING.—By not later than December 31, 2016, the Director of National Intelligence shall brief the congressional intelligence committees on the progress of the Director in establishing the process required under subsection (a).

**SEC. 311. STUDY ON REDUCTION OF ANALYTIC DUPLICATION.**

(a) STUDY AND REPORT.—

(1) IN GENERAL.—Not later than January 31, 2016, the Director of National Intelligence shall—

(A) carry out a study to evaluate and measure the incidence of duplication in finished intelligence analysis products; and

(B) submit to the congressional intelligence committees a report on the findings of such study.

(2) METHODOLOGY REQUIREMENTS.—The methodology used to carry out the study required by this subsection shall be able to be repeated for use in other subsequent studies.

(b) ELEMENTS.—The report required by subsection (a)(1)(B) shall include—

(1) detailed information—

(A) relating to the frequency of duplication of finished intelligence analysis products; and

(B) that describes the types of, and the reasons for, any such duplication; and

(2) a determination as to whether to make the production of such information a routine part of the mission of the Analytic Integrity and Standards Group.

(c) CUSTOMER IMPACT PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a plan for revising analytic practice, tradecraft, and standards to ensure customers are able to clearly identify—

(1) the manner in which intelligence products written on similar topics and that are produced contemporaneously differ from one another in terms of methodology, sourcing, or other distinguishing analytic characteristics; and

(2) the significance of that difference.

(d) CONSTRUCTION.—Nothing in this section may be construed to impose any requirement that would interfere with the production of an operationally urgent or otherwise time-sensitive current intelligence product.

**SEC. 312. STRATEGY FOR COMPREHENSIVE INTERAGENCY REVIEW OF THE UNITED STATES NATIONAL SECURITY OVERHEAD SATELLITE ARCHITECTURE.**

(a) REQUIREMENT FOR STRATEGY.—The Director of National Intelligence shall collaborate with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to develop a strategy, with milestones and benchmarks, to ensure that there is a comprehensive interagency review of policies and practices for planning and acquiring national security satellite systems and architectures, including the capabilities of commercial systems and partner countries, consistent with the National Space Policy issued on June 28, 2010. Such strategy shall, where applicable, account for the unique missions and authorities vested in the Department of Defense and the intelligence community.

(b) ELEMENTS.—The strategy required by subsection (a) shall ensure that the United States national security overhead satellite architecture—

(1) meets the needs of the United States in peace time and is resilient in war time;

(2) is fiscally responsible;

(3) accurately takes into account cost and performance tradeoffs;

(4) meets realistic requirements;

(5) produces excellence, innovation, competition, and a robust industrial base;

(6) aims to produce in less than 5 years innovative satellite systems that are able to leverage common, standardized design elements and commercially available technologies;

(7) takes advantage of rapid advances in commercial technology, innovation, and commercial-like acquisition practices;

(8) is open to innovative concepts, such as distributed, disaggregated architectures, that could allow for better resiliency, reconstitution, replenishment, and rapid technological refresh; and

(9) emphasizes deterrence and recognizes the importance of offensive and defensive space control capabilities.

(c) REPORT ON STRATEGY.—Not later than February 28, 2016, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the strategy required by subsection (a).

**SEC. 313. CYBER ATTACK STANDARDS OF MEASUREMENT STUDY.**

(a) STUDY REQUIRED.—The Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Secretary of Defense, shall carry out a study to determine appropriate standards that—

(1) can be used to measure the damage of cyber incidents for the purposes of determining the response to such incidents; and

(2) include a method for quantifying the damage caused to affected computers, systems, and devices.

(b) REPORTS TO CONGRESS.—

(1) PRELIMINARY FINDINGS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees the initial findings of the study required under subsection (a).

(2) REPORT.—Not later than 360 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees a report containing the complete findings of such study.

(3) FORM OF REPORT.—The report required by paragraph (2) shall be submitted in unclassified form, but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(4) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

## TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

### Subtitle A—Office of the Director of National Intelligence

**SEC. 401. APPOINTMENT AND CONFIRMATION OF THE NATIONAL COUNTERINTELLIGENCE EXECUTIVE.**

(a) IN GENERAL.—Section 902(a) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382) is amended to read as follows:

''(a) ESTABLISHMENT.—There shall be a National Counterintelligence Executive who shall be appointed by the President, by and with the advice and consent of the Senate.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

**SEC. 402. TECHNICAL AMENDMENTS RELATING TO PAY UNDER TITLE 5, UNITED STATES CODE.**

Section 5102(a)(1) of title 5, United States Code, is amended—

(1) in clause (vii), by striking ''or'';

(2) by inserting after clause (vii) the following new clause:

''(viii) the Office of the Director of National Intelligence;''; and

(3) in clause (x), by striking the period and inserting a semicolon.

**SEC. 403. ANALYTIC OBJECTIVITY REVIEW.**

(a) ASSESSMENT.—The Director of National Intelligence shall assign the Chief of the Analytic Integrity and Standards Group to conduct a review of finished intelligence products produced by the Central Intelligence Agency to assess whether the reorganization of the Agency, announced publicly on March 6, 2015, has resulted in any loss of analytic objectivity.

(b) SUBMISSION.—Not later than March 6, 2017, the Director of National Intelligence shall submit to the congressional intelligence committees, in writing, the results of the review required under subsection (a), including—

(1) an assessment comparing the analytic objectivity of a representative sample of finished intelligence products produced by the Central Intelligence Agency before the reorganization and a representative sample of such finished intelligence products produced after the reorganization, predicated on the products' communication of uncertainty, expression of alternative analysis, and other underlying evaluative criteria referenced in the Strategic Evaluation of All-Source Analysis directed by the Director;

(2) an assessment comparing the historical results of anonymous surveys of Central Intelligence Agency analysts and customers conducted before the reorganization and the results of such anonymous surveys conducted after the reorganization, with a focus on the analytic standard of objectivity;

(3) a metrics-based evaluation measuring the effect that the reorganization's integration of operational, analytic, support, technical, and digital personnel and capabilities into Mission Centers has had on analytic objectivity; and

(4) any recommendations for ensuring that analysts of the Central Intelligence Agency perform their functions with objectivity, are not unduly constrained, and are not influenced by the force of preference for a particular policy.

## Subtitle B—Central Intelligence Agency and Other Elements

**SEC. 411. AUTHORITIES OF THE INSPECTOR GENERAL FOR THE CENTRAL INTELLIGENCE AGENCY.**

(a) INFORMATION AND ASSISTANCE.—Paragraph (9) of section 17(e) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(9)) is amended to read as follows:

''(9)(A) The Inspector General may request such information or assistance as may be necessary for carrying out the duties and responsibilities of the Inspector General provided by this section from any Federal, State, or local governmental agency or unit thereof.

''(B) Upon request of the Inspector General for information or assistance from a department or agency of the Federal Government, the head of the department or agency involved, insofar as practicable and not in contravention of any existing statutory restriction or regulation of such department or agency, shall furnish to the Inspector General, or to an authorized designee, such information or assistance.

''(C) Nothing in this paragraph may be construed to provide any new authority to the Central Intelligence Agency to conduct intelligence activity in the United States.

''(D) In this paragraph, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.''.

(b) TECHNICAL AMENDMENTS RELATING TO SELECTION OF EMPLOYEES.—Paragraph (7) of such section (50 U.S.C. 3517(e)(7)) is amended—

(1) by inserting ''(A)'' before ''Subject to applicable law''; and

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

''(B) Consistent with budgetary and personnel resources allocated by the Director, the Inspector General has final approval of—

''(i) the selection of internal and external candidates for employment with the Office of Inspector General; and

''(ii) all other personnel decisions concerning personnel permanently assigned to the Office of Inspector General, including selection and appointment to the Senior Intelligence Service, but excluding all security-based determinations that are not within the authority of a head of other Central Intelligence Agency offices.''.

**SEC. 412. PRIOR CONGRESSIONAL NOTIFICATION OF TRANSFERS OF FUNDS FOR CERTAIN INTELLIGENCE ACTIVITIES.**

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this division or otherwise made available for the intelligence community for fiscal year 2016 may be used to initiate a transfer of funds from the Joint Improvised Explosive Device Defeat Fund or the Counterterrorism Partnerships Fund to be used for intelligence activities unless the Director of National Intelligence or the Secretary of Defense, as appropriate, submits to the congressional intelligence committees, by not later than 15 days before initiating such a transfer, written notice of the transfer.

(b) WAIVER.—

(1) IN GENERAL.—The Director of National Intelligence or the Secretary of Defense, as appropriate, may waive subsection (a) with respect to the initiation of a transfer of funds if the Director or Secretary, as the case may be, determines that an emergency situation makes it impossible or impractical to provide the notice required under such subsection by the date that is 15 days before such initiation.

(2) NOTICE.—If the Director or Secretary issues a waiver under paragraph (1), the Director or Secretary, as the case may be, shall submit to the congressional intelligence committees, by not later than 48 hours after the initiation of the transfer of funds covered by the waiver, written notice of the waiver and a justification for the waiver, including a description of the emergency situation that necessitated the waiver.

# TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

## Subtitle A—Matters Relating to Russia

**SEC. 501. NOTICE OF DEPLOYMENT OR TRANSFER OF CLUB–K CONTAINER MISSILE SYSTEM BY THE RUSSIAN FEDERATION.**

(a) NOTICE TO CONGRESS.—The Director of National Intelligence shall submit to the appropriate congressional committees written notice if the intelligence community receives intelligence that the Russian Federation has—

(1) deployed, or is about to deploy, the Club–K container missile system through the Russian military; or

(2) transferred or sold, or intends to transfer or sell, the Club–K container missile system to another state or non-state actor.

(b) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—Not later than 30 days after the date on which the Director submits a notice under subsection (a), the Director shall submit to the congressional intelligence committees a written update regarding any intelligence community engagement with a foreign partner on the deployment and impacts of a deployment of the Club–K container missile system to any potentially impacted nation.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**SEC. 502. ASSESSMENT ON FUNDING OF POLITICAL PARTIES AND NONGOVERNMENTAL ORGANIZATIONS BY THE RUSSIAN FEDERATION.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees an intelligence community assessment on the funding of political parties and nongovernmental organizations in former Soviet states and countries in Europe by the Russian Security Services since January 1, 2006. Such assessment shall include the following:

(1) The country involved, the entity funded, the security service involved, and the intended effect of the funding.

(2) An evaluation of such intended effects, including with respect to—

(A) undermining the political cohesion of the country involved;

(B) undermining the missile defense of the United States and the North Atlantic Treaty Organization; and

(C) undermining energy projects that could provide an alternative to Russian energy.

(b) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**SEC. 503. ASSESSMENT ON THE USE OF POLITICAL ASSASSINATIONS AS A FORM OF STATECRAFT BY THE RUSSIAN FEDERATION.**

(a) REQUIREMENT FOR ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees an intelligence community assessment on the use of political assassinations as a form of statecraft by the Russian Federation since January 1, 2000.

(b) CONTENT.—The assessment required by subsection (a) shall include—

(1) a list of Russian politicians, businessmen, dissidents, journalists, current or former government officials, foreign heads-of-state, foreign political leaders, foreign journalists, members of nongovernmental organizations, and other relevant individuals that the intelligence community assesses were assassinated by Russian Security Services, or agents of such services, since January 1, 2000; and

(2) for each individual described in paragraph (1), the country in which the assassination took place, the means used, associated individuals and organizations, and other

background information related to the assassination of the individual.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**Subtitle B—Matters Relating to Other Countries**

**SEC. 511. REPORT ON RESOURCES AND COLLECTION POSTURE WITH REGARD TO THE SOUTH CHINA SEA AND EAST CHINA SEA.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an intelligence community assessment on the resources used for collection efforts and the collection posture of the intelligence community with regard to the South China Sea and East China Sea.

(b) ELEMENTS.—The intelligence community assessment required by subsection (a) shall provide detailed information related to intelligence collection by the United States with regard to the South China Sea and East China Sea, including—

(1) a review of intelligence community collection activities and a description of these activities, including the lead agency, key partners, purpose of collection activity, annual funding and personnel, the manner in which the collection is conducted, and types of information collected;

(2) an explanation of how the intelligence community prioritizes and coordinates collection activities focused on such region; and

(3) a description of any collection and resourcing gaps and efforts being made to address such gaps.

**SEC. 512. USE OF LOCALLY EMPLOYED STAFF SERVING AT A UNITED STATES DIPLOMATIC FACILITY IN CUBA.**

(a) SUPERVISORY REQUIREMENT.—

(1) IN GENERAL.—Except as provided under paragraph (2), the Secretary of State shall ensure that, not later than 1 year after the date of the enactment of this Act, key supervisory positions at a United States diplomatic facility in Cuba are occupied by citizens of the United States.

(2) EXTENSION.—The Secretary of State may extend the deadline under paragraph (1) for up to 1 year by providing advance written notification and justification of such extension to the appropriate congressional committees.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other appropriate Federal agencies, shall submit to the appropriate congressional committees a report on—

(1) the progress made toward meeting the requirement under subsection (a)(1); and

(2) the use of locally employed staff in United States diplomatic facilities in Cuba, including—

(A) the number of such staff;

(B) the responsibilities of such staff;

(C) the manner in which such staff are selected, including efforts to mitigate counterintelligence threats to the United States; and

(D) the potential cost and impact on the operational capacity of the diplomatic facility if such staff were reduced.

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

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

**SEC. 513. INCLUSION OF SENSITIVE COMPARTMENTED INFORMATION FACILITIES IN UNITED STATES DIPLOMATIC FACILITIES IN CUBA.**

(a) RESTRICTED ACCESS SPACE REQUIREMENT.—Each United States diplomatic facility in Cuba in which classified information will be processed or in which classified communications occur that, after the date of the enactment of this Act, is constructed or undergoes a major construction upgrade shall be constructed to include a sensitive compartmented information facility.

(b) NATIONAL SECURITY WAIVER.—The Secretary of State may waive the requirement under subsection (a) if the Secretary—

(1) determines that such waiver is in the national security interest of the United States; and

(2) submits a written justification for such waiver to the appropriate congressional committees not later than 90 days before exercising such waiver.

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

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

**SEC. 514. REPORT ON USE BY IRAN OF FUNDS MADE AVAILABLE THROUGH SANCTIONS RELIEF.**

(a) IN GENERAL.—At the times specified in subsection (b), the Director of National Intelligence, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report assessing the following:

(1) The monetary value of any direct or indirect forms of sanctions relief that Iran has received since the Joint Plan of Action first entered into effect.

(2) How Iran has used funds made available through sanctions relief, including the extent to which any such funds have facilitated the ability of Iran—

(A) to provide support for—

(i) any individual or entity designated for the imposition of sanctions for activities relating to international terrorism pursuant to an executive order or by the Office of Foreign Assets Control of the Department of the Treasury as of the date of the enactment of this Act;

(ii) any organization designated by the Secretary of State as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) as of the date of the enactment of this Act;

(iii) any other terrorist organization; or

(iv) the regime of Bashar al Assad in Syria;

(B) to advance the efforts of Iran or any other country to develop nuclear weapons or ballistic missiles overtly or covertly; or

(C) to commit any violation of the human rights of the people of Iran.

(3) The extent to which any senior official of the Government of Iran has diverted any funds made available through sanctions relief to be used by the official for personal use.

(b) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—The Director shall submit the report required by subsection (a) to the appropriate congressional committees—

(A) not later than 180 days after the date of the enactment of this Act and every 180 days thereafter during the period that the Joint Plan of Action is in effect; and

(B) not later than 1 year after a subsequent agreement with Iran relating to the nuclear program of Iran takes effect and annually thereafter during the period that such agreement remains in effect.

(2) NONDUPLICATION.—The Director may submit the information required by subsection (a) with a report required to be submitted to Congress under another provision of law if—

(A) the Director notifies the appropriate congressional committees of the intention of making such submission before submitting that report; and

(B) all matters required to be covered by subsection (a) are included in that report.

(c) FORM OF REPORTS.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) JOINT PLAN OF ACTION.—The term ''Joint Plan of Action'' means the Joint Plan of Action, signed at Geneva November 24, 2013, by Iran and by France, Germany, the Russian Federation, the People's Republic of China, the United Kingdom, and the United States, and all implementing materials and agreements related to the Joint Plan of Action, including the technical understandings reached on January 12, 2014, the extension thereto agreed to on July 18, 2014, and the extension thereto agreed to on November 24, 2014.

**TITLE VI—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA**

**SEC. 601. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.**

No amounts authorized to be appropriated or otherwise made available to an element of the intelligence community may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release, to or within the United States, its territories, or possessions, Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

**SEC. 602. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to an element of the intelligence community may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to construct or modify any facility in the United States, its

territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

**SEC. 603. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO CERTAIN COUNTRIES OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

No amounts authorized to be appropriated or otherwise made available to an element of the intelligence community may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

(1) Libya.

(2) Somalia.

(3) Syria.

(4) Yemen.

## TITLE VII—REPORTS AND OTHER MATTERS

### Subtitle A—Reports

**SEC. 701. REPEAL OF CERTAIN REPORTING REQUIREMENTS.**

(a) QUADRENNIAL AUDIT OF POSITIONS REQUIRING SECURITY CLEARANCES.—Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(3) in subsection (b), as so redesignated, by striking ''The results required under subsection (a)(2) and the reports required under subsection (b)(1)'' and inserting ''The reports required under subsection (a)(1)''.

(b) REPORTS ON ROLE OF ANALYSTS AT FBI.—Section 2001(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3700; 28 U.S.C. 532 note) is amended by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(c) REPORT ON OUTSIDE EMPLOYMENT BY OFFICERS AND EMPLOYEES OF INTELLIGENCE COMMUNITY.—

(1) IN GENERAL.—Section 102A(u) of the National Security Act of 1947 (50 U.S.C. 3024(u)) is amended—

(A) by striking ''(1) The Director'' and inserting ''The Director''; and

(B) by striking paragraph (2).

(2) CONFORMING AMENDMENT.—Subsection (a) of section 507 of such Act (50 U.S.C. 3106) is amended—

(A) by striking paragraph (5); and

(B) by redesignating paragraph (6) as paragraph (5).

(3) TECHNICAL AMENDMENT.—Subsection (c)(1) of such section 507 is amended by striking ''subsection (a)(1)'' and inserting ''subsection (a)''.

(d) REPORTS ON NUCLEAR ASPIRATIONS OF NON-STATE ENTITIES.—Section 1055 of the National Defense Authorization Act for Fiscal Year 2010 (50 U.S.C. 2371) is repealed.

(e) REPORTS ON ESPIONAGE BY PEOPLE'S REPUBLIC OF CHINA.—Section 3151 of the National Defense Authorization Act for Fiscal Year 2000 (42 U.S.C. 7383e) is repealed.

(f) REPORTS ON SECURITY VULNERABILITIES OF NATIONAL LABORATORY COMPUTERS.—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659) is repealed.

**SEC. 702. REPORTS ON FOREIGN FIGHTERS.**

(a) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 60 days thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on foreign fighter flows to and from Syria and to and from Iraq. The Director shall define the term ''foreign fighter'' in such reports.

(b) MATTERS TO BE INCLUDED.—Each report submitted under subsection (a) shall include each of the following:

(1) The total number of foreign fighters who have traveled to Syria or Iraq since January 1, 2011, the total number of foreign fighters in Syria or Iraq as of the date of the submittal of the report, the total number of foreign fighters whose countries of origin have a visa waiver program described in section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), the total number of foreign fighters who have left Syria or Iraq, the total number of female foreign fighters, and the total number of deceased foreign fighters.

(2) The total number of United States persons who have traveled or attempted to travel to Syria or Iraq since January 1, 2011, the total number of such persons who have arrived in Syria or Iraq since such date, and the total number of such persons who have returned to the United States from Syria or Iraq since such date.

(3) The total number of foreign fighters in the Terrorist Identities Datamart Environment and the status of each such foreign fighter in that database, the number of such foreign fighters who are on a watchlist, and the number of such foreign fighters who are not on a watchlist.

(4) The total number of foreign fighters who have been processed with biometrics, including face images, fingerprints, and iris scans.

(5) Any programmatic updates to the foreign fighter report since the last report was submitted, including updated analysis on foreign country cooperation, as well as actions taken, such as denying or revoking visas.

(6) A worldwide graphic that describes foreign fighters flows to and from Syria, with points of origin by country.

(c) ADDITIONAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report that includes—

(1) with respect to the travel of foreign fighters to and from Iraq and Syria, a description of the intelligence sharing relationships between the United States and member states of the European Union and member states of the North Atlantic Treaty Organization; and

(2) an analysis of the challenges impeding such intelligence sharing relationships.

(d) FORM.—The reports submitted under subsections (a) and (c) may be submitted in classified form.

(e) TERMINATION.—The requirement to submit reports under subsection (a) shall terminate on the date that is 3 years after the date of the enactment of this Act.

**SEC. 703. REPORT ON STRATEGY, EFFORTS, AND RESOURCES TO DETECT, DETER, AND DEGRADE ISLAMIC STATE REVENUE MECHANISMS.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that the intelligence community should dedicate necessary resources to defeating the revenue mechanisms of the Islamic State.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the strategy, efforts, and resources of the intelligence community that are necessary to detect, deter, and degrade the revenue mechanisms of the Islamic State.

**SEC. 704. REPORT ON UNITED STATES COUNTERTERRORISM STRATEGY TO DISRUPT, DISMANTLE, AND DEFEAT THE ISLAMIC STATE, AL-QA'IDA, AND THEIR AFFILIATED GROUPS, ASSOCIATED GROUPS, AND ADHERENTS.**

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a comprehensive report on the counterterrorism strategy of the United States to disrupt, dismantle, and defeat the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents.

(2) COORDINATION.—The report under paragraph (1) shall be prepared in coordination with the Director of National Intelligence, the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Secretary of Defense, and the head of any other department or agency of the Federal Government that has responsibility for activities directed at combating the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents.

(3) ELEMENTS.—The report under by paragraph (1) shall include each of the following:

(A) A definition of—

(i) core al-Qa'ida, including a list of which known individuals constitute core al-Qa'ida;

(ii) the Islamic State, including a list of which known individuals constitute Islamic State leadership;

(iii) an affiliated group of the Islamic State or al-Qa'ida, including a list of which known groups constitute an affiliate group of the Islamic State or al-Qa'ida;

(iv) an associated group of the Islamic State or al-Qa'ida, including a list of which known groups constitute an associated group of the Islamic State or al-Qa'ida;

(v) an adherent of the Islamic State or al-Qa'ida, including a list of which known groups constitute an adherent of the Islamic State or al-Qa'ida; and

(vi) a group aligned with the Islamic State or al-Qa'ida, including a description of what actions a group takes or statements it makes that qualify it as a group aligned with the Islamic State or al-Qa'ida.

(B) An assessment of the relationship between all identified Islamic State or al-Qa'ida affiliated groups, associated groups, and adherents with Islamic State leadership or core al-Qa'ida.

(C) An assessment of the strengthening or weakening of the Islamic State or al-Qa'ida, its affiliated groups, associated groups, and adherents, from January 1, 2010, to the present, including a description of the metrics that are used to assess strengthening or weakening and an assessment of the relative increase or decrease in violent attacks attributed to such entities.

(D) An assessment of whether an individual can be a member of core al-Qa'ida if such individual is not located in Afghanistan or Pakistan.

(E) An assessment of whether an individual can be a member of core al-Qa'ida as well as

a member of an al-Qa'ida affiliated group, associated group, or adherent.

(F) A definition of defeat of the Islamic State or core al-Qa'ida.

(G) An assessment of the extent or coordination, command, and control between the Islamic State or core al-Qa'ida and their affiliated groups, associated groups, and adherents, specifically addressing each such entity.

(H) An assessment of the effectiveness of counterterrorism operations against the Islamic State or core al-Qa'ida, their affiliated groups, associated groups, and adherents, and whether such operations have had a sustained impact on the capabilities and effectiveness of the Islamic State or core al-Qa'ida, their affiliated groups, associated groups, and adherents.

(4) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**SEC. 705. REPORT ON EFFECTS OF DATA BREACH OF OFFICE OF PERSONNEL MANAGEMENT.**

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the President shall transmit to the congressional intelligence committees a report on the data breach of the Office of Personnel Management disclosed in June 2015.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) The effects, if any, of the data breach on the operations of the intelligence community abroad, including the types of operations, if any, that have been negatively affected or entirely suspended or terminated as a result of the data breach.

(2) An assessment of the effects of the data breach on each element of the intelligence community.

(3) An assessment of how foreign persons, groups, or countries may use the data collected by the data breach (particularly regarding information included in background investigations for security clearances), including with respect to—

(A) recruiting intelligence assets;

(B) influencing decisionmaking processes within the Federal Government, including regarding foreign policy decisions; and

(C) compromising employees of the Federal Government and friends and families of such employees for the purpose of gaining access to sensitive national security and economic information.

(4) An assessment of which departments or agencies of the Federal Government use the best practices to protect sensitive data, including a summary of any such best practices that were not used by the Office of Personnel Management.

(5) An assessment of the best practices used by the departments or agencies identified under paragraph (4) to identify and fix potential vulnerabilities in the systems of the department or agency.

(c) BRIEFING.—The Director of National Intelligence shall provide to the congressional intelligence committees an interim briefing on the report under subsection (a), including a discussion of proposals and options for responding to cyber attacks.

(d) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 706. REPORT ON HIRING OF GRADUATES OF CYBER CORPS SCHOLARSHIP PROGRAM BY INTELLIGENCE COMMUNITY.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the National Science Foundation, shall submit to the congressional intelligence committees a report on the employment by the intelligence community of graduates of the Cyber Corps Scholarship Program. The report shall include the following:

(1) The number of graduates of the Cyber Corps Scholarship Program hired by each element of the intelligence community.

(2) A description of how each element of the intelligence community recruits graduates of the Cyber Corps Scholar Program.

(3) A description of any processes available to the intelligence community to expedite the hiring or processing of security clearances for graduates of the Cyber Corps Scholar Program.

(4) Recommendations by the Director of National Intelligence to improve the hiring by the intelligence community of graduates of the Cyber Corps Scholarship Program, including any recommendations for legislative action to carry out such improvements.

(b) CYBER CORPS SCHOLARSHIP PROGRAM DEFINED.—In this section, the term ''Cyber Corps Scholarship Program'' means the Federal Cyber Scholarship-for-Service Program under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442).

**SEC. 707. REPORT ON USE OF CERTAIN BUSINESS CONCERNS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the representation, as of the date of the report, of covered business concerns among the contractors that are awarded contracts by elements of the intelligence community for goods, equipment, tools, and services.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) The representation of covered business concerns as described in subsection (a), including such representation by—

(A) each type of covered business concern; and

(B) each element of the intelligence community.

(2) If, as of the date of the enactment of this Act, the Director does not record and monitor the statistics required to carry out this section, a description of the actions taken by the Director to ensure that such statistics are recorded and monitored beginning in fiscal year 2016.

(3) The actions the Director plans to take during fiscal year 2016 to enhance the awarding of contracts to covered business concerns by elements of the intelligence community.

(c) COVERED BUSINESS CONCERNS DEFINED.—In this section, the term ''covered business concerns'' means the following:

(1) Minority-owned businesses.

(2) Women-owned businesses.

(3) Small disadvantaged businesses.

(4) Service-disabled veteran-owned businesses.

(5) Veteran-owned small businesses.

**Subtitle B—Other Matters**

**SEC. 711. USE OF HOMELAND SECURITY GRANT FUNDS IN CONJUNCTION WITH DEPARTMENT OF ENERGY NATIONAL LABORATORIES.**

Section 2008(a) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)) is amended in the matter preceding paragraph (1) by inserting ''including by working in conjunction with a National Laboratory (as defined in section 2(3) of the Energy Policy Act of 2005 (42 U.S.C. 15801(3))),'' after ''plans,''.

**SEC. 712. INCLUSION OF CERTAIN MINORITY-SERVING INSTITUTIONS IN GRANT PROGRAM TO ENHANCE RECRUITING OF INTELLIGENCE COMMUNITY WORKFORCE.**

Section 1024 of the National Security Act of 1947 (50 U.S.C. 3224) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''historically black colleges and universities and Predominantly Black Institutions'' and inserting ''historically black colleges and universities, Predominantly Black Institutions, Hispanic-serving institutions, and Asian American and Native American Pacific Islander-serving institutions''; and

(B) in the subsection heading, by striking ''HISTORICALLY BLACK'' and inserting ''CERTAIN MINORITY-SERVING''; and

(2) in subsection (g)—

(A) by redesignating paragraph (5) as paragraph (7); and

(B) by inserting after paragraph (4) the following new paragraphs (5) and (6):

''(5) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given that term in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)).

''(6) ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.—The term 'Asian American and Native American Pacific Islander-serving institution' has the meaning given that term in section 320(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b)(2)).''.

**DIVISION N—CYBERSECURITY ACT OF 2015**

**SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This division may be cited as the ''Cybersecurity Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

## TITLE I—CYBERSECURITY INFORMATION SHARING

### SEC. 101. SHORT TITLE.

This title may be cited as the ''Cybersecurity Information Sharing Act of 2015''.

### SEC. 102. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(2) ANTITRUST LAWS.—The term ''antitrust laws''—

(A) has the meaning given the term in the first section of the Clayton Act (15 U.S.C. 12);

(B) includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that section 5 of that Act applies to unfair methods of competition; and

(C) includes any State antitrust law, but only to the extent that such law is consistent with the law referred to in subparagraph (A) or the law referred to in subparagraph (B).

(3) APPROPRIATE FEDERAL ENTITIES.—The term ''appropriate Federal entities'' means the following:

(A) The Department of Commerce.

(B) The Department of Defense.

(C) The Department of Energy.

(D) The Department of Homeland Security.

(E) The Department of Justice.

(F) The Department of the Treasury.

(G) The Office of the Director of National Intelligence.

(4) CYBERSECURITY PURPOSE.—The term ''cybersecurity purpose'' means the purpose of protecting an information system or information that is stored on, processed by, or transiting an information system from a cybersecurity threat or security vulnerability.

(5) CYBERSECURITY THREAT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''cybersecurity threat'' means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) EXCLUSION.—The term ''cybersecurity threat'' does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(6) CYBER THREAT INDICATOR.—The term ''cyber threat indicator'' means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control;

(F) the actual or potential harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such attribute is not otherwise prohibited by law; or

(H) any combination thereof.

(7) DEFENSIVE MEASURE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''defensive measure'' means an action, device, procedure, signature, technique, or other measure applied to an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(B) EXCLUSION.—The term ''defensive measure'' does not include a measure that destroys, renders unusable, provides unauthorized access to, or substantially harms an information system or information stored on, processed by, or transiting such information system not owned by—

(i) the private entity operating the measure; or

(ii) another entity or Federal entity that is authorized to provide consent and has provided consent to that private entity for operation of such measure.

(8) FEDERAL ENTITY.—The term ''Federal entity'' means a department or agency of the United States or any component of such department or agency.

(9) INFORMATION SYSTEM.—The term ''information system''—

(A) has the meaning given the term in section 3502 of title 44, United States Code; and

(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers.

(10) LOCAL GOVERNMENT.—The term ''local government'' means any borough, city, county, parish, town, township, village, or other political subdivision of a State.

(11) MALICIOUS CYBER COMMAND AND CONTROL.—The term ''malicious cyber command and control'' means a method for unauthorized remote identification of, access to, or use of, an information system or information that is stored on, processed by, or transiting an information system.

(12) MALICIOUS RECONNAISSANCE.—The term ''malicious reconnaissance'' means a method for actively probing or passively monitoring an information system for the purpose of discerning security vulnerabilities of the information system, if such method is associated with a known or suspected cybersecurity threat.

(13) MONITOR.—The term ''monitor'' means to acquire, identify, or scan, or to possess, information that is stored on, processed by, or transiting an information system.

(14) NON-FEDERAL ENTITY.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term ''non-Federal entity'' means any private entity, non-Federal government agency or department, or State, tribal, or local government (including a political subdivision, department, or component thereof).

(B) INCLUSIONS.—The term ''non-Federal entity'' includes a government agency or department of the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

(C) EXCLUSION.—The term ''non-Federal entity'' does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(15) PRIVATE ENTITY.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term ''private entity'' means any person or private group, organization, proprietorship, partnership, trust, cooperative, corporation, or other commercial or nonprofit entity, including an officer, employee, or agent thereof.

(B) INCLUSION.—The term ''private entity'' includes a State, tribal, or local government performing utility services, such as electric, natural gas, or water services.

(C) EXCLUSION.—The term ''private entity'' does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(16) SECURITY CONTROL.—The term ''security control'' means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

(17) SECURITY VULNERABILITY.—The term ''security vulnerability'' means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

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

### SEC. 103. SHARING OF INFORMATION BY THE FEDERAL GOVERNMENT.

(a) IN GENERAL.—Consistent with the protection of classified information, intelligence sources and methods, and privacy and civil liberties, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General, in consultation with the heads of the appropriate Federal entities, shall jointly develop and issue procedures to facilitate and promote—

(1) the timely sharing of classified cyber threat indicators and defensive measures in the possession of the Federal Government with representatives of relevant Federal entities and non-Federal entities that have appropriate security clearances;

(2) the timely sharing with relevant Federal entities and non-Federal entities of cyber threat indicators, defensive measures, and information relating to cybersecurity

threats or authorized uses under this title, in the possession of the Federal Government that may be declassified and shared at an unclassified level;

(3) the timely sharing with relevant Federal entities and non-Federal entities, or the public if appropriate, of unclassified, including controlled unclassified, cyber threat indicators and defensive measures in the possession of the Federal Government;

(4) the timely sharing with Federal entities and non-Federal entities, if appropriate, of information relating to cybersecurity threats or authorized uses under this title, in the possession of the Federal Government about cybersecurity threats to such entities to prevent or mitigate adverse effects from such cybersecurity threats; and

(5) the periodic sharing, through publication and targeted outreach, of cybersecurity best practices that are developed based on ongoing analyses of cyber threat indicators, defensive measures, and information relating to cybersecurity threats or authorized uses under this title, in the possession of the Federal Government, with attention to accessibility and implementation challenges faced by small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).

(b) DEVELOPMENT OF PROCEDURES.—

(1) IN GENERAL.—The procedures developed under subsection (a) shall—

(A) ensure the Federal Government has and maintains the capability to share cyber threat indicators and defensive measures in real time consistent with the protection of classified information;

(B) incorporate, to the greatest extent practicable, existing processes and existing roles and responsibilities of Federal entities and non-Federal entities for information sharing by the Federal Government, including sector specific information sharing and analysis centers;

(C) include procedures for notifying, in a timely manner, Federal entities and non-Federal entities that have received a cyber threat indicator or defensive measure from a Federal entity under this title that is known or determined to be in error or in contravention of the requirements of this title or another provision of Federal law or policy of such error or contravention;

(D) include requirements for Federal entities sharing cyber threat indicators or defensive measures to implement and utilize security controls to protect against unauthorized access to or acquisition of such cyber threat indicators or defensive measures;

(E) include procedures that require a Federal entity, prior to the sharing of a cyber threat indicator—

(i) to review such cyber threat indicator to assess whether such cyber threat indicator contains any information not directly related to a cybersecurity threat that such Federal entity knows at the time of sharing to be personal information of a specific individual or information that identifies a specific individual and remove such information; or

(ii) to implement and utilize a technical capability configured to remove any information not directly related to a cybersecurity threat that the Federal entity knows at the time of sharing to be personal information of a specific individual or information that identifies a specific individual; and

(F) include procedures for notifying, in a timely manner, any United States person whose personal information is known or determined to have been shared by a Federal entity in violation of this title.

(2) CONSULTATION.—In developing the procedures required under this section, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General shall consult with appropriate Federal entities, including the Small Business Administration and the National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), to ensure that effective protocols are implemented that will facilitate and promote the sharing of cyber threat indicators by the Federal Government in a timely manner.

(c) SUBMITTAL TO CONGRESS.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the appropriate Federal entities, shall submit to Congress the procedures required by subsection (a).

**SEC. 104. AUTHORIZATIONS FOR PREVENTING, DETECTING, ANALYZING, AND MITIGATING CYBERSECURITY THREATS.**

(a) AUTHORIZATION FOR MONITORING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, monitor—

(A) an information system of such private entity;

(B) an information system of another non-Federal entity, upon the authorization and written consent of such other entity;

(C) an information system of a Federal entity, upon the authorization and written consent of an authorized representative of the Federal entity; and

(D) information that is stored on, processed by, or transiting an information system monitored by the private entity under this paragraph.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the monitoring of an information system, or the use of any information obtained through such monitoring, other than as provided in this title; or

(B) to limit otherwise lawful activity.

(b) AUTHORIZATION FOR OPERATION OF DEFENSIVE MEASURES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, operate a defensive measure that is applied to—

(A) an information system of such private entity in order to protect the rights or property of the private entity;

(B) an information system of another non-Federal entity upon written consent of such entity for operation of such defensive measure to protect the rights or property of such entity; and

(C) an information system of a Federal entity upon written consent of an authorized representative of such Federal entity for operation of such defensive measure to protect the rights or property of the Federal Government.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the use of a defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(c) AUTHORIZATION FOR SHARING OR RECEIVING CYBER THREAT INDICATORS OR DEFENSIVE MEASURES.—

(1) IN GENERAL.—Except as provided in paragraph (2) and notwithstanding any other provision of law, a non-Federal entity may, for a cybersecurity purpose and consistent with the protection of classified information, share with, or receive from, any other non-Federal entity or the Federal Government a cyber threat indicator or defensive measure.

(2) LAWFUL RESTRICTION.—A non-Federal entity receiving a cyber threat indicator or defensive measure from another non-Federal entity or a Federal entity shall comply with otherwise lawful restrictions placed on the sharing or use of such cyber threat indicator or defensive measure by the sharing non-Federal entity or Federal entity.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the sharing or receiving of a cyber threat indicator or defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(d) PROTECTION AND USE OF INFORMATION.—

(1) SECURITY OF INFORMATION.—A non-Federal entity monitoring an information system, operating a defensive measure, or providing or receiving a cyber threat indicator or defensive measure under this section shall implement and utilize a security control to protect against unauthorized access to or acquisition of such cyber threat indicator or defensive measure.

(2) REMOVAL OF CERTAIN PERSONAL INFORMATION.—A non-Federal entity sharing a cyber threat indicator pursuant to this title shall, prior to such sharing—

(A) review such cyber threat indicator to assess whether such cyber threat indicator contains any information not directly related to a cybersecurity threat that the non-Federal entity knows at the time of sharing to be personal information of a specific individual or information that identifies a specific individual and remove such information; or

(B) implement and utilize a technical capability configured to remove any information not directly related to a cybersecurity threat that the non-Federal entity knows at the time of sharing to be personal information of a specific individual or information that identifies a specific individual.

(3) USE OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES BY NON-FEDERAL ENTITIES.—

(A) IN GENERAL.—Consistent with this title, a cyber threat indicator or defensive measure shared or received under this section may, for cybersecurity purposes—

(i) be used by a non-Federal entity to monitor or operate a defensive measure that is applied to—

(I) an information system of the non-Federal entity; or

(II) an information system of another non-Federal entity or a Federal entity upon the written consent of that other non-Federal entity or that Federal entity; and

(ii) be otherwise used, retained, and further shared by a non-Federal entity subject to—

(I) an otherwise lawful restriction placed by the sharing non-Federal entity or Federal entity on such cyber threat indicator or defensive measure; or

(II) an otherwise applicable provision of law.

(B) CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize the use of a cyber threat indicator or defensive measure other than as provided in this section.

(4) USE OF CYBER THREAT INDICATORS BY STATE, TRIBAL, OR LOCAL GOVERNMENT.—

(A) LAW ENFORCEMENT USE.—A State, tribal, or local government that receives a cyber threat indicator or defensive measure under this title may use such cyber threat indicator or defensive measure for the purposes described in section 105(d)(5)(A).

(B) EXEMPTION FROM DISCLOSURE.—A cyber threat indicator or defensive measure shared by or with a State, tribal, or local government, including a component of a State, tribal, or local government that is a private entity, under this section shall be—

(i) deemed voluntarily shared information; and

(ii) exempt from disclosure under any provision of State, tribal, or local freedom of information law, open government law, open meetings law, open records law, sunshine law, or similar law requiring disclosure of information or records.

(C) STATE, TRIBAL, AND LOCAL REGULATORY AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), a cyber threat indicator or defensive measure shared with a State, tribal, or local government under this title shall not be used by any State, tribal, or local government to regulate, including an enforcement action, the lawful activity of any non-Federal entity or any activity taken by a non-Federal entity pursuant to mandatory standards, including an activity relating to monitoring, operating a defensive measure, or sharing of a cyber threat indicator.

(ii) REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.—A cyber threat indicator or defensive measure shared as described in clause (i) may, consistent with a State, tribal, or local government regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of a regulation relating to such information systems.

(e) ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Except as provided in section 108(e), it shall not be considered a violation of any provision of antitrust laws for 2 or more private entities to exchange or provide a cyber threat indicator or defensive measure, or assistance relating to the prevention, investigation, or mitigation of a cybersecurity threat, for cybersecurity purposes under this title.

(2) APPLICABILITY.—Paragraph (1) shall apply only to information that is exchanged or assistance provided in order to assist with—

(A) facilitating the prevention, investigation, or mitigation of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system; or

(B) communicating or disclosing a cyber threat indicator to help prevent, investigate, or mitigate the effect of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system.

(f) NO RIGHT OR BENEFIT.—The sharing of a cyber threat indicator or defensive measure with a non-Federal entity under this title shall not create a right or benefit to similar information by such non-Federal entity or any other non-Federal entity.

**SEC. 105. SHARING OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES WITH THE FEDERAL GOVERNMENT.**

(a) REQUIREMENT FOR POLICIES AND PROCEDURES.—

(1) INTERIM POLICIES AND PROCEDURES.—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, jointly develop and submit to Congress interim policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(2) FINAL POLICIES AND PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, jointly issue and make publicly available final policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(3) REQUIREMENTS CONCERNING POLICIES AND PROCEDURES.—Consistent with the guidelines required by subsection (b), the policies and procedures developed or issued under this subsection shall—

(A) ensure that cyber threat indicators shared with the Federal Government by any non-Federal entity pursuant to section 104(c) through the real-time process described in subsection (c) of this section—

(i) are shared in an automated manner with all of the appropriate Federal entities;

(ii) are only subject to a delay, modification, or other action due to controls established for such real-time process that could impede real-time receipt by all of the appropriate Federal entities when the delay, modification, or other action is due to controls—

(I) agreed upon unanimously by all of the heads of the appropriate Federal entities;

(II) carried out before any of the appropriate Federal entities retains or uses the cyber threat indicators or defensive measures; and

(III) uniformly applied such that each of the appropriate Federal entities is subject to the same delay, modification, or other action; and

(iii) may be provided to other Federal entities;

(B) ensure that cyber threat indicators shared with the Federal Government by any non-Federal entity pursuant to section 104 in a manner other than the real-time process described in subsection (c) of this section—

(i) are shared as quickly as operationally practicable with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities; and

(C) ensure there are—

(i) audit capabilities; and

(ii) appropriate sanctions in place for officers, employees, or agents of a Federal entity who knowingly and willfully conduct activities under this title in an unauthorized manner.

(4) GUIDELINES FOR ENTITIES SHARING CYBER THREAT INDICATORS WITH FEDERAL GOVERNMENT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall jointly develop and make publicly available guidance to assist entities and promote sharing of cyber threat indicators with Federal entities under this title.

(B) CONTENTS.—The guidelines developed and made publicly available under subparagraph (A) shall include guidance on the following:

(i) Identification of types of information that would qualify as a cyber threat indicator under this title that would be unlikely to include information that—

(I) is not directly related to a cybersecurity threat; and

(II) is personal information of a specific individual or information that identifies a specific individual.

(ii) Identification of types of information protected under otherwise applicable privacy laws that are unlikely to be directly related to a cybersecurity threat.

(iii) Such other matters as the Attorney General and the Secretary of Homeland Security consider appropriate for entities sharing cyber threat indicators with Federal entities under this title.

(b) PRIVACY AND CIVIL LIBERTIES.—

(1) INTERIM GUIDELINES.—Not later than 60 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in consultation with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1), jointly develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(2) FINAL GUIDELINES.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1) and such private entities with industry expertise as the Attorney General and the Secretary consider relevant, jointly issue and make publicly available final guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(B) PERIODIC REVIEW.—The Attorney General and the Secretary of Homeland Security shall, in coordination with heads of the appropriate Federal entities and in consultation with officers and private entities described in subparagraph (A), periodically, but not less frequently than once every 2 years, jointly review the guidelines issued under subparagraph (A).

(3) CONTENT.—The guidelines required by paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the effect on privacy and civil liberties of activities by the Federal Government under this title;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information of specific individuals or information that identifies specific individuals, including by establishing—

(i) a process for the timely destruction of such information that is known not to be directly related to uses authorized under this title; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information of specific individuals or information that identifies specific individuals from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) consistent with this title, any other applicable provisions of law, and the fair information practice principles set forth in appendix A of the document entitled ''National Strategy for Trusted Identities in Cyberspace'' and published by the President in April 2011, govern the retention, use, and dissemination by the Federal Government of cyber threat indicators shared with the Federal Government under this title, including the extent, if any, to which such cyber threat indicators may be used by the Federal Government;

(E) include procedures for notifying entities and Federal entities if information received pursuant to this section is known or determined by a Federal entity receiving such information not to constitute a cyber threat indicator;

(F) protect the confidentiality of cyber threat indicators containing personal information of specific individuals or information that identifies specific individuals to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this title; and

(G) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(c) CAPABILITY AND PROCESS WITHIN THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the heads of the appropriate Federal entities, shall develop and implement a capability and process within the Department of Homeland Security that—

(A) shall accept from any non-Federal entity in real time cyber threat indicators and defensive measures, pursuant to this section;

(B) shall, upon submittal of the certification under paragraph (2) that such capability and process fully and effectively operates as described in such paragraph, be the process by which the Federal Government receives cyber threat indicators and defensive measures under this title that are shared by a non-Federal entity with the Federal Government through electronic mail or media, an interactive form on an Internet website, or a real time, automated process between information systems except—

(i) consistent with section 104, communications between a Federal entity and a non-Federal entity regarding a previously shared cyber threat indicator to describe the relevant cybersecurity threat or develop a defensive measure based on such cyber threat indicator; and

(ii) communications by a regulated non-Federal entity with such entity's Federal regulatory authority regarding a cybersecurity threat;

(C) ensures that all of the appropriate Federal entities receive in an automated manner such cyber threat indicators and defensive measures shared through the real-time process within the Department of Homeland Security;

(D) is in compliance with the policies, procedures, and guidelines required by this section; and

(E) does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including—

(i) reporting of known or suspected criminal activity, by a non-Federal entity to any other non-Federal entity or a Federal entity, including cyber threat indicators or defensive measures shared with a Federal entity in furtherance of opening a Federal law enforcement investigation;

(ii) voluntary or legally compelled participation in a Federal investigation; and

(iii) providing cyber threat indicators or defensive measures as part of a statutory or authorized contractual requirement.

(2) CERTIFICATION AND DESIGNATION.—

(A) CERTIFICATION OF CAPABILITY AND PROCESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, submit to Congress a certification as to whether the capability and process required by paragraph (1) fully and effectively operates—

(i) as the process by which the Federal Government receives from any non-Federal entity a cyber threat indicator or defensive measure under this title; and

(ii) in accordance with the interim policies, procedures, and guidelines developed under this title.

(B) DESIGNATION.—

(i) IN GENERAL.—At any time after certification is submitted under subparagraph (A), the President may designate an appropriate Federal entity, other than the Department of Defense (including the National Security Agency), to develop and implement a capability and process as described in paragraph (1) in addition to the capability and process developed under such paragraph by the Secretary of Homeland Security, if, not fewer than 30 days before making such designation, the President submits to Congress a certification and explanation that—

(I) such designation is necessary to ensure that full, effective, and secure operation of a capability and process for the Federal Government to receive from any non-Federal entity cyber threat indicators or defensive measures under this title;

(II) the designated appropriate Federal entity will receive and share cyber threat indicators and defensive measures in accordance with the policies, procedures, and guidelines developed under this title, including subsection (a)(3)(A); and

(III) such designation is consistent with the mission of such appropriate Federal entity and improves the ability of the Federal Government to receive, share, and use cyber threat indicators and defensive measures as authorized under this title.

(ii) APPLICATION TO ADDITIONAL CAPABILITY AND PROCESS.—If the President designates an appropriate Federal entity to develop and implement a capability and process under clause (i), the provisions of this title that apply to the capability and process required by paragraph (1) shall also be construed to apply to the capability and process developed and implemented under clause (i).

(3) PUBLIC NOTICE AND ACCESS.—The Secretary of Homeland Security shall ensure there is public notice of, and access to, the capability and process developed and implemented under paragraph (1) so that—

(A) any non-Federal entity may share cyber threat indicators and defensive measures through such process with the Federal Government; and

(B) all of the appropriate Federal entities receive such cyber threat indicators and defensive measures in real time with receipt through the process within the Department of Homeland Security consistent with the policies and procedures issued under subsection (a).

(4) OTHER FEDERAL ENTITIES.—The process developed and implemented under paragraph (1) shall ensure that other Federal entities receive in a timely manner any cyber threat indicators and defensive measures shared with the Federal Government through such process.

(d) INFORMATION SHARED WITH OR PROVIDED TO THE FEDERAL GOVERNMENT.—

(1) NO WAIVER OF PRIVILEGE OR PROTECTION.—The provision of cyber threat indicators and defensive measures to the Federal Government under this title shall not constitute a waiver of any applicable privilege or protection provided by law, including trade secret protection.

(2) PROPRIETARY INFORMATION.—Consistent with section 104(c)(2) and any other applicable provision of law, a cyber threat indicator or defensive measure provided by a non-Federal entity to the Federal Government under this title shall be considered the commercial, financial, and proprietary information of such non-Federal entity when so designated by the originating non-Federal entity or a third party acting in accordance with the written authorization of the originating non-Federal entity.

(3) EXEMPTION FROM DISCLOSURE.—A cyber threat indicator or defensive measure shared with the Federal Government under this title shall be—

(A) deemed voluntarily shared information and exempt from disclosure under section 552 of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records; and

(B) withheld, without discretion, from the public under section 552(b)(3)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.

(4) EX PARTE COMMUNICATIONS.—The provision of a cyber threat indicator or defensive measure to the Federal Government under this title shall not be subject to a rule of any Federal agency or department or any judicial doctrine regarding ex parte communications with a decision-making official.

(5) DISCLOSURE, RETENTION, AND USE.—

(A) AUTHORIZED ACTIVITIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title may be disclosed to, retained by, and used by, consistent with otherwise applicable provisions of Federal law, any Federal agency or department, component, officer, employee, or agent of the Federal Government solely for—

(i) a cybersecurity purpose;

(ii) the purpose of identifying—

(I) a cybersecurity threat, including the source of such cybersecurity threat; or

(II) a security vulnerability;

(iii) the purpose of responding to, or otherwise preventing or mitigating, a specific threat of death, a specific threat of serious bodily harm, or a specific threat of serious economic harm, including a terrorist act or a use of a weapon of mass destruction;

(iv) the purpose of responding to, investigating, prosecuting, or otherwise preventing or mitigating, a serious threat to a minor, including sexual exploitation and threats to physical safety; or

(v) the purpose of preventing, investigating, disrupting, or prosecuting an offense arising out of a threat described in clause (iii) or any of the offenses listed in—

(I) sections 1028 through 1030 of title 18, United States Code (relating to fraud and identity theft);

(II) chapter 37 of such title (relating to espionage and censorship); and

(III) chapter 90 of such title (relating to protection of trade secrets).

(B) PROHIBITED ACTIVITIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be disclosed to, retained by, or used by any Federal agency or department for any use not permitted under subparagraph (A).

(C) PRIVACY AND CIVIL LIBERTIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be retained, used, and disseminated by the Federal Government—

(i) in accordance with the policies, procedures, and guidelines required by subsections (a) and (b);

(ii) in a manner that protects from unauthorized use or disclosure any cyber threat indicators that may contain—

(I) personal information of a specific individual; or

(II) information that identifies a specific individual; and

(iii) in a manner that protects the confidentiality of cyber threat indicators containing—

(I) personal information of a specific individual; or

(II) information that identifies a specific individual.

(D) FEDERAL REGULATORY AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be used by any Federal, State, tribal, or local government to regulate, including an enforcement action, the lawful activities of any non-Federal entity or any activities taken by a non-Federal entity pursuant to mandatory standards, including activities relating to monitoring, operating defensive measures, or sharing cyber threat indicators.

(ii) EXCEPTIONS.—

(I) REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.—Cyber threat indicators and defensive measures provided to the Federal Government under this title may, consistent with Federal or State regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of regulations relating to such information systems.

(II) PROCEDURES DEVELOPED AND IMPLEMENTED UNDER THIS TITLE.—Clause (i) shall not apply to procedures developed and implemented under this title.

**SEC. 106. PROTECTION FROM LIABILITY.**

(a) MONITORING OF INFORMATION SYSTEMS.—No cause of action shall lie or be maintained in any court against any private entity, and such action shall be promptly dismissed, for the monitoring of an information system and information under section 104(a) that is conducted in accordance with this title.

(b) SHARING OR RECEIPT OF CYBER THREAT INDICATORS.—No cause of action shall lie or be maintained in any court against any private entity, and such action shall be promptly dismissed, for the sharing or receipt of a cyber threat indicator or defensive measure under section 104(c) if—

(1) such sharing or receipt is conducted in accordance with this title; and

(2) in a case in which a cyber threat indicator or defensive measure is shared with the Federal Government, the cyber threat indicator or defensive measure is shared in a manner that is consistent with section 105(c)(1)(B) and the sharing or receipt, as the case may be, occurs after the earlier of—

(A) the date on which the interim policies and procedures are submitted to Congress under section 105(a)(1) and guidelines are submitted to Congress under section 105(b)(1); or

(B) the date that is 60 days after the date of the enactment of this Act.

(c) CONSTRUCTION.—Nothing in this title shall be construed—

(1) to create—

(A) a duty to share a cyber threat indicator or defensive measure; or

(B) a duty to warn or act based on the receipt of a cyber threat indicator or defensive measure; or

(2) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

**SEC. 107. OVERSIGHT OF GOVERNMENT ACTIVITIES.**

(a) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, the heads of the appropriate Federal entities shall jointly submit to Congress a detailed report concerning the implementation of this title.

(2) CONTENTS.—The report required by paragraph (1) may include such recommendations as the heads of the appropriate Federal entities may have for improvements or modifications to the authorities, policies, procedures, and guidelines under this title and shall include the following:

(A) An evaluation of the effectiveness of real-time information sharing through the capability and process developed under section 105(c), including any impediments to such real-time sharing.

(B) An assessment of whether cyber threat indicators or defensive measures have been properly classified and an accounting of the number of security clearances authorized by the Federal Government for the purpose of sharing cyber threat indicators or defensive measures with the private sector.

(C) The number of cyber threat indicators or defensive measures received through the capability and process developed under section 105(c).

(D) A list of Federal entities that have received cyber threat indicators or defensive measures under this title.

(b) BIENNIAL REPORT ON COMPLIANCE.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the inspectors general of the appropriate Federal entities, in consultation with the Inspector General of the Intelligence Community and the Council of Inspectors General on Financial Oversight, shall jointly submit to Congress an interagency report on the actions of the executive branch of the Federal Government to carry out this title during the most recent 2-year period.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) An assessment of the sufficiency of the policies, procedures, and guidelines relating to the sharing of cyber threat indicators within the Federal Government, including those policies, procedures, and guidelines relating to the removal of information not directly related to a cybersecurity threat that is personal information of a specific individual or information that identifies a specific individual.

(B) An assessment of whether cyber threat indicators or defensive measures have been properly classified and an accounting of the number of security clearances authorized by the Federal Government for the purpose of sharing cyber threat indicators or defensive measures with the private sector.

(C) A review of the actions taken by the Federal Government based on cyber threat indicators or defensive measures shared with the Federal Government under this title, including a review of the following:

(i) The appropriateness of subsequent uses and disseminations of cyber threat indicators or defensive measures.

(ii) Whether cyber threat indicators or defensive measures were shared in a timely and adequate manner with appropriate entities, or, if appropriate, were made publicly available.

(D) An assessment of the cyber threat indicators or defensive measures shared with the appropriate Federal entities under this title, including the following:

(i) The number of cyber threat indicators or defensive measures shared through the capability and process developed under section 105(c).

(ii) An assessment of any information not directly related to a cybersecurity threat that is personal information of a specific individual or information identifying a specific individual and was shared by a non-Federal government entity with the Federal government in contravention of this title, or was shared within the Federal Government in contravention of the guidelines required by this title, including a description of any significant violation of this title.

(iii) The number of times, according to the Attorney General, that information shared under this title was used by a Federal entity to prosecute an offense listed in section 105(d)(5)(A).

(iv) A quantitative and qualitative assessment of the effect of the sharing of cyber threat indicators or defensive measures with the Federal Government on privacy and civil liberties of specific individuals, including the number of notices that were issued with respect to a failure to remove information not directly related to a cybersecurity threat that was personal information of a specific individual or information that identified a specific individual in accordance with the procedures required by section 105(b)(3)(E).

(v) The adequacy of any steps taken by the Federal Government to reduce any adverse effect from activities carried out under this title on the privacy and civil liberties of United States persons.

(E) An assessment of the sharing of cyber threat indicators or defensive measures among Federal entities to identify inappropriate barriers to sharing information.

(3) RECOMMENDATIONS.—Each report submitted under this subsection may include such recommendations as the inspectors general may have for improvements or modifications to the authorities and processes under this title.

(c) INDEPENDENT REPORT ON REMOVAL OF PERSONAL INFORMATION.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the actions taken by the Federal Government to remove personal information from cyber threat indicators or defensive measures pursuant to this title. Such report shall include an assessment of the sufficiency of the policies, procedures, and guidelines established under this title in addressing concerns relating to privacy and civil liberties.

(d) FORM OF REPORTS.—Each report required under this section shall be submitted in an unclassified form, but may include a classified annex.

(e) PUBLIC AVAILABILITY OF REPORTS.—The unclassified portions of the reports required under this section shall be made available to the public.

**SEC. 108. CONSTRUCTION AND PREEMPTION.**

(a) OTHERWISE LAWFUL DISCLOSURES.—Nothing in this title shall be construed—

(1) to limit or prohibit otherwise lawful disclosures of communications, records, or other information, including reporting of known or suspected criminal activity, by a non-Federal entity to any other non-Federal entity or the Federal Government under this title; or

(2) to limit or prohibit otherwise lawful use of such disclosures by any Federal entity, even when such otherwise lawful disclosures duplicate or replicate disclosures made under this title.

(b) WHISTLE BLOWER PROTECTIONS.—Nothing in this title shall be construed to prohibit or limit the disclosure of information protected under section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats), section 7211 of title 5, United States Code (governing disclosures to Congress), section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military), section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) (governing disclosure by employees of elements of the intelligence community), or any similar provision of Federal or State law.

(c) PROTECTION OF SOURCES AND METHODS.—Nothing in this title shall be construed—

(1) as creating any immunity against, or otherwise affecting, any action brought by the Federal Government, or any agency or department thereof, to enforce any law, executive order, or procedure governing the appropriate handling, disclosure, or use of classified information;

(2) to affect the conduct of authorized law enforcement or intelligence activities; or

(3) to modify the authority of a department or agency of the Federal Government to protect classified information and sources and methods and the national security of the United States.

(d) RELATIONSHIP TO OTHER LAWS.—Nothing in this title shall be construed to affect any requirement under any other provision of law for a non-Federal entity to provide information to the Federal Government.

(e) PROHIBITED CONDUCT.—Nothing in this title shall be construed to permit price-fix-

ing, allocating a market between competitors, monopolizing or attempting to monopolize a market, boycotting, or exchanges of price or cost information, customer lists, or information regarding future competitive planning.

(f) INFORMATION SHARING RELATIONSHIPS.—Nothing in this title shall be construed—

(1) to limit or modify an existing information sharing relationship;

(2) to prohibit a new information sharing relationship;

(3) to require a new information sharing relationship between any non-Federal entity and a Federal entity or another non-Federal entity; or

(4) to require the use of the capability and process within the Department of Homeland Security developed under section 105(c).

(g) PRESERVATION OF CONTRACTUAL OBLIGATIONS AND RIGHTS.—Nothing in this title shall be construed—

(1) to amend, repeal, or supersede any current or future contractual agreement, terms of service agreement, or other contractual relationship between any non-Federal entities, or between any non-Federal entity and a Federal entity; or

(2) to abrogate trade secret or intellectual property rights of any non-Federal entity or Federal entity.

(h) ANTI-TASKING RESTRICTION.—Nothing in this title shall be construed to permit a Federal entity—

(1) to require a non-Federal entity to provide information to a Federal entity or another non-Federal entity;

(2) to condition the sharing of cyber threat indicators with a non-Federal entity on such entity's provision of cyber threat indicators to a Federal entity or another non-Federal entity; or

(3) to condition the award of any Federal grant, contract, or purchase on the provision of a cyber threat indicator to a Federal entity or another non-Federal entity.

(i) NO LIABILITY FOR NON-PARTICIPATION.—Nothing in this title shall be construed to subject any entity to liability for choosing not to engage in the voluntary activities authorized in this title.

(j) USE AND RETENTION OF INFORMATION.—Nothing in this title shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use any information shared under this title for any use other than permitted in this title.

(k) FEDERAL PREEMPTION.—

(1) IN GENERAL.—This title supersedes any statute or other provision of law of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under this title.

(2) STATE LAW ENFORCEMENT.—Nothing in this title shall be construed to supersede any statute or other provision of law of a State or political subdivision of a State concerning the use of authorized law enforcement practices and procedures.

(l) REGULATORY AUTHORITY.—Nothing in this title shall be construed—

(1) to authorize the promulgation of any regulations not specifically authorized to be issued under this title;

(2) to establish or limit any regulatory authority not specifically established or limited under this title; or

(3) to authorize regulatory actions that would duplicate or conflict with regulatory requirements, mandatory standards, or related processes under another provision of Federal law.

(m) AUTHORITY OF SECRETARY OF DEFENSE TO RESPOND TO MALICIOUS CYBER ACTIVITY CARRIED OUT BY FOREIGN POWERS.—Nothing in this title shall be construed to limit the authority of the Secretary of Defense under section 130g of title 10, United States Code.

(n) CRIMINAL PROSECUTION.—Nothing in this title shall be construed to prevent the disclosure of a cyber threat indicator or defensive measure shared under this title in a case of criminal prosecution, when an applicable provision of Federal, State, tribal, or local law requires disclosure in such case.

**SEC. 109. REPORT ON CYBERSECURITY THREATS.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of other appropriate elements of the intelligence community, shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on cybersecurity threats, including cyber attacks, theft, and data breaches.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the current intelligence sharing and cooperation relationships of the United States with other countries regarding cybersecurity threats, including cyber attacks, theft, and data breaches, directed against the United States and which threaten the United States national security interests and economy and intellectual property, specifically identifying the relative utility of such relationships, which elements of the intelligence community participate in such relationships, and whether and how such relationships could be improved.

(2) A list and an assessment of the countries and nonstate actors that are the primary threats of carrying out a cybersecurity threat, including a cyber attack, theft, or data breach, against the United States and which threaten the United States national security, economy, and intellectual property.

(3) A description of the extent to which the capabilities of the United States Government to respond to or prevent cybersecurity threats, including cyber attacks, theft, or data breaches, directed against the United States private sector are degraded by a delay in the prompt notification by private entities of such threats or cyber attacks, theft, and data breaches.

(4) An assessment of additional technologies or capabilities that would enhance the ability of the United States to prevent and to respond to cybersecurity threats, including cyber attacks, theft, and data breaches.

(5) An assessment of any technologies or practices utilized by the private sector that could be rapidly fielded to assist the intelligence community in preventing and responding to cybersecurity threats.

(c) FORM OF REPORT.—The report required by subsection (a) shall be made available in classified and unclassified forms.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

**SEC. 110. EXCEPTION TO LIMITATION ON AUTHORITY OF SECRETARY OF DEFENSE TO DISSEMINATE CERTAIN INFORMATION.**

Notwithstanding subsection (c)(3) of section 393 of title 10, United States Code, the Secretary of Defense may authorize the sharing of cyber threat indicators and defensive measures pursuant to the policies, procedures, and guidelines developed or issued under this title.

**SEC. 111. EFFECTIVE PERIOD.**

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall be effective during the period beginning on the date of the enactment of this Act and ending on September 30, 2025.

(b) EXCEPTION.—With respect to any action authorized by this title or information obtained pursuant to an action authorized by this title, which occurred before the date on which the provisions referred to in subsection (a) cease to have effect, the provisions of this title shall continue in effect.

## TITLE II—NATIONAL CYBERSECURITY ADVANCEMENT

### Subtitle A—National Cybersecurity and Communications Integration Center

**SEC. 201. SHORT TITLE.**

This subtitle may be cited as the ''National Cybersecurity Protection Advancement Act of 2015''.

**SEC. 202. DEFINITIONS.**

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

(2) CYBERSECURITY RISK; INCIDENT.—The terms ''cybersecurity risk'' and ''incident'' have the meanings given those terms in section 227 of the Homeland Security Act of 2002, as so redesignated by section 223(a)(3) of this division.

(3) CYBER THREAT INDICATOR; DEFENSIVE MEASURE.—The terms ''cyber threat indicator'' and ''defensive measure'' have the meanings given those terms in section 102.

(4) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

**SEC. 203. INFORMATION SHARING STRUCTURE AND PROCESSES.**

Section 227 of the Homeland Security Act of 2002, as so redesignated by section 223(a)(3) of this division, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(B) by striking paragraphs (1) and (2) and inserting the following:

''(1) the term 'cybersecurity risk'—

''(A) means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of such information or information systems, including such related consequences caused by an act of terrorism; and

''(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement;

''(2) the terms 'cyber threat indicator' and 'defensive measure' have the meanings given those terms in section 102 of the Cybersecurity Act of 2015;

''(3) the term 'incident' means an occurrence that actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information on an information system, or actually or imminently jeopardizes, without lawful authority, an information system;'';

(C) in paragraph (4), as so redesignated, by striking ''and'' at the end;

(D) in paragraph (5), as so redesignated, by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(6) the term 'sharing' (including all conjugations thereof) means providing, receiving, and disseminating (including all conjugations of each of such terms).'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting '', including the implementation of title I of the Cybersecurity Act of 2015'' before the semicolon at the end; and

(ii) by inserting ''cyber threat indicators, defensive measures,'' before ''cybersecurity risks'';

(B) in paragraph (3), by striking ''cybersecurity risks'' and inserting ''cyber threat indicators, defensive measures, cybersecurity risks,'';

(C) in paragraph (5)(A), by striking ''cybersecurity risks'' and inserting ''cyber threat indicators, defensive measures, cybersecurity risks,'';

(D) in paragraph (6)—

(i) by striking ''cybersecurity risks'' and inserting ''cyber threat indicators, defensive measures, cybersecurity risks,''; and

(ii) by striking ''and'' at the end;

(E) in paragraph (7)—

(i) in subparagraph (A), by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(C) sharing cyber threat indicators and defensive measures;''; and

(F) by adding at the end the following:

''(8) engaging with international partners, in consultation with other appropriate agencies, to—

''(A) collaborate on cyber threat indicators, defensive measures, and information related to cybersecurity risks and incidents; and

''(B) enhance the security and resilience of global cybersecurity;

''(9) sharing cyber threat indicators, defensive measures, and other information related to cybersecurity risks and incidents with Federal and non-Federal entities, including across sectors of critical infrastructure and with State and major urban area fusion centers, as appropriate;

''(10) participating, as appropriate, in national exercises run by the Department; and

''(11) in coordination with the Office of Emergency Communications of the Department, assessing and evaluating consequence, vulnerability, and threat information regarding cyber incidents to public safety communications to help facilitate continuous improvements to the security and resiliency of such communications.'';

(3) in subsection (d)(1)—

(A) in subparagraph (B)—

(i) in clause (i), by striking ''and local'' and inserting '', local, and tribal'';

(ii) in clause (ii), by striking ''; and'' and inserting '', including information sharing and analysis centers;'';

(iii) in clause (iii), by adding ''and'' at the end; and

(iv) by adding at the end the following:

''(iv) private entities;''.

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

(C) by redesignating subparagraph (E) as subparagraph (F); and

(D) by inserting after subparagraph (D) the following:

''(E) an entity that collaborates with State and local governments on cybersecurity risks and incidents, and has entered into a voluntary information sharing relationship with the Center; and'';

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''cyber threat indicators, defensive measures, and'' before ''information'';

(ii) in subparagraph (B), by inserting ''cyber threat indicators, defensive measures, and'' before ''information related'';

(iii) in subparagraph (F)—

(I) by striking ''cybersecurity risks'' and inserting ''cyber threat indicators, defensive measures, cybersecurity risks,''; and

(II) by striking ''and'' at the end;

(iv) in subparagraph (G), by striking ''cybersecurity risks and incidents'' and inserting ''cyber threat indicators, defensive measures, cybersecurity risks, and incidents; and''; and

(v) by adding at the end the following:

''(H) the Center designates an agency contact for non-Federal entities;'';

(B) in paragraph (2)—

(i) by striking ''cybersecurity risks'' and inserting ''cyber threat indicators, defensive measures, cybersecurity risks,''; and

(ii) by inserting ''or disclosure'' after ''access''; and

(C) in paragraph (3), by inserting before the period at the end the following: '', including by working with the Privacy Officer appointed under section 222 to ensure that the Center follows the policies and procedures specified in subsections (b) and (d)(5)(C) of section 105 of the Cybersecurity Act of 2015''; and

(5) by adding at the end the following:

''(g) AUTOMATED INFORMATION SHARING.—

''(1) IN GENERAL.—The Under Secretary appointed under section 103(a)(1)(H), in coordination with industry and other stakeholders, shall develop capabilities making use of existing information technology industry standards and best practices, as appropriate, that support and rapidly advance the development, adoption, and implementation of automated mechanisms for the sharing of cyber threat indicators and defensive measures in accordance with title I of the Cybersecurity Act of 2015.

''(2) ANNUAL REPORT.—The Under Secretary appointed under section 103(a)(1)(H) shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives an annual report on the status and progress of the development of the capabilities described in paragraph (1). Such reports shall be required until such capabilities are fully implemented.

''(h) VOLUNTARY INFORMATION SHARING PROCEDURES.—

''(1) PROCEDURES.—

''(A) IN GENERAL.—The Center may enter into a voluntary information sharing relationship with any consenting non-Federal entity for the sharing of cyber threat indicators and defensive measures for cybersecurity purposes in accordance with this section. Nothing in this subsection may be construed to require any non-Federal entity to enter into any such information sharing relationship with the Center or any other entity. The Center may terminate a voluntary information sharing relationship under this subsection, at the sole and unreviewable discretion of the Secretary, acting through the Under Secretary appointed under section 103(a)(1)(H), for any reason, including if the Center determines that the non-Federal entity with which the Center has entered into such a relationship has violated the terms of this subsection.

''(B) NATIONAL SECURITY.—The Secretary may decline to enter into a voluntary information sharing relationship under this subsection, at the sole and unreviewable discretion of the Secretary, acting through the Under Secretary appointed under section 103(a)(1)(H), for any reason, including if the Secretary determines that such is appropriate for national security.

''(2) VOLUNTARY INFORMATION SHARING RELATIONSHIPS.—A voluntary information sharing relationship under this subsection may be characterized as an agreement described in this paragraph.

''(A) STANDARD AGREEMENT.—For the use of a non-Federal entity, the Center shall make available a standard agreement, consistent with this section, on the Department's website.

''(B) NEGOTIATED AGREEMENT.—At the request of a non-Federal entity, and if determined appropriate by the Center, at the sole and unreviewable discretion of the Secretary, acting through the Under Secretary appointed under section 103(a)(1)(H), the Department shall negotiate a non-standard agreement, consistent with this section.

''(C) EXISTING AGREEMENTS.—An agreement between the Center and a non-Federal entity that is entered into before the date of enactment of this subsection, or such an agreement that is in effect before such date, shall be deemed in compliance with the requirements of this subsection, notwithstanding any other provision or requirement of this subsection. An agreement under this subsection shall include the relevant privacy protections as in effect under the Cooperative Research and Development Agreement for Cybersecurity Information Sharing and Collaboration, as of December 31, 2014. Nothing in this subsection may be construed to require a non-Federal entity to enter into either a standard or negotiated agreement to be in compliance with this subsection.

''(i) DIRECT REPORTING.—The Secretary shall develop policies and procedures for direct reporting to the Secretary by the Director of the Center regarding significant cybersecurity risks and incidents.

''(j) REPORTS ON INTERNATIONAL COOPERATION.—Not later than 180 days after the date of enactment of this subsection, and periodically thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the range of efforts underway to bolster cybersecurity collaboration with relevant international partners in accordance with subsection (c)(8).

''(k) OUTREACH.—Not later than 60 days after the date of enactment of this subsection, the Secretary, acting through the Under Secretary appointed under section 103(a)(1)(H), shall—

''(1) disseminate to the public information about how to voluntarily share cyber threat indicators and defensive measures with the Center; and

''(2) enhance outreach to critical infrastructure owners and operators for purposes of such sharing.

''(l) COORDINATED VULNERABILITY DISCLOSURE.—The Secretary, in coordination with industry and other stakeholders, may develop and adhere to Department policies and procedures for coordinating vulnerability disclosures.''.

**SEC. 204. INFORMATION SHARING AND ANALYSIS ORGANIZATIONS.**

Section 212 of the Homeland Security Act of 2002 (6 U.S.C. 131) is amended—

(1) in paragraph (5)—

(A) in subparagraph (A)—

(i) by inserting '', including information related to cybersecurity risks and incidents,'' after ''critical infrastructure information''; and

(ii) by inserting '', including cybersecurity risks and incidents,'' after ''related to critical infrastructure'';

(B) in subparagraph (B)—

(i) by inserting '', including cybersecurity risks and incidents,'' after ''critical infrastructure information''; and

(ii) by inserting '', including cybersecurity risks and incidents,'' after ''related to critical infrastructure''; and

(C) in subparagraph (C), by inserting '', including cybersecurity risks and incidents,'' after ''critical infrastructure information''; and

(2) by adding at the end the following:

''(8) CYBERSECURITY RISK; INCIDENT.—The terms 'cybersecurity risk' and 'incident' have the meanings given those terms in section 227.''.

**SEC. 205. NATIONAL RESPONSE FRAMEWORK.**

Section 228 of the Homeland Security Act of 2002, as added by section 223(a)(4) of this division, is amended by adding at the end the following:

''(d) NATIONAL RESPONSE FRAMEWORK.—The Secretary, in coordination with the heads of other appropriate Federal departments and agencies, and in accordance with the National Cybersecurity Incident Response Plan required under subsection (c), shall regularly update, maintain, and exercise the Cyber Incident Annex to the National Response Framework of the Department.''.

**SEC. 206. REPORT ON REDUCING CYBERSECURITY RISKS IN DHS DATA CENTERS.**

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the feasibility of the Department creating an environment for the reduction in cybersecurity risks in Department data centers, including by increasing compartmentalization between systems, and providing a mix of security controls between such compartments.

**SEC. 207. ASSESSMENT.**

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that includes—

(1) an assessment of the implementation by the Secretary of this title and the amendments made by this title; and

(2) to the extent practicable, findings regarding increases in the sharing of cyber threat indicators, defensive measures, and information relating to cybersecurity risks and incidents at the center established under section 227 of the Homeland Security Act of 2002, as redesignated by section 223(a) of this division, and throughout the United States.

**SEC. 208. MULTIPLE SIMULTANEOUS CYBER INCIDENTS AT CRITICAL INFRASTRUCTURE.**

Not later than 1 year after the date of enactment of this Act, the Under Secretary appointed under section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H)) shall provide information to the appropriate congressional committees on the feasibility of producing a risk-informed plan to address the risk of multiple simultaneous cyber incidents affecting critical infrastructure, including cyber incidents that may have a cascading effect on other critical infrastructure.

**SEC. 209. REPORT ON CYBERSECURITY VULNERABILITIES OF UNITED STATES PORTS.**

Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees, the Committee on Commerce, Science and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on cybersecurity vulnerabilities for the 10 United States ports that the Secretary determines are at greatest risk of a cybersecurity incident and provide recommendations to mitigate such vulnerabilities.

**SEC. 210. PROHIBITION ON NEW REGULATORY AUTHORITY.**

Nothing in this subtitle or the amendments made by this subtitle may be construed to grant the Secretary any authority to promulgate regulations or set standards relating to the cybersecurity of non-Federal entities, not including State, local, and tribal governments, that was not in effect on the day before the date of enactment of this Act.

**SEC. 211. TERMINATION OF REPORTING REQUIREMENTS.**

Any reporting requirements in this subtitle shall terminate on the date that is 7 years after the date of enactment of this Act.

**Subtitle B—Federal Cybersecurity Enhancement**

**SEC. 221. SHORT TITLE.**

This subtitle may be cited as the ''Federal Cybersecurity Enhancement Act of 2015''.

**SEC. 222. DEFINITIONS.**

In this subtitle:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(2) AGENCY INFORMATION SYSTEM.—The term ''agency information system'' has the meaning given the term in section 228 of the Homeland Security Act of 2002, as added by section 223(a)(4) of this division.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

(4) CYBERSECURITY RISK; INFORMATION SYSTEM.—The terms ''cybersecurity risk'' and ''information system'' have the meanings given those terms in section 227 of the Homeland Security Act of 2002, as so redesignated by section 223(a)(3) of this division.

(5) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(6) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(7) NATIONAL SECURITY SYSTEM.—The term ''national security system'' has the meaning given the term in section 11103 of title 40, United States Code.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

**SEC. 223. IMPROVED FEDERAL NETWORK SECURITY.**

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended—

(1) by redesignating section 228 as section 229;

(2) by redesignating section 227 as subsection (c) of section 228, as added by paragraph (4), and adjusting the margins accordingly;

(3) by redesignating the second section designated as section 226 (relating to the national cybersecurity and communications integration center) as section 227;

(4) by inserting after section 227, as so redesignated, the following:

**''SEC. 228. CYBERSECURITY PLANS.**

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency information system' means an information system used or operated by an agency or by another entity on behalf of an agency;

''(2) the terms 'cybersecurity risk' and 'information system' have the meanings given those terms in section 227;

''(3) the term 'intelligence community' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)); and

''(4) the term 'national security system' has the meaning given the term in section 11103 of title 40, United States Code.

''(b) INTRUSION ASSESSMENT PLAN.—

''(1) REQUIREMENT.—The Secretary, in coordination with the Director of the Office of Management and Budget, shall—

''(A) develop and implement an intrusion assessment plan to proactively detect, identify, and remove intruders in agency information systems on a routine basis; and

''(B) update such plan as necessary.

''(2) EXCEPTION.—The intrusion assessment plan required under paragraph (1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.'';

(5) in section 228(c), as so redesignated, by striking ''section 226'' and inserting ''section 227''; and

(6) by inserting after section 229, as so redesignated, the following:

**''SEC. 230. FEDERAL INTRUSION DETECTION AND PREVENTION SYSTEM.**

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given the term in section 3502 of title 44, United States Code;

''(2) the term 'agency information' means information collected or maintained by or on behalf of an agency;

''(3) the term 'agency information system' has the meaning given the term in section 228; and

''(4) the terms 'cybersecurity risk' and 'information system' have the meanings given those terms in section 227.

''(b) REQUIREMENT.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall deploy, operate, and maintain, to make available for use by any agency, with or without reimbursement—

''(A) a capability to detect cybersecurity risks in network traffic transiting or traveling to or from an agency information system; and

''(B) a capability to prevent network traffic associated with such cybersecurity risks from transiting or traveling to or from an agency information system or modify such network traffic to remove the cybersecurity risk.

''(2) REGULAR IMPROVEMENT.—The Secretary shall regularly deploy new technologies and modify existing technologies to the intrusion detection and prevention capabilities described in paragraph (1) as appropriate to improve the intrusion detection and prevention capabilities.

''(c) ACTIVITIES.—In carrying out subsection (b), the Secretary—

''(1) may access, and the head of an agency may disclose to the Secretary or a private entity providing assistance to the Secretary under paragraph (2), information transiting or traveling to or from an agency information system, regardless of the location from which the Secretary or a private entity providing assistance to the Secretary under paragraph (2) accesses such information, notwithstanding any other provision of law that would otherwise restrict or prevent the head of an agency from disclosing such information to the Secretary or a private entity providing assistance to the Secretary under paragraph (2);

''(2) may enter into contracts or other agreements with, or otherwise request and obtain the assistance of, private entities to deploy, operate, and maintain technologies in accordance with subsection (b);

''(3) may retain, use, and disclose information obtained through the conduct of activities authorized under this section only to protect information and information systems from cybersecurity risks;

''(4) shall regularly assess through operational test and evaluation in real world or simulated environments available advanced protective technologies to improve detection and prevention capabilities, including commercial and noncommercial technologies and detection technologies beyond signature-based detection, and acquire, test, and deploy such technologies when appropriate;

''(5) shall establish a pilot through which the Secretary may acquire, test, and deploy, as rapidly as possible, technologies described in paragraph (4); and

''(6) shall periodically update the privacy impact assessment required under section

208(b) of the E-Government Act of 2002 (44 U.S.C. 3501 note).

''(d) PRINCIPLES.—In carrying out subsection (b), the Secretary shall ensure that—

''(1) activities carried out under this section are reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

''(2) information accessed by the Secretary will be retained no longer than reasonably necessary for the purpose of protecting agency information and agency information systems from a cybersecurity risk;

''(3) notice has been provided to users of an agency information system concerning access to communications of users of the agency information system for the purpose of protecting agency information and the agency information system; and

''(4) the activities are implemented pursuant to policies and procedures governing the operation of the intrusion detection and prevention capabilities.

''(e) PRIVACY ENTITIES.—

''(1) CONDITIONS.—A private entity described in subsection (c)(2) may not—

''(A) disclose any network traffic transiting or traveling to or from an agency information system to any entity other than the Department or the agency that disclosed the information under subsection (c)(1), including personal information of a specific individual or information that identifies a specific individual not directly related to a cybersecurity risk; or

''(B) use any network traffic transiting or traveling to or from an agency information system to which the private entity gains access in accordance with this section for any purpose other than to protect agency information and agency information systems against cybersecurity risks or to administer a contract or other agreement entered into pursuant to subsection (c)(2) or as part of another contract with the Secretary.

''(2) LIMITATION ON LIABILITY.—No cause of action shall lie in any court against a private entity for assistance provided to the Secretary in accordance with this section and any contract or agreement entered into pursuant to subsection (c)(2).

''(3) RULE OF CONSTRUCTION.—Nothing in paragraph (2) shall be construed to authorize an Internet service provider to break a user agreement with a customer without the consent of the customer.

''(f) PRIVACY OFFICER REVIEW.—Not later than 1 year after the date of enactment of this section, the Privacy Officer appointed under section 222, in consultation with the Attorney General, shall review the policies and guidelines for the program carried out under this section to ensure that the policies and guidelines are consistent with applicable privacy laws, including those governing the acquisition, interception, retention, use, and disclosure of communications.''.

(b) AGENCY RESPONSIBILITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2)—

(A) not later than 1 year after the date of enactment of this Act or 2 months after the date on which the Secretary makes available the intrusion detection and prevention capabilities under section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a), whichever is later, the head of each agency shall apply and continue to utilize the capabilities to all information traveling between an agency information system and any information system other than an agency information system; and

(B) not later than 6 months after the date on which the Secretary makes available improvements to the intrusion detection and prevention capabilities pursuant to section 230(b)(2) of the Homeland Security Act of 2002, as added by subsection (a), the head of each agency shall apply and continue to utilize the improved intrusion detection and prevention capabilities.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

(3) DEFINITION.—Notwithstanding section 222, in this subsection, the term ''agency information system'' means an information system owned or operated by an agency.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit an agency from applying the intrusion detection and prevention capabilities to an information system other than an agency information system under section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a), at the discretion of the head of the agency or as provided in relevant policies, directives, and guidelines.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the items relating to the first section designated as section 226, the second section designated as section 226 (relating to the national cybersecurity and communications integration center), section 227, and section 228 and inserting the following:

''Sec. 226. Cybersecurity recruitment and retention.
''Sec. 227. National cybersecurity and communications integration center.
''Sec. 228. Cybersecurity plans.
''Sec. 229. Clearances.
''Sec. 230. Federal intrusion detection and prevention system.''.

**SEC. 224. ADVANCED INTERNAL DEFENSES.**

(a) ADVANCED NETWORK SECURITY TOOLS.—

(1) IN GENERAL.—The Secretary shall include, in the efforts of the Department to continuously diagnose and mitigate cybersecurity risks, advanced network security tools to improve visibility of network activity, including through the use of commercial and free or open source tools, and to detect and mitigate intrusions and anomalous activity.

(2) DEVELOPMENT OF PLAN.—The Director shall develop and the Secretary shall implement a plan to ensure that each agency utilizes advanced network security tools, including those described in paragraph (1), to detect and mitigate intrusions and anomalous activity.

(b) PRIORITIZING ADVANCED SECURITY TOOLS.—The Director and the Secretary, in consultation with appropriate agencies, shall—

(1) review and update Government-wide policies and programs to ensure appropriate prioritization and use of network security monitoring tools within agency networks; and

(2) brief appropriate congressional committees on such prioritization and use.

(c) IMPROVED METRICS.—The Secretary, in collaboration with the Director, shall review and update the metrics used to measure security under section 3554 of title 44, United States Code, to include measures of intrusion and incident detection and response times.

(d) TRANSPARENCY AND ACCOUNTABILITY.—The Director, in consultation with the Secretary, shall increase transparency to the public on agency cybersecurity posture, including by increasing the number of metrics available on Federal Government performance websites and, to the greatest extent practicable, displaying metrics for department components, small agencies, and micro-agencies.

(e) MAINTENANCE OF TECHNOLOGIES.—Section 3553(b)(6)(B) of title 44, United States Code, is amended by inserting '', operating, and maintaining'' after ''deploying''.

(f) EXCEPTION.—The requirements under this section shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

**SEC. 225. FEDERAL CYBERSECURITY REQUIREMENTS.**

(a) IMPLEMENTATION OF FEDERAL CYBERSECURITY STANDARDS.—Consistent with section 3553 of title 44, United States Code, the Secretary, in consultation with the Director, shall exercise the authority to issue binding operational directives to assist the Director in ensuring timely agency adoption of and compliance with policies and standards promulgated under section 11331 of title 40, United States Code, for securing agency information systems.

(b) CYBERSECURITY REQUIREMENTS AT AGENCIES.—

(1) IN GENERAL.—Consistent with policies, standards, guidelines, and directives on information security under subchapter II of chapter 35 of title 44, United States Code, and the standards and guidelines promulgated under section 11331 of title 40, United States Code, and except as provided in paragraph (2), not later than 1 year after the date of the enactment of this Act, the head of each agency shall—

(A) identify sensitive and mission critical data stored by the agency consistent with the inventory required under the first subsection (c) (relating to the inventory of major information systems) and the second subsection (c) (relating to the inventory of information systems) of section 3505 of title 44, United States Code;

(B) assess access controls to the data described in subparagraph (A), the need for readily accessible storage of the data, and individuals' need to access the data;

(C) encrypt or otherwise render indecipherable to unauthorized users the data described in subparagraph (A) that is stored on or transiting agency information systems;

(D) implement a single sign-on trusted identity platform for individuals accessing each public website of the agency that requires user authentication, as developed by the Administrator of General Services in collaboration with the Secretary; and

(E) implement identity management consistent with section 504 of the Cybersecurity Enhancement Act of 2014 (Public Law 113–274; 15 U.S.C. 7464), including multi-factor authentication, for—

(i) remote access to an agency information system; and

(ii) each user account with elevated privileges on an agency information system.

(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to an agency information system for which—

(A) the head of the agency has personally certified to the Director with particularity that—

(i) operational requirements articulated in the certification and related to the agency information system would make it excessively burdensome to implement the cybersecurity requirement;

(ii) the cybersecurity requirement is not necessary to secure the agency information system or agency information stored on or transiting it; and

(iii) the agency has taken all necessary steps to secure the agency information system and agency information stored on or transiting it; and

(B) the head of the agency or the designee of the head of the agency has submitted the certification described in subparagraph (A) to the appropriate congressional committees and the agency's authorizing committees.

(3) CONSTRUCTION.—Nothing in this section shall be construed to alter the authority of

the Secretary, the Director, or the Director of the National Institute of Standards and Technology in implementing subchapter II of chapter 35 of title 44, United States Code. Nothing in this section shall be construed to affect the National Institute of Standards and Technology standards process or the requirement under section 3553(a)(4) of such title or to discourage continued improvements and advancements in the technology, standards, policies, and guidelines used to promote Federal information security.

(c) EXCEPTION.—The requirements under this section shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

**SEC. 226. ASSESSMENT; REPORTS.**

(a) DEFINITIONS.—In this section:

(1) AGENCY INFORMATION.—The term ''agency information'' has the meaning given the term in section 230 of the Homeland Security Act of 2002, as added by section 223(a)(6) of this division.

(2) CYBER THREAT INDICATOR; DEFENSIVE MEASURE.—The terms ''cyber threat indicator'' and ''defensive measure'' have the meanings given those terms in section 102.

(3) INTRUSION ASSESSMENTS.—The term ''intrusion assessments'' means actions taken under the intrusion assessment plan to identify and remove intruders in agency information systems.

(4) INTRUSION ASSESSMENT PLAN.—The term ''intrusion assessment plan'' means the plan required under section 228(b)(1) of the Homeland Security Act of 2002, as added by section 223(a)(4) of this division.

(5) INTRUSION DETECTION AND PREVENTION CAPABILITIES.—The term ''intrusion detection and prevention capabilities'' means the capabilities required under section 230(b) of the Homeland Security Act of 2002, as added by section 223(a)(6) of this division.

(b) THIRD-PARTY ASSESSMENT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and publish a report on the effectiveness of the approach and strategy of the Federal Government to securing agency information systems, including the intrusion detection and prevention capabilities and the intrusion assessment plan.

(c) REPORTS TO CONGRESS.—

(1) INTRUSION DETECTION AND PREVENTION CAPABILITIES.—

(A) SECRETARY OF HOMELAND SECURITY REPORT.—Not later than 6 months after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the status of implementation of the intrusion detection and prevention capabilities, including—

(i) a description of privacy controls;

(ii) a description of the technologies and capabilities utilized to detect cybersecurity risks in network traffic, including the extent to which those technologies and capabilities include existing commercial and noncommercial technologies;

(iii) a description of the technologies and capabilities utilized to prevent network traffic associated with cybersecurity risks from transiting or traveling to or from agency information systems, including the extent to which those technologies and capabilities include existing commercial and noncommercial technologies;

(iv) a list of the types of indicators or other identifiers or techniques used to detect cybersecurity risks in network traffic transiting or traveling to or from agency information systems on each iteration of the intrusion detection and prevention capabilities and the number of each such type of indicator, identifier, and technique;

(v) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from agency information systems and the number of times the intrusion detection and prevention capabilities blocked network traffic associated with cybersecurity risk; and

(vi) a description of the pilot established under section 230(c)(5) of the Homeland Security Act of 2002, as added by section 223(a)(6) of this division, including the number of new technologies tested and the number of participating agencies.

(B) OMB REPORT.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Director shall submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code, an analysis of agency application of the intrusion detection and prevention capabilities, including—

(i) a list of each agency and the degree to which each agency has applied the intrusion detection and prevention capabilities to an agency information system; and

(ii) a list by agency of—

(I) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such cybersecurity risks; and

(II) the number of instances in which the intrusion detection and prevention capabilities prevented network traffic associated with a cybersecurity risk from transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such agency information systems.

(C) CHIEF INFORMATION OFFICER.—Not earlier than 18 months after the date of enactment of this Act and not later than 2 years after the date of enactment of this Act, the Federal Chief Information Officer shall review and submit to the appropriate congressional committees a report assessing the intrusion detection and intrusion prevention capabilities, including—

(i) the effectiveness of the system in detecting, disrupting, and preventing cyberthreat actors, including advanced persistent threats, from accessing agency information and agency information systems;

(ii) whether the intrusion detection and prevention capabilities, continuous diagnostics and mitigation, and other systems deployed under subtitle D of title II of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) are effective in securing Federal information systems;

(iii) the costs and benefits of the intrusion detection and prevention capabilities, including as compared to commercial technologies and tools and including the value of classified cyber threat indicators; and

(iv) the capability of agencies to protect sensitive cyber threat indicators and defensive measures if they were shared through unclassified mechanisms for use in commercial technologies and tools.

(2) OMB REPORT ON DEVELOPMENT AND IMPLEMENTATION OF INTRUSION ASSESSMENT PLAN, ADVANCED INTERNAL DEFENSES, AND FEDERAL CYBERSECURITY REQUIREMENTS.—The Director shall—

(A) not later than 6 months after the date of enactment of this Act, and 30 days after any update thereto, submit the intrusion assessment plan to the appropriate congressional committees;

(B) not later than 1 year after the date of enactment of this Act, and annually thereafter, submit to Congress, as part of the report required under section 3553(c) of title 44, United States Code—

(i) a description of the implementation of the intrusion assessment plan;

(ii) the findings of the intrusion assessments conducted pursuant to the intrusion assessment plan;

(iii) a description of the advanced network security tools included in the efforts to continuously diagnose and mitigate cybersecurity risks pursuant to section 224(a)(1); and

(iv) a list by agency of compliance with the requirements of section 225(b); and

(C) not later than 1 year after the date of enactment of this Act, submit to the appropriate congressional committees—

(i) a copy of the plan developed pursuant to section 224(a)(2); and

(ii) the improved metrics developed pursuant to section 224(c).

(d) FORM.—Each report required under this section shall be submitted in unclassified form, but may include a classified annex.

**SEC. 227. TERMINATION.**

(a) IN GENERAL.—The authority provided under section 230 of the Homeland Security Act of 2002, as added by section 223(a)(6) of this division, and the reporting requirements under section 226(c) of this division shall terminate on the date that is 7 years after the date of enactment of this Act.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to affect the limitation of liability of a private entity for assistance provided to the Secretary under section 230(d)(2) of the Homeland Security Act of 2002, as added by section 223(a)(6) of this division, if such assistance was rendered before the termination date under subsection (a) or otherwise during a period in which the assistance was authorized.

**SEC. 228. IDENTIFICATION OF INFORMATION SYSTEMS RELATING TO NATIONAL SECURITY.**

(a) IN GENERAL.—Except as provided in subsection (c), not later than 180 days after the date of enactment of this Act—

(1) the Director of National Intelligence and the Director of the Office of Management and Budget, in coordination with the heads of other agencies, shall—

(A) identify all unclassified information systems that provide access to information that may provide an adversary with the ability to derive information that would otherwise be considered classified;

(B) assess the risks that would result from the breach of each unclassified information system identified in subparagraph (A); and

(C) assess the cost and impact on the mission carried out by each agency that owns an unclassified information system identified in subparagraph (A) if the system were to be subsequently designated as a national security system; and

(2) the Director of National Intelligence and the Director of the Office of Management and Budget shall submit to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report that includes the findings under paragraph (1).

(b) FORM.—The report submitted under subsection (a)(2) shall be in unclassified form, and shall include a classified annex.

(c) EXCEPTION.—The requirements under subsection (a)(1) shall not apply to the Department of Defense, a national security system, or an element of the intelligence community.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to designate an information system as a national security system.

**SEC. 229. DIRECTION TO AGENCIES.**

(a) IN GENERAL.—Section 3553 of title 44, United States Code, is amended by adding at the end the following:

''(h) DIRECTION TO AGENCIES.—

''(1) AUTHORITY.—

''(A) IN GENERAL.—Subject to subparagraph (B), in response to a known or reasonably suspected information security threat, vulnerability, or incident that represents a substantial threat to the information security of an agency, the Secretary may issue an emergency directive to the head of an agency to take any lawful action with respect to the operation of the information system, including such systems used or operated by another entity on behalf of an agency, that collects, processes, stores, transmits, disseminates, or otherwise maintains agency information, for the purpose of protecting the information system from, or mitigating, an information security threat.

''(B) EXCEPTION.—The authorities of the Secretary under this subsection shall not apply to a system described subsection (d) or to a system described in paragraph (2) or (3) of subsection (e).

''(2) PROCEDURES FOR USE OF AUTHORITY.—The Secretary shall—

''(A) in coordination with the Director, and in consultation with Federal contractors as appropriate, establish procedures governing the circumstances under which a directive may be issued under this subsection, which shall include—

''(i) thresholds and other criteria;

''(ii) privacy and civil liberties protections; and

''(iii) providing notice to potentially affected third parties;

''(B) specify the reasons for the required action and the duration of the directive;

''(C) minimize the impact of a directive under this subsection by—

''(i) adopting the least intrusive means possible under the circumstances to secure the agency information systems; and

''(ii) limiting directives to the shortest period practicable;

''(D) notify the Director and the head of any affected agency immediately upon the issuance of a directive under this subsection;

''(E) consult with the Director of the National Institute of Standards and Technology regarding any directive under this subsection that implements standards and guidelines developed by the National Institute of Standards and Technology;

''(F) ensure that directives issued under this subsection do not conflict with the standards and guidelines issued under section 11331 of title 40;

''(G) consider any applicable standards or guidelines developed by the National Institute of Standards and Technology issued by the Secretary of Commerce under section 11331 of title 40; and

''(H) not later than February 1 of each year, submit to the appropriate congressional committees a report regarding the specific actions the Secretary has taken pursuant to paragraph (1)(A).

''(3) IMMINENT THREATS.—

''(A) IN GENERAL.—Notwithstanding section 3554, the Secretary may authorize the use under this subsection of the intrusion detection and prevention capabilities established under section 230(b)(1) of the Homeland Security Act of 2002 for the purpose of ensuring the security of agency information systems, if—

''(i) the Secretary determines there is an imminent threat to agency information systems;

''(ii) the Secretary determines a directive under subsection (b)(2)(C) or paragraph (1)(A) is not reasonably likely to result in a timely response to the threat;

''(iii) the Secretary determines the risk posed by the imminent threat outweighs any adverse consequences reasonably expected to result from the use of the intrusion detection and prevention capabilities under the control of the Secretary;

''(iv) the Secretary provides prior notice to the Director, and the head and chief information officer (or equivalent official) of each agency to which specific actions will be taken pursuant to this paragraph, and notifies the appropriate congressional committees and authorizing committees of each such agency within 7 days of taking an action under this paragraph of—

''(I) any action taken under this paragraph; and

''(II) the reasons for and duration and nature of the action;

''(v) the action of the Secretary is consistent with applicable law; and

''(vi) the Secretary authorizes the use of the intrusion detection and prevention capabilities in accordance with the advance procedures established under subparagraph (C).

''(B) LIMITATION ON DELEGATION.—The authority under this paragraph may not be delegated by the Secretary.

''(C) ADVANCE PROCEDURES.—The Secretary shall, in coordination with the Director, and in consultation with the heads of Federal agencies, establish procedures governing the circumstances under which the Secretary may authorize the use of the intrusion detection and prevention capabilities under subparagraph (A). The Secretary shall submit the procedures to Congress.

''(4) LIMITATION.—The Secretary may direct or authorize lawful action or the use of the intrusion detection and prevention capabilities under this subsection only to—

''(A) protect agency information from unauthorized access, use, disclosure, disruption, modification, or destruction; or

''(B) require the remediation of or protect against identified information security risks with respect to—

''(i) information collected or maintained by or on behalf of an agency; or

''(ii) that portion of an information system used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency.

''(i) ANNUAL REPORT TO CONGRESS.—Not later than February 1 of each year, the Director and the Secretary shall submit to the appropriate congressional committees a report regarding the specific actions the Director and the Secretary have taken pursuant to subsection (a)(5), including any actions taken pursuant to section 11303(b)(5) of title 40.

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

''(1) the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(2) the Committee on Appropriations, the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on Science, Space, and Technology of the House of Representatives.''.

(b) CONFORMING AMENDMENT.—Section 3554(a)(1)(B) of title 44, United States Code, is amended—

(1) in clause (iii), by striking ''and'' at the end; and

(2) by adding at the end the following:

''(v) emergency directives issued by the Secretary under section 3553(h); and''.

## TITLE III—FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT

### SEC. 301. SHORT TITLE.

This title may be cited as the ''Federal Cybersecurity Workforce Assessment Act of 2015''.

### SEC. 302. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Commerce, Science, and Transportation of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Committee on Oversight and Government Reform of the House of Representatives; and

(H) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Personnel Management.

(3) NATIONAL INITIATIVE FOR CYBERSECURITY EDUCATION.—The term ''National Initiative for Cybersecurity Education'' means the initiative under the national cybersecurity awareness and education program, as authorized under section 401 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7451).

(4) WORK ROLES.—The term '' work roles'' means a specialized set of tasks and functions requiring specific knowledge, skills, and abilities.

### SEC. 303. NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.

(a) IN GENERAL.—The head of each Federal agency shall—

(1) identify all positions within the agency that require the performance of cybersecurity or other cyber-related functions; and

(2) assign the corresponding employment code under the National Initiative for Cybersecurity Education in accordance with subsection (b).

(b) EMPLOYMENT CODES.—

(1) PROCEDURES.—

(A) CODING STRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the National Institute of Standards and Technology, shall develop a coding structure under the National Initiative for Cybersecurity Education.

(B) IDENTIFICATION OF CIVILIAN CYBER PERSONNEL.—Not later than 9 months after the date of enactment of this Act, the Director, in coordination with the Secretary of Homeland Security, the Director of the National Institute of Standards and Technology, and the Director of National Intelligence, shall establish procedures to implement the National Initiative for Cybersecurity Education coding structure to identify all Federal civilian positions that require the performance of information technology, cybersecurity, or other cyber-related functions.

(C) IDENTIFICATION OF NONCIVILIAN CYBER PERSONNEL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Defense shall establish procedures to implement the National Initiative for Cybersecurity Education's coding structure to identify all Federal noncivilian positions that require the performance of information technology, cybersecurity, or other cyber-related functions.

(D) BASELINE ASSESSMENT OF EXISTING CYBERSECURITY WORKFORCE.—Not later than 3 months after the date on which the procedures are developed under subparagraphs (B) and (C), respectively, the head of each Federal agency shall submit to the appropriate congressional committees of jurisdiction a report that identifies—

(i) the percentage of personnel with information technology, cybersecurity, or other cyber-related job functions who currently

hold the appropriate industry-recognized certifications as identified under the National Initiative for Cybersecurity Education;

(ii) the level of preparedness of other civilian and noncivilian cyber personnel without existing credentials to take certification exams; and

(iii) a strategy for mitigating any gaps identified in clause (i) or (ii) with the appropriate training and certification for existing personnel.

(E) PROCEDURES FOR ASSIGNING CODES.—Not later than 3 months after the date on which the procedures are developed under subparagraphs (B) and (C), respectively, the head of each Federal agency shall establish procedures—

(i) to identify all encumbered and vacant positions with information technology, cybersecurity, or other cyber-related functions (as defined in the National Initiative for Cybersecurity Education's coding structure); and

(ii) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(2) CODE ASSIGNMENTS.—Not later than 1 year after the date after the procedures are established under paragraph (1)(E), the head of each Federal agency shall complete assignment of the appropriate employment code to each position within the agency with information technology, cybersecurity, or other cyber-related functions.

(c) PROGRESS REPORT.—Not later than 180 days after the date of enactment of this Act, the Director shall submit a progress report on the implementation of this section to the appropriate congressional committees.

**SEC. 304. IDENTIFICATION OF CYBER-RELATED WORK ROLES OF CRITICAL NEED.**

(a) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to section 303(b)(2), and annually thereafter through 2022, the head of each Federal agency, in consultation with the Director, the Director of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall—

(1) identify information technology, cybersecurity, or other cyber-related work roles of critical need in the agency's workforce; and

(2) submit a report to the Director that—

(A) describes the information technology, cybersecurity, or other cyber-related roles identified under paragraph (1); and

(B) substantiates the critical need designations.

(b) GUIDANCE.—The Director shall provide Federal agencies with timely guidance for identifying information technology, cybersecurity, or other cyber-related roles of critical need, including—

(1) current information technology, cybersecurity, and other cyber-related roles with acute skill shortages; and

(2) information technology, cybersecurity, or other cyber-related roles with emerging skill shortages.

(c) CYBERSECURITY NEEDS REPORT.—Not later than 2 years after the date of the enactment of this Act, the Director, in consultation with the Secretary of Homeland Security, shall—

(1) identify critical needs for information technology, cybersecurity, or other cyber-related workforce across all Federal agencies; and

(2) submit a progress report on the implementation of this section to the appropriate congressional committees.

**SEC. 305. GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.**

The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of sections 303 and 304; and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

**TITLE IV—OTHER CYBER MATTERS**

**SEC. 401. STUDY ON MOBILE DEVICE SECURITY.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Director of the National Institute of Standards and Technology, shall—

(1) complete a study on threats relating to the security of the mobile devices of the Federal Government; and

(2) submit an unclassified report to Congress, with a classified annex if necessary, that contains the findings of such study, the recommendations developed under paragraph (3) of subsection (b), the deficiencies, if any, identified under (4) of such subsection, and the plan developed under paragraph (5) of such subsection.

(b) MATTERS STUDIED.—In carrying out the study under subsection (a)(1), the Secretary, in consultation with the Director of the National Institute of Standards and Technology, shall—

(1) assess the evolution of mobile security techniques from a desktop-centric approach, and whether such techniques are adequate to meet current mobile security challenges;

(2) assess the effect such threats may have on the cybersecurity of the information systems and networks of the Federal Government (except for national security systems or the information systems and networks of the Department of Defense and the intelligence community);

(3) develop recommendations for addressing such threats based on industry standards and best practices;

(4) identify any deficiencies in the current authorities of the Secretary that may inhibit the ability of the Secretary to address mobile device security throughout the Federal Government (except for national security systems and the information systems and networks of the Department of Defense and intelligence community); and

(5) develop a plan for accelerated adoption of secure mobile device technology by the Department of Homeland Security.

(c) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

**SEC. 402. DEPARTMENT OF STATE INTERNATIONAL CYBERSPACE POLICY STRATEGY.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall produce a comprehensive strategy relating to United States international policy with regard to cyberspace.

(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) A review of actions and activities undertaken by the Secretary of State to date to support the goal of the President's International Strategy for Cyberspace, released in May 2011, to ''work internationally to promote an open, interoperable, secure, and reliable information and communications infrastructure that supports international trade and commerce, strengthens international security, and fosters free expression and innovation.''.

(2) A plan of action to guide the diplomacy of the Secretary of State, with regard to foreign countries, including conducting bilateral and multilateral activities to develop the norms of responsible international behavior in cyberspace, and status review of existing discussions in multilateral fora to obtain agreements on international norms in cyberspace.

(3) A review of the alternative concepts with regard to international norms in cyberspace offered by foreign countries that are prominent actors, including China, Russia, Brazil, and India.

(4) A detailed description of threats to United States national security in cyberspace from foreign countries, state-sponsored actors, and private actors to Federal and private sector infrastructure of the United States, intellectual property in the United States, and the privacy of citizens of the United States.

(5) A review of policy tools available to the President to deter foreign countries, state-sponsored actors, and private actors, including those outlined in Executive Order 13694, released on April 1, 2015.

(6) A review of resources required by the Secretary, including the Office of the Coordinator for Cyber Issues, to conduct activities to build responsible norms of international cyber behavior.

(c) CONSULTATION.—In preparing the strategy required by subsection (a), the Secretary of State shall consult, as appropriate, with other agencies and departments of the United States and the private sector and nongovernmental organizations in the United States with recognized credentials and expertise in foreign policy, national security, and cybersecurity.

(d) FORM OF STRATEGY.—The strategy required by subsection (a) shall be in unclassified form, but may include a classified annex.

(e) AVAILABILITY OF INFORMATION.—The Secretary of State shall—

(1) make the strategy required in subsection (a) available the public; and

(2) brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the strategy, including any material contained in a classified annex.

**SEC. 403. APPREHENSION AND PROSECUTION OF INTERNATIONAL CYBER CRIMINALS.**

(a) INTERNATIONAL CYBER CRIMINAL DEFINED.—In this section, the term ''international cyber criminal'' means an individual—

(1) who is believed to have committed a cybercrime or intellectual property crime against the interests of the United States or the citizens of the United States; and

(2) for whom—

(A) an arrest warrant has been issued by a judge in the United States; or

(B) an international wanted notice (commonly referred to as a ''Red Notice'') has been circulated by Interpol.

(b) CONSULTATIONS FOR NONCOOPERATION.—The Secretary of State, or designee, shall consult with the appropriate government official of each country from which extradition is not likely due to the lack of an extradition treaty with the United States or other reasons, in which one or more international cyber criminals are physically present, to determine what actions the government of such country has taken—

(1) to apprehend and prosecute such criminals; and

(2) to prevent such criminals from carrying out cybercrimes or intellectual property crimes against the interests of the United States or its citizens.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees an annual report that includes—

(A) the number of international cyber criminals located in other countries, disaggregated by country, and indicating from which countries extradition is not like-

ly due to the lack of an extradition treaty with the United States or other reasons;

(B) the nature and number of significant discussions by an official of the Department of State on ways to thwart or prosecute international cyber criminals with an official of another country, including the name of each such country; and

(C) for each international cyber criminal who was extradited to the United States during the most recently completed calendar year—

(i) his or her name;

(ii) the crimes for which he or she was charged;

(iii) his or her previous country of residence; and

(iv) the country from which he or she was extradited into the United States.

(2) FORM.—The report required by this subsection shall be in unclassified form to the maximum extent possible, but may include a classified annex.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Homeland Security, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives.

**SEC. 404. ENHANCEMENT OF EMERGENCY SERVICES.**

(a) COLLECTION OF DATA.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the center established under section 227 of the Homeland Security Act of 2002, as redesignated by section 223(a)(3) of this division, in coordination with appropriate Federal entities and the Director for Emergency Communications, shall establish a process by which a Statewide Interoperability Coordinator may report data on any cybersecurity risk or incident involving any information system or network used by emergency response providers (as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101)) within the State.

(b) ANALYSIS OF DATA.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Director of the National Cybersecurity and Communications Integration Center, in coordination with appropriate entities and the Director for Emergency Communications, and in consultation with the Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology, shall conduct integration and analysis of the data reported under subsection (a) to develop information and recommendations on security and resilience measures for any information system or network used by State emergency response providers.

(c) BEST PRACTICES.—

(1) IN GENERAL.—Using the results of the integration and analysis conducted under subsection (b), and any other relevant information, the Director of the National Institute of Standards and Technology shall, on an ongoing basis, facilitate and support the development of methods for reducing cybersecurity risks to emergency response providers using the process described in section 2(e) of the National Institute of Standards and Technology Act (15 U.S.C. 272(e)).

(2) REPORT.—The Director of the National Institute of Standards and Technology shall submit to Congress a report on the result of the activities of the Director under paragraph (1), including any methods developed by the Director under such paragraph, and shall make such report publicly available on the website of the National Institute of Standards and Technology.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) require a State to report data under subsection (a); or

(2) require a non-Federal entity (as defined in section 102) to—

(A) adopt a recommended measure developed under subsection (b); or

(B) follow the result of the activities carried out under subsection (c), including any methods developed under such subsection.

**SEC. 405. IMPROVING CYBERSECURITY IN THE HEALTH CARE INDUSTRY.**

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Health, Education, Labor, and Pensions, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Energy and Commerce, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) BUSINESS ASSOCIATE.—The term ''business associate'' has the meaning given such term in section 160.103 of title 45, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

(3) COVERED ENTITY.—The term ''covered entity'' has the meaning given such term in section 160.103 of title 45, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

(4) CYBERSECURITY THREAT; CYBER THREAT INDICATOR; DEFENSIVE MEASURE; FEDERAL ENTITY; NON-FEDERAL ENTITY; PRIVATE ENTITY.—The terms ''cybersecurity threat'', ''cyber threat indicator'', ''defensive measure'', ''Federal entity'', ''non-Federal entity'', and ''private entity'' have the meanings given such terms in section 102 of this division.

(5) HEALTH CARE CLEARINGHOUSE; HEALTH CARE PROVIDER; HEALTH PLAN.—The terms ''health care clearinghouse'', ''health care provider'', and ''health plan'' have the meanings given such terms in section 160.103 of title 45, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

(6) HEALTH CARE INDUSTRY STAKEHOLDER.—The term ''health care industry stakeholder'' means any—

(A) health plan, health care clearinghouse, or health care provider;

(B) advocate for patients or consumers;

(C) pharmacist;

(D) developer or vendor of health information technology;

(E) laboratory;

(F) pharmaceutical or medical device manufacturer; or

(G) additional stakeholder the Secretary determines necessary for purposes of subsection (b)(1), (c)(1), (c)(3), or (d)(1).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the preparedness of the Department of Health and Human Services and health care industry stakeholders in responding to cybersecurity threats.

(2) CONTENTS OF REPORT.—With respect to the internal response of the Department of Health and Human Services to emerging cybersecurity threats, the report under paragraph (1) shall include—

(A) a clear statement of the official within the Department of Health and Human Services to be responsible for leading and coordinating efforts of the Department regarding cybersecurity threats in the health care industry; and

(B) a plan from each relevant operating division and subdivision of the Department of Health and Human Services on how such division or subdivision will address cybersecurity threats in the health care industry, including a clear delineation of how each such division or subdivision will divide responsibility among the personnel of such division or subdivision and communicate with other such divisions and subdivisions regarding efforts to address such threats.

(c) HEALTH CARE INDUSTRY CYBERSECURITY TASK FORCE.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Director of the National Institute of Standards and Technology and the Secretary of Homeland Security, shall convene health care industry stakeholders, cybersecurity experts, and any Federal agencies or entities the Secretary determines appropriate to establish a task force to—

(A) analyze how industries, other than the health care industry, have implemented strategies and safeguards for addressing cybersecurity threats within their respective industries;

(B) analyze challenges and barriers private entities (excluding any State, tribal, or local government) in the health care industry face securing themselves against cyber attacks;

(C) review challenges that covered entities and business associates face in securing networked medical devices and other software or systems that connect to an electronic health record;

(D) provide the Secretary with information to disseminate to health care industry stakeholders of all sizes for purposes of improving their preparedness for, and response to, cybersecurity threats affecting the health care industry;

(E) establish a plan for implementing title I of this division, so that the Federal Government and health care industry stakeholders may in real time, share actionable cyber threat indicators and defensive measures; and

(F) report to the appropriate congressional committees on the findings and recommendations of the task force regarding carrying out subparagraphs (A) through (E).

(2) TERMINATION.—The task force established under this subsection shall terminate on the date that is 1 year after the date on which such task force is established.

(3) DISSEMINATION.—Not later than 60 days after the termination of the task force established under this subsection, the Secretary shall disseminate the information described in paragraph (1)(D) to health care industry stakeholders in accordance with such paragraph.

(d) ALIGNING HEALTH CARE INDUSTRY SECURITY APPROACHES.—

(1) IN GENERAL.—The Secretary shall establish, through a collaborative process with the Secretary of Homeland Security, health care industry stakeholders, the Director of the National Institute of Standards and Technology, and any Federal entity or non-Federal entity the Secretary determines appropriate, a common set of voluntary, consensus-based, and industry-led guidelines,

best practices, methodologies, procedures, and processes that—

(A) serve as a resource for cost-effectively reducing cybersecurity risks for a range of health care organizations;

(B) support voluntary adoption and implementation efforts to improve safeguards to address cybersecurity threats;

(C) are consistent with—

(i) the standards, guidelines, best practices, methodologies, procedures, and processes developed under section 2(c)(15) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)(15));

(ii) the security and privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note); and

(iii) the provisions of the Health Information Technology for Economic and Clinical Health Act (title XIII of division A, and title IV of division B, of Public Law 111–5), and the amendments made by such Act; and

(D) are updated on a regular basis and applicable to a range of health care organizations.

(2) LIMITATION.—Nothing in this subsection shall be interpreted as granting the Secretary authority to—

(A) provide for audits to ensure that health care organizations are in compliance with this subsection; or

(B) mandate, direct, or condition the award of any Federal grant, contract, or purchase, on compliance with this subsection.

(3) NO LIABILITY FOR NONPARTICIPATION.—Nothing in this section shall be construed to subject a health care industry stakeholder to liability for choosing not to engage in the voluntary activities authorized or guidelines developed under this subsection.

(e) INCORPORATING ONGOING ACTIVITIES.—In carrying out the activities under this section, the Secretary may incorporate activities that are ongoing as of the day before the date of enactment of this Act and that are consistent with the objectives of this section.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the antitrust exemption under section 104(e) or the protection from liability under section 106.

**SEC. 406. FEDERAL COMPUTER SECURITY.**

(a) DEFINITIONS.—In this section:

(1) COVERED SYSTEM.—The term ''covered system'' shall mean a national security system as defined in section 11103 of title 40, United States Code, or a Federal computer system that provides access to personally identifiable information.

(2) COVERED AGENCY.—The term ''covered agency'' means an agency that operates a covered system.

(3) LOGICAL ACCESS CONTROL.—The term ''logical access control'' means a process of granting or denying specific requests to obtain and use information and related information processing services.

(4) MULTI-FACTOR AUTHENTICATION.—The term ''multi-factor authentication'' means the use of not fewer than 2 authentication factors, such as the following:

(A) Something that is known to the user, such as a password or personal identification number.

(B) An access device that is provided to the user, such as a cryptographic identification device or token.

(C) A unique biometric characteristic of the user.

(5) PRIVILEGED USER.—The term ''privileged user'' means a user who has access to system control, monitoring, or administrative functions.

(b) INSPECTOR GENERAL REPORTS ON COVERED SYSTEMS.—

(1) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Inspector General of each covered agency shall submit to the appropriate committees of jurisdiction in the Senate and the House of Representatives a report, which shall include information collected from the covered agency for the contents described in paragraph (2) regarding the Federal computer systems of the covered agency.

(2) CONTENTS.—The report submitted by each Inspector General of a covered agency under paragraph (1) shall include, with respect to the covered agency, the following:

(A) A description of the logical access policies and practices used by the covered agency to access a covered system, including whether appropriate standards were followed.

(B) A description and list of the logical access controls and multi-factor authentication used by the covered agency to govern access to covered systems by privileged users.

(C) If the covered agency does not use logical access controls or multi-factor authentication to access a covered system, a description of the reasons for not using such logical access controls or multi-factor authentication.

(D) A description of the following information security management practices used by the covered agency regarding covered systems:

(i) The policies and procedures followed to conduct inventories of the software present on the covered systems of the covered agency and the licenses associated with such software.

(ii) What capabilities the covered agency utilizes to monitor and detect exfiltration and other threats, including—

(I) data loss prevention capabilities;

(II) forensics and visibility capabilities; or

(III) digital rights management capabilities.

(iii) A description of how the covered agency is using the capabilities described in clause (ii).

(iv) If the covered agency is not utilizing capabilities described in clause (ii), a description of the reasons for not utilizing such capabilities.

(E) A description of the policies and procedures of the covered agency with respect to ensuring that entities, including contractors, that provide services to the covered agency are implementing the information security management practices described in subparagraph (D).

(3) EXISTING REVIEW.—The reports required under this subsection may be based in whole or in part on an audit, evaluation, or report relating to programs or practices of the covered agency, and may be submitted as part of another report, including the report required under section 3555 of title 44, United States Code.

(4) CLASSIFIED INFORMATION.—Reports submitted under this subsection shall be in unclassified form, but may include a classified annex.

**SEC. 407. STOPPING THE FRAUDULENT SALE OF FINANCIAL INFORMATION OF PEOPLE OF THE UNITED STATES.**

Section 1029(h) of title 18, United States Code, is amended by striking ''title if—'' and all that follows through ''therefrom.'' and inserting ''title if the offense involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity organized under the laws of the United States, or any State, the District of Columbia, or other territory of the United States.''.

## DIVISION O—OTHER MATTERS

**SEC. 1. TABLE OF CONTENTS.**

The table of contents for this division is as follows:

## TITLE I—OIL EXPORTS, SAFETY VALVE, AND MARITIME SECURITY

### SEC. 101. OIL EXPORTS, SAFETY VALVE, AND MARITIME SECURITY.

(a) REPEAL.—Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) and the item relating thereto in the table of contents of that Act are repealed.

(b) NATIONAL POLICY ON OIL EXPORT RESTRICTION.—Notwithstanding any other provision of law, except as provided in subsections (c) and (d), to promote the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including fossil fuels, no official of the Federal Government shall impose or enforce any restriction on the export of crude oil.

(c) SAVINGS CLAUSE.—Nothing in this section limits the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or regulations issued under that Act (other than section 754.2 of title 15, Code of Federal Regulations), the National Emergencies Act (50 U.S.C. 1601 et seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the Enemy Act (50 U.S.C. App. 1 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a foreign government that is designated as a state sponsor of terrorism, to prohibit exports.

(d) EXCEPTIONS AND PRESIDENTIAL AUTHORITY.—

(1) IN GENERAL.—The President may impose export licensing requirements or other restrictions on the export of crude oil from the United States for a period of not more than 1 year, if—

(A) the President declares a national emergency and formally notices the declaration of a national emergency in the Federal Register;

(B) the export licensing requirements or other restrictions on the export of crude oil from the United States under this subsection apply to 1 or more countries, persons, or organizations in the context of sanctions or trade restrictions imposed by the United States for reasons of national security by the Executive authority of the President or by Congress; or

(C) the Secretary of Commerce, in consultation with the Secretary of Energy, finds and reports to the President that—

(i) the export of crude oil pursuant to this Act has caused sustained material oil supply shortages or sustained oil prices significantly above world market levels that are directly attributable to the export of crude oil produced in the United States; and

(ii) those supply shortages or price increases have caused or are likely to cause sustained material adverse employment effects in the United States.

(2) RENEWAL.—Any requirement or restriction imposed pursuant to subparagraph (A) of paragraph (1) may be renewed for 1 or more additional periods of not more than 1 year each.

(e) NATIONAL DEFENSE SEALIFT ENHANCEMENT.—

(1) PAYMENTS.—Section 53106(a)(1) of title 46, United States Code, is amended—

(A) in subparagraph (B), by striking the comma before ''for each'';

(B) in subparagraph (C), by striking ''2015, 2016, 2017, and 2018;'' and inserting ''and 2015;'';

(C) by redesignating subparagraph (E) as subparagraph (G); and

(D) by striking subparagraph (D) and inserting the following:

''(D) $4,999,950 for fiscal year 2017;

''(E) $5,000,000 for each of fiscal years 2018, 2019, and 2020;

''(F) $5,233,463 for fiscal year 2021; and''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 53111 of title 46, United States Code, is amended—

(A) in paragraph (3), by striking ''2015, 2017, and 2018;'' and inserting ''and 2015'';

(B) by redesignating paragraph (5) as paragraph (7); and

(C) by striking paragraph (4) and inserting the following:

''(4) $299,997,000 for fiscal year 2017;

''(5) $300,000,000 for each of fiscal years 2018, 2019, and 2020;

''(6) $314,007,780 for fiscal year 2021; and''.

## TITLE II—TERRORIST TRAVEL PREVENTION AND VISA WAIVER PROGRAM REFORM

### SECTION 201. SHORT TITLE.

This title may be cited as the ''Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015''.

### SEC. 202. ELECTRONIC PASSPORT REQUIREMENT.

(a) REQUIREMENT FOR ALIEN TO POSSESS ELECTRONIC PASSPORT.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended to read as follows:

''(3) PASSPORT REQUIREMENTS.—The alien, at the time of application for admission, is in possession of a valid unexpired passport that satisfies the following:

''(A) MACHINE READABLE.—The passport is a machine-readable passport that is tamper-resistant, incorporates document authentication identifiers, and otherwise satisfies the internationally accepted standard for machine readability.

''(B) ELECTRONIC.—Beginning on April 1, 2016, the passport is an electronic passport that is fraud-resistant, contains relevant biographic and biometric information (as determined by the Secretary of Homeland Security), and otherwise satisfies internationally accepted standards for electronic passports.''.

(b) REQUIREMENT FOR PROGRAM COUNTRY TO VALIDATE PASSPORTS.—Section 217(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(B)) is amended to read as follows:

''(B) PASSPORT PROGRAM.—

''(i) ISSUANCE OF PASSPORTS.—The government of the country certifies that it issues to its citizens passports described in subparagraph (A) of subsection (a)(3), and on or after April 1, 2016, passports described in subparagraph (B) of subsection (a)(3).

''(ii) VALIDATION OF PASSPORTS.—Not later than October 1, 2016, the government of the country certifies that it has in place mechanisms to validate passports described in subparagraphs (A) and (B) of subsection (a)(3) at each key port of entry into that country. This requirement shall not apply to travel between countries which fall within the Schengen Zone.''.

(c) CONFORMING AMENDMENT.—Section 303(c) of the Enhanced Border Security and Visa Entry Reform Act of 2002 is repealed (8 U.S.C. 1732(c)).

### SEC. 203. RESTRICTION ON USE OF VISA WAIVER PROGRAM FOR ALIENS WHO TRAVEL TO CERTAIN COUNTRIES.

Section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)), as amended by this Act, is further amended by adding at the end the following:

''(12) NOT PRESENT IN IRAQ, SYRIA, OR ANY OTHER COUNTRY OR AREA OF CONCERN.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C)—

''(i) the alien has not been present, at any time on or after March 1, 2011—

''(I) in Iraq or Syria;

''(II) in a country that is designated by the Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 2405) (as continued in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), section 40 of the Arms Export Control Act (22 U.S.C. 2780), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), or any other provision of law, as a country, the government of which has repeatedly provided support of acts of international terrorism; or

''(III) in any other country or area of concern designated by the Secretary of Homeland Security under subparagraph (D); and

''(ii) regardless of whether the alien is a national of a program country, the alien is not a national of—

''(I) Iraq or Syria;

''(II) a country that is designated, at the time the alien applies for admission, by the Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 2405) (as continued in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), section 40 of the Arms Export Control Act (22 U.S.C. 2780), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), or any other provision of law, as a country, the government of which has repeatedly provided support of acts of international terrorism; or

''(III) any other country that is designated, at the time the alien applies for admission, by the Secretary of Homeland Security under subparagraph (D).

''(B) CERTAIN MILITARY PERSONNEL AND GOVERNMENT EMPLOYEES.—Subparagraph (A)(i) shall not apply in the case of an alien if the Secretary of Homeland Security determines that the alien was present—

''(i) in order to perform military service in the armed forces of a program country; or

''(ii) in order to carry out official duties as a full time employee of the government of a program country.

''(C) WAIVER.—The Secretary of Homeland Security may waive the application of subparagraph (A) to an alien if the Secretary determines that such a waiver is in the law enforcement or national security interests of the United States.

''(D) COUNTRIES OR AREAS OF CONCERN.—

''(i) IN GENERAL.—Not later than 60 days after the date of the enactment of this paragraph, the Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall determine whether the requirement under subparagraph (A) shall apply to any other country or area.

''(ii) CRITERIA.—In making a determination under clause (i), the Secretary shall consider—

''(I) whether the presence of an alien in the country or area increases the likelihood that the alien is a credible threat to the national security of the United States;

''(II) whether a foreign terrorist organization has a significant presence in the country or area; and

''(III) whether the country or area is a safe haven for terrorists.

''(iii) ANNUAL REVIEW.—The Secretary shall conduct a review, on an annual basis, of any determination made under clause (i).

''(E) REPORT.—Beginning not later than one year after the date of the enactment of this paragraph, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate a report on each instance in which the Secretary exercised the waiver authority under subparagraph (C) during the previous year.''.

**SEC. 204. DESIGNATION REQUIREMENTS FOR PROGRAM COUNTRIES.**

(a) REPORTING LOST AND STOLEN PASSPORTS.—Section 217(c)(2)(D) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(D)), as amended by this Act, is further amended by striking ''within a strict time limit'' and inserting ''not later than 24 hours after becoming aware of the theft or loss''.

(b) INTERPOL SCREENING.—Section 217(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)), as amended by this Act, is further amended by adding at the end the following:

''(G) INTERPOL SCREENING.—Not later than 270 days after the date of the enactment of this subparagraph, except in the case of a country in which there is not an international airport, the government of the country certifies to the Secretary of Homeland Security that, to the maximum extent allowed under the laws of the country, it is screening, for unlawful activity, each person who is not a citizen or national of that country who is admitted to or departs that country, by using relevant databases and notices maintained by Interpol, or other means designated by the Secretary of Homeland Security. This requirement shall not apply to travel between countries which fall within the Schengen Zone.''.

(c) IMPLEMENTATION OF PASSENGER INFORMATION EXCHANGE AGREEMENT.—Section 217(c)(2)(F) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(F)), as amended by this Act, is further amended by inserting before the period at the end the following: '', and fully implements such agreement''.

(d) TERMINATION OF DESIGNATION.—Section 217(f) of the Immigration and Nationality Act (8 U.S.C. 1187(f)) is amended by adding at the end the following:

''(6) FAILURE TO SHARE INFORMATION.—

''(A) IN GENERAL.—If the Secretary of Homeland Security and the Secretary of State jointly determine that the program country is not sharing information, as required by subsection (c)(2)(F), the Secretary of Homeland Security shall terminate the designation of the country as a program country.

''(B) REDESIGNATION.—In the case of a termination under this paragraph, the Secretary of Homeland Security shall redesignate the country as a program country, without regard to paragraph (2) or (3) of subsection (c) or paragraphs (1) through (4), when the Secretary of Homeland Security, in consultation with the Secretary of State, determines that the country is sharing information, as required by subsection (c)(2)(F).

''(7) FAILURE TO SCREEN.—

''(A) IN GENERAL.—Beginning on the date that is 270 days after the date of the enactment of this paragraph, if the Secretary of Homeland Security and the Secretary of State jointly determine that the program country is not conducting the screening required by subsection (c)(2)(G), the Secretary of Homeland Security shall terminate the designation of the country as a program country.

''(B) REDESIGNATION.—In the case of a termination under this paragraph, the Secretary of Homeland Security shall redesignate the country as a program country, without regard to paragraph (2) or (3) of subsection (c) or paragraphs (1) through (4), when the Secretary of Homeland Security, in consultation with the Secretary of State, determines that the country is conducting the screening required by subsection (c)(2)(G).''.

**SEC. 205. REPORTING REQUIREMENTS.**

(a) IN GENERAL.—Section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)), as amended by this Act, is further amended—

(1) in paragraph (2)(C)(iii)—

(A) by striking ''and the Committee on International Relations'' and inserting '', the Committee on Foreign Affairs, and the Committee on Homeland Security''; and

(B) by striking ''and the Committee on Foreign Relations'' and inserting '', the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs''; and

(2) in paragraph (5)(A)(i)—

(A) in subclause (III)—

(i) by inserting after ''the Committee on Foreign Affairs,'' the following: ''the Permanent Select Committee on Intelligence,'';

(ii) by inserting after ''the Committee on Foreign Relations,'' the following: ''the Select Committee on Intelligence''; and

(iii) by striking ''and'' at the end;

(B) in subclause (IV), by striking the period at the end and inserting the following: ''; and''; and

(C) by adding at the end the following:

''(V) shall submit to the committees described in subclause (III), a report that includes an assessment of the threat to the national security of the United States of the designation of each country designated as a program country, including the compliance of the government of each such country with the requirements under subparagraphs (D) and (F) of paragraph (2), as well as each such government's capacity to comply with such requirements.''.

(b) DATE OF SUBMISSION OF FIRST REPORT.—The Secretary of Homeland Security shall submit the first report described in subclause (V) of section 217(c)(5)(A)(i) of the Immigration and Nationality Act (8 U.S.C. (c)(5)(A)(i)), as added by subsection (a), not later than 90 days after the date of the enactment of this Act.

**SEC. 206. HIGH RISK PROGRAM COUNTRIES.**

Section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)), as amended by this Act, is further amended by adding at the end the following:

''(12) DESIGNATION OF HIGH RISK PROGRAM COUNTRIES.—

''(A) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Secretary of State, shall evaluate program countries on an annual basis based on the criteria described in subparagraph (B) and shall identify any program country, the admission of nationals from which under the visa waiver program under this section, the Secretary determines presents a high risk to the national security of the United States.

''(B) CRITERIA.—In evaluating program countries under subparagraph (A), the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Secretary of State, shall consider the following criteria:

''(i) The number of nationals of the country determined to be ineligible to travel to the United States under the program during the previous year.

''(ii) The number of nationals of the country who were identified in United States Government databases related to the identities of known or suspected terrorists during the previous year.

''(iii) The estimated number of nationals of the country who have traveled to Iraq or Syria at any time on or after March 1, 2011 to engage in terrorism.

''(iv) The capacity of the country to combat passport fraud.

''(v) The level of cooperation of the country with the counter-terrorism efforts of the United States.

''(vi) The adequacy of the border and immigration control of the country.

''(vii) Any other criteria the Secretary of Homeland Security determines to be appropriate.

''(C) SUSPENSION OF DESIGNATION.—The Secretary of Homeland Security, in consultation with the Secretary of State, may suspend the designation of a program country based on a determination that the country presents a high risk to the national security of the United States under subparagraph (A) until such time as the Secretary determines that the country no longer presents such a risk.

''(D) REPORT.—Not later than 60 days after the date of the enactment of this paragraph, and annually thereafter, the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the Committee on Homeland Security, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate a report, which includes an evaluation and threat assessment of each country determined to present a high risk to the national security of the United States under subparagraph (A).''.

**SEC. 207. ENHANCEMENTS TO THE ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.**

(a) IN GENERAL.—Section 217(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)) is amended—

(1) in subparagraph (C)(i), by inserting after ''any such determination'' the following: ''or shorten the period of eligibility under any such determination'';

(2) by striking subparagraph (D) and inserting the following:

''(D) FRAUD DETECTION.—The Secretary of Homeland Security shall research opportunities to incorporate into the System technology that will detect and prevent fraud and deception in the System.

''(E) ADDITIONAL AND PREVIOUS COUNTRIES OF CITIZENSHIP.—The Secretary of Homeland Security shall collect from an applicant for admission pursuant to this section information on any additional or previous countries of citizenship of that applicant. The Secretary shall take any information so collected into account when making determinations as to the eligibility of the alien for admission pursuant to this section.

''(F) REPORT ON CERTAIN LIMITATIONS ON TRAVEL.—Not later than 30 days after the date of the enactment of this subparagraph and annually thereafter, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Com-

mittee on the Judiciary, and the Committee on Foreign Relations of the Senate a report on the number of individuals who were denied eligibility to travel under the program, or whose eligibility for such travel was revoked during the previous year, and the number of such individuals determined, in accordance with subsection (a)(6), to represent a threat to the national security of the United States, and shall include the country or countries of citizenship of each such individual.''.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Foreign Relations of the Senate a report on steps to strengthen the electronic system for travel authorization authorized under section 217(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3))) in order to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States.

**SEC. 208. PROVISION OF ASSISTANCE TO NON-PROGRAM COUNTRIES.**

The Secretary of Homeland Security, in consultation with the Secretary of State, shall provide assistance in a risk-based manner to countries that do not participate in the visa waiver program under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) to assist those countries in—

(1) submitting to Interpol information about the theft or loss of passports of citizens or nationals of such a country; and

(2) issuing, and validating at the ports of entry of such a country, electronic passports that are fraud-resistant, contain relevant biographic and biometric information (as determined by the Secretary of Homeland Security), and otherwise satisfy internationally accepted standards for electronic passports.

**SEC. 209. CLERICAL AMENDMENTS.**

(a) SECRETARY OF HOMELAND SECURITY.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), as amended by this Act, is further amended by striking ''Attorney General'' each place such term appears (except in subsection (c)(11)(B)) and inserting ''Secretary of Homeland Security''.

(b) ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), as amended this Act, is further amended—

(1) by striking ''electronic travel authorization system'' each place it appears and inserting ''electronic system for travel authorization'';

(2) in the heading in subsection (a)(11), by striking ''ELECTRONIC TRAVEL AUTHORIZATION SYSTEM'' and inserting ''ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION''; and

(3) in the heading in subsection (h)(3), by striking ''ELECTRONIC TRAVEL AUTHORIZATION SYSTEM'' and inserting ''ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION''.

**SEC. 210. SENSE OF CONGRESS.**

It is the sense of Congress that the International Civil Aviation Organization, the specialized agency of the United Nations responsible for establishing international standards, specifications, and best practices related to the administration and governance of border controls and inspection formalities, should establish standards for the introduction of electronic passports (referred to in this section as ''e-passports''), and obligate member countries to utilize such e-passports as soon as possible. Such e-passports should be a combined paper and electronic passport that contains biographic and biometric information that can be used to authenticate the identity of travelers through an embedded chip.

**TITLE III—JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT**

**SEC. 301. SHORT TITLE.**

This title may be cited as the ''James Zadroga 9/11 Health and Compensation Reauthorization Act''.

**SEC. 302. REAUTHORIZING THE WORLD TRADE CENTER HEALTH PROGRAM.**

(a) WORLD TRADE CENTER HEALTH PROGRAM FUND.—Section 3351 of the Public Health Service Act (42 U.S.C. 300mm–61) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''each of fiscal years 2012'' and all that follows through ''2011)'' and inserting ''fiscal year 2016 and each subsequent fiscal year through fiscal year 2090''; and

(ii) by striking subparagraph (A) and inserting the following:

''(A) the Federal share, consisting of an amount equal to—

''(i) for fiscal year 2016, $330,000,000;

''(ii) for fiscal year 2017, $345,610,000;

''(iii) for fiscal year 2018, $380,000,000;

''(iv) for fiscal year 2019, $440,000,000;

''(v) for fiscal year 2020, $485,000,000;

''(vi) for fiscal year 2021, $501,000,000;

''(vii) for fiscal year 2022, $518,000,000;

''(viii) for fiscal year 2023, $535,000,000;

''(ix) for fiscal year 2024, $552,000,000;

''(x) for fiscal year 2025, $570,000,000; and

''(xi) for each subsequent fiscal year through fiscal year 2090, the amount specified under this subparagraph for the previous fiscal year increased by the percentage increase in the consumer price index for all urban consumers (all items; United States city average) as estimated by the Secretary for the 12-month period ending with March of the previous year; plus''; and

(B) by striking paragraph (4) and inserting the following:

''(4) AMOUNTS FROM PRIOR FISCAL YEARS.—Amounts that were deposited, or identified for deposit, into the Fund for any fiscal year under paragraph (2), as such paragraph was in effect on the day before the date of enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act, that were not expended in carrying out this title for any such fiscal year, shall remain deposited, or be deposited, as the case may be, into the Fund.

''(5) AMOUNTS TO REMAIN AVAILABLE UNTIL EXPENDED.—Amounts deposited into the Fund under this subsection, including amounts deposited under paragraph (2) as in effect on the day before the date of enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act, for a fiscal year shall remain available, for the purposes described in this title, until expended for such fiscal year and any subsequent fiscal year through fiscal year 2090.'';

(2) in subsection (b)(1), by striking ''sections 3302(a)'' and all that follows through ''3342'' and inserting ''sections 3301(e), 3301(f), 3302(a), 3302(b), 3303, 3304, 3305(a)(1), 3305(a)(2), 3305(c), 3341, and 3342''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) by redesignating subparagraph (C) as subparagraph (B); and

(iii) by amending subparagraph (A) to read as follows:

''(A) for fiscal year 2016, the amount determined for such fiscal year under subparagraph (C) as in effect on the day before the date of enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act; and'';

(B) in paragraph (2)—

(i) by amending subparagraph (A) to read as follows:

''(A) for fiscal year 2016, $200,000;'';

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(C) in paragraph (3), by striking ''section 3303'' and all that follows and inserting ''section 3303, for fiscal year 2016 and each subsequent fiscal year, $750,000.'';

(D) in paragraph (4), by striking subparagraphs (A) and (B) and inserting the following:

''(A) for fiscal year 2016, the amount determined for such fiscal year under subparagraph (C) as in effect on the day before the date of enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act;

''(B) for fiscal year 2017, $15,000,000; and'';

(E) in paragraph (5)—

(i) by striking subparagraph (B);

(ii) by redesignating subparagraph (C) as subparagraph (B); and

(iii) by amending subparagraph (A) to read as follows:

''(A) for fiscal year 2016, the amount determined for such fiscal year under subparagraph (C) as in effect on the day before the date of enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act; and''; and

(F) in paragraph (6)—

(i) by striking subparagraph (B);

(ii) by redesignating subparagraph (C) as subparagraph (B); and

(iii) by amending subparagraph (A) to read as follows:

''(A) for fiscal year 2016, the amount determined for such fiscal year under subparagraph (C) as in effect on the day before the date of enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act; and''.

(b) GAO STUDIES; REGULATIONS; TERMINATION.—Section 3301 of the Public Health Service Act (42 U.S.C. 300mm) is amended by adding at the end the following:

''(i) GAO STUDIES.—

''(1) REPORT.—Not later than 18 months after the date of the enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that assesses, with respect to the WTC Program, the effectiveness of each of the following:

''(A) The quality assurance program developed and implemented under subsection (e).

''(B) The procedures for providing certifications of coverage of conditions as WTC-related health conditions for enrolled WTC responders under section 3312(b)(2)(B)(iii) and for screening-eligible WTC survivors and certified-eligible WTC survivors under such section as applied under section 3322(a).

''(C) Any action under the WTC Program to ensure appropriate payment (including the avoidance of improper payments), including determining the extent to which individuals enrolled in the WTC Program are eligible for workers compensation or sources of health coverage, ascertaining the liability of such compensation or sources of health coverage, and making recommendations for ensuring effective and efficient coordination of benefits for individuals enrolled in the WTC Program that does not place an undue burden on such individuals.

''(2) SUBSEQUENT ASSESSMENTS.—Not later than 6 years and 6 months after the date of enactment of the James Zadroga 9/11 Health

and Compensation Reauthorization Act, and every 5 years thereafter through fiscal year 2042, the Comptroller General of the United States shall—

''(A) consult the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the objectives in assessing the WTC Program; and

''(B) prepare and submit to such Committees a report that assesses the WTC Program for the applicable reporting period, including the objectives described in subparagraph (A).

''(j) REGULATIONS.—The WTC Program Administrator is authorized to promulgate such regulations as the Administrator determines necessary to administer this title.

''(k) TERMINATION.—The WTC Program shall terminate on October 1, 2090.''.

(c) CLINICAL CENTERS OF EXCELLENCE AND DATA CENTERS.—Section 3305 of the Public Health Service Act (42 U.S.C. 300mm–4) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by inserting ''and retention'' after ''outreach''; and

(B) in paragraph (2)(A)(iii), by inserting ''and retention'' after ''outreach''; and

(2) in subsection (b)(1)(B)(vi), by striking ''section 3304(c)'' and inserting ''section 3304(d)''.

(d) WORLD TRADE CENTER RESPONDERS.—Section 3311(a)(4)(B)(i)(II) of the Public Health Service Act (42 U.S.C. 300mm–21(a)(4)(B)(i)(II)) is amended by striking ''through the end of fiscal year 2020''.

(e) ADDITIONS TO LIST OF HEALTH CONDITIONS FOR WTC RESPONDERS.—

(1) EXPANDING TIME FOR ACTIONS BY ADMINISTRATOR AND BY ADVISORY COMMITTEE.—Section 3312(a)(6) of the Public Health Service Act (42 U.S.C. 300mm–22(a)(6)) is amended—

(A) in subparagraph (B), in the matter preceding clause (i), by striking ''60 days'' and inserting ''90 days''; and

(B) in subparagraph (C), by striking ''60 days'' each place such term appears and inserting ''90 days''.

(2) PEER REVIEW FOR DECISIONS; ENHANCED ROLE OF ADVISORY COMMITTEE.—Section 3312(a)(6) of the Public Health Service Act (42 U.S.C. 300mm–22(a)(6)), as amended by paragraph (1), is further amended by adding at the end the following:

''(F) INDEPENDENT PEER REVIEWS.—Prior to issuing a final rule to add a health condition to the list in paragraph (3), the WTC Program Administrator shall provide for an independent peer review of the scientific and technical evidence that would be the basis for issuing such final rule.

''(G) ADDITIONAL ADVISORY COMMITTEE RECOMMENDATIONS.—

''(i) PROGRAM POLICIES.—

''(I) EXISTING POLICIES.—Not later than 1 year after the date of enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act, the WTC Program Administrator shall request the Advisory Committee to review and evaluate the policies and procedures, in effect at the time of the review and evaluation, that are used to determine whether sufficient evidence exists to support adding a health condition to the list in paragraph (3).

''(II) SUBSEQUENT POLICIES.—Prior to establishing any substantive new policy or procedure used to make the determination described in subclause (I) or prior to making any substantive amendment to any policy or procedure described in such subclause, the WTC Program Administrator shall request the Advisory Committee to review and evaluate such substantive policy, procedure, or amendment.

''(ii) IDENTIFICATION OF INDIVIDUALS CONDUCTING INDEPENDENT PEER REVIEWS.—Not later than 1 year after the date of enactment of the James Zadroga 9/11 Health and Compensation Reauthorization Act and not less than every 2 years thereafter, the WTC Program Administrator shall seek recommendations from the Advisory Committee regarding the identification of individuals to conduct the independent peer reviews under subparagraph (F).''.

(f) WORLD TRADE CENTER SURVIVORS.—Section 3321(a)(3)(B)(i)(II) of the Public Health Service Act (42 U.S.C. 300mm–31(a)(3)(B)(i)(II)) is amended by striking ''through the end of fiscal year 2020''.

(g) PAYMENT OF CLAIMS.—Section 3331(d)(1)(B) of the Public Health Service Act (42 U.S.C. 300mm–41(d)(1)(B)) is amended—

(1) by striking ''the last calendar quarter'' and all that follows through ''2015'' and inserting ''each calendar quarter of fiscal year 2016 and of each subsequent fiscal year through fiscal year 2090,''; and

(2) by striking ''and with respect to calendar quarters in fiscal year 2016'' and all that follows and inserting a period.

(h) WORLD TRADE CENTER HEALTH REGISTRY.—Section 3342 of the Public Health Service Act (42 U.S.C. 300mm–52) is amended by striking ''April 20, 2009'' and inserting ''January 1, 2015''.

## TITLE IV—JAMES ZADROGA 9/11 VICTIM COMPENSATION FUND REAUTHORIZATION

### SEC. 401. SHORT TITLE.

This title may be cited as the ''James Zadroga 9/11 Victim Compensation Fund Reauthorization Act''.

### SEC. 402. REAUTHORIZING THE SEPTEMBER 11TH VICTIM COMPENSATION FUND OF 2001.

(a) DEFINITIONS.—Section 402 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) is amended—

(1) in paragraph (9)—

(A) by striking ''medical expense loss,''; and

(B) by striking ''and loss of business or employment opportunities'' and inserting ''loss of business or employment opportunities, and past out-of-pocket medical expense loss but not future medical expense loss'';

(2) by redesignating paragraph (14) as paragraph (16);

(3) by inserting after paragraph (13), the following:

''(14) WTC PROGRAM ADMINISTRATOR.—The term 'WTC Program Administrator' has the meaning given such term in section 3306 of the Public Health Service Act (42 U.S.C. 300mm–5).

''(15) WTC-RELATED PHYSICAL HEALTH CONDITION.—The term 'WTC-related physical health condition'—

''(A) means, subject to subparagraph (B), a WTC-related health condition as defined by section 3312(a) of the Public Health Service Act (42 U.S.C. 300mm–22(a)), including the conditions listed in section 3322(b) of such Act (42 U.S.C. 300mm–32(b)); and

''(B) does not include—

''(i) a mental health condition described in paragraph (1)(A)(ii) or (3)(B) of section 3312(a) of such Act (42 U.S.C. 300mm–22(a));

''(ii) any mental health condition certified under section 3312(b)(2)(B)(iii) of such Act (42 U.S.C. 300mm–22(b)(2)(B)(iii)) (including such certification as applied under section 3322(a) of such Act (42 U.S.C. 300mm–32(a));

''(iii) a mental health condition described in section 3322(b)(2) of such Act (42 U.S.C. 300mm–32(b)(2)); or

''(iv) any other mental health condition.''; and

(4) in paragraph (16), as redesignated by paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) the area in Manhattan that is south of the line that runs along Canal Street from the Hudson River to the intersection of Canal Street and East Broadway, north on East Broadway to Clinton Street, and east on Clinton Street to the East River;''.

(b) PURPOSE.—Section 403 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) is amended—

(1) by inserting ''full'' before ''compensation''; and

(2) by inserting '', or the rescue and recovery efforts during the immediate aftermath of such crashes'' before the period.

(c) ELIGIBILITY REQUIREMENTS FOR FILING CLAIMS.—Section 405 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) is amended—

(1) in subsection (a)(3)—

(A) by striking subparagraph (B) and inserting the following:

''(B) EXCEPTION.—A claim may be filed under paragraph (1), in accordance with subsection (c)(3)(A)(i), by an individual (or by a personal representative on behalf of a deceased individual) during the period beginning on the date on which the regulations are updated under section 407(b)(1) and ending on the date that is 5 years after the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act.

''(C) SPECIAL MASTER DETERMINATION.—

''(i) IN GENERAL.—For claims filed under this title during the period described in subparagraph (B), the Special Master shall establish a system for determining whether, for purposes of this title, the claim is—

''(I) a claim in Group A, as described in clause (ii); or

''(II) a claim in Group B, as described in clause (iii).

''(ii) GROUP A CLAIMS.—A claim under this title is a claim in Group A if—

''(I) the claim is filed under this title during the period described in subparagraph (B); and

''(II) on or before the day before the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act, the Special Master postmarks and transmits a final award determination to the claimant filing such claim.

''(iii) GROUP B CLAIMS.—A claim under this title is a claim in Group B if the claim—

''(I) is filed under this title during the period described in subparagraph (B); and

''(II) is not a claim described in clause (ii).

''(iv) DEFINITION OF FINAL AWARD DETERMINATION.—For purposes of this subparagraph, the term 'final award determination' means a letter from the Special Master indicating the total amount of compensation to which a claimant is entitled for a claim under this title without regard to the limitation under the second sentence of section 406(d)(1), as such section was in effect on the day before the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act.'';

(2) in subsection (b)—

(A) in paragraph (1)(B)(ii), by inserting ''subject to paragraph (7),'' before ''the amount'';

(B) in paragraph (6)—

(i) by striking ''The Special Master'' and inserting the following:

''(A) IN GENERAL.—The Special Master''; and

(ii) by adding at the end the following:

''(B) GROUP B CLAIMS.—Notwithstanding any other provision of this title, in the case of a claim in Group B as described in subsection (a)(3)(C)(iii), a claimant filing such claim shall receive an amount of compensation under this title for such claim that is not greater than the amount determined under paragraph (1)(B)(ii) less the amount of any collateral source compensation that such claimant has received or is entitled to receive for such claim as a result of the terrorist-related aircraft crashes of September 11, 2001.''; and

(C) by adding at the end the following:

''(7) LIMITATIONS FOR GROUP B CLAIMS.—

''(A) NONECONOMIC LOSSES.—With respect to a claim in Group B as described in subsection (a)(3)(C)(iii), the total amount of compensation to which a claimant filing such claim is entitled to receive for such claim under this title on account of any noneconomic loss—

''(i) that results from any type of cancer shall not exceed $250,000; and

''(ii) that does not result from any type of cancer shall not exceed $90,000.

''(B) DETERMINATION OF ECONOMIC LOSS.—

''(i) IN GENERAL.—Subject to the limitation described in clause (ii) and with respect to a claim in Group B as described in subsection (a)(3)(C)(iii), the Special Master shall, for purposes of calculating the amount of compensation to which a claimant is entitled under this title for such claim on account of any economic loss, determine the loss of earnings or other benefits related to employment by using the applicable methodology described in section 104.43 or 104.45 of title 28, Code of Federal Regulations, as such Code was in effect on the day before the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act.

''(ii) ANNUAL GROSS INCOME LIMITATION.—In considering annual gross income under clause (i) for the purposes described in such clause, the Special Master shall, for each year of any loss of earnings or other benefits related to employment, limit the annual gross income of the claimant (or decedent in the case of a personal representative) for each such year to an amount that is not greater than $200,000.

''(C) GROSS INCOME DEFINED.—For purposes of this paragraph, the term 'gross income' has the meaning given such term in section 61 of the Internal Revenue Code of 1986.''; and

(3) in subsection (c)(3)—

(A) in subparagraph (A)—

(i) in clause (ii), in the matter preceding subclause (I), by striking ''An individual'' and inserting ''Except with respect to claims in Group B as described in subsection (a)(3)(C)(iii), an individual'';

(ii) in clause (iii), by striking ''section 407(a)'' and inserting ''section 407(b)(1)''; and

(iii) by adding at the end the following:

''(iv) GROUP B CLAIMS.—

''(I) IN GENERAL.—Subject to subclause (II), an individual filing a claim in Group B as described in subsection (a)(3)(C)(iii) may be eligible for compensation under this title only if the Special Master, with assistance from the WTC Program Administrator as necessary, determines based on the evidence presented that the individual has a WTC-related physical health condition, as defined by section 402 of this Act.

''(II) PERSONAL REPRESENTATIVES.—An individual filing a claim in Group B, as described in subsection (a)(3)(C)(iii), who is a personal representative described in paragraph (2)(C) may be eligible for compensation under this title only if the Special Master, with assistance from the WTC Program Administrator as necessary, determines based on the evidence presented that the applicable decedent suffered from a condition that was, or would have been determined to be, a WTC-related physical health condition, as defined by section 402 of this Act.''; and

(B) in subparagraph (C)(ii)(II), by striking ''section 407(b)'' and inserting ''section 407(b)(1)''.

(d) PAYMENTS TO ELIGIBLE INDIVIDUALS.—Section 406 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) is amended—

(1) in subsection (b), by striking ''This title'' and inserting ''For the purpose of providing compensation for claims in Group A as described in section 405(a)(3)(C)(ii), this title''; and

(2) by amending subsection (d) to read as follows:

''(d) LIMITATIONS.—

''(1) GROUP A CLAIMS.—

''(A) IN GENERAL.—The total amount of Federal funds paid for compensation under this title, with respect to claims in Group A as described in section 405(a)(3)(C)(ii), shall not exceed $2,775,000,000.

''(B) REMAINDER OF CLAIM AMOUNTS.—In the case of a claim in Group A as described in section 405(a)(3)(C)(ii) and for which the Special Master has ratably reduced the amount of compensation for such claim pursuant to paragraph (2) of this subsection, as this subsection was in effect on the day before the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act, the Special Master shall, as soon as practicable after the date of enactment of such Act, authorize payment of the amount of compensation that is equal to the difference between—

''(i) the amount of compensation that the claimant would have been paid under this title for such claim without regard to the limitation under the second sentence of paragraph (1) of this subsection, as this subsection was in effect on the day before the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act; and

''(ii) the amount of compensation the claimant was paid under this title for such claim prior to the date of enactment of such Act.

''(2) GROUP B CLAIMS.—

''(A) IN GENERAL.—The total amount of Federal funds paid for compensation under this title, with respect to claims in Group B as described in section 405(a)(3)(C)(iii), shall not exceed the amount of funds deposited into the Victims Compensation Fund under section 410.

''(B) PAYMENT SYSTEM.—The Special Master shall establish a system for providing compensation for claims in Group B as described in section 405(a)(3)(C)(iii) in accordance with this subsection and section 405(b)(7).

''(C) DEVELOPMENT OF AGENCY POLICIES AND PROCEDURES.—

''(i) DEVELOPMENT.—

''(I) IN GENERAL.—Not later than 30 days after the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act, the Special Master shall develop agency policies and procedures that meet the requirements under subclauses (II) and (III) for providing compensation for claims in Group B as described in section 405(a)(3)(C)(iii), including policies and procedures for presumptive award schedules, administrative expenses, and related internal memoranda.

''(II) LIMITATION.—The policies and procedures developed under subclause (I) shall ensure that total expenditures, including administrative expenses, in providing compensation for claims in Group B, as described in section 405(a)(3)(C)(iii), do not exceed the amount of funds deposited into the Victims Compensation Fund under section 410.

''(III) PRIORITIZATION.—The policies and procedures developed under subclause (I) shall prioritize claims for claimants who are determined by the Special Master as suffering from the most debilitating physical conditions to ensure, for purposes of equity, that such claimants are not unduly burdened by such policies or procedures.

''(ii) REASSESSMENT.—Beginning 1 year after the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act, and each year thereafter until the Victims Compensation Fund is permanently closed under section 410(e), the Special Master shall conduct a reassessment of the agency policies and procedures developed under clause (i) to ensure that such policies and procedures continue to satisfy the requirements under subclauses (II) and (III) of such clause. If the Special Master determines, upon reassessment, that such agency policies or procedures do not achieve the requirements of such subclauses, the Special Master shall take additional actions or make such modifications as necessary to achieve such requirements.''.

(e) REGULATIONS.—Section 407(b) of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) JAMES ZADROGA 9/11 HEALTH AND COMPENSATION ACT OF 2010.—Not later than''; and

(2) by adding at the end the following:

''(2) JAMES ZADROGA 9/11 VICTIM COMPENSATION FUND REAUTHORIZATION ACT.—Not later than 180 days after the date of enactment of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act, the Special Master shall update the regulations promulgated under subsection (a), and updated under paragraph (1), to the extent necessary to comply with the amendments made by such Act.''.

(f) VICTIMS COMPENSATION FUND.—Title IV of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) is amended by adding at the end the following:

**''SEC. 410. VICTIMS COMPENSATION FUND.**

''(a) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the 'Victims Compensation Fund', consisting of amounts deposited into such fund under subsection (b).

''(b) DEPOSITS INTO FUND.—There shall be deposited into the Victims Compensation Fund each of the following:

''(1) Effective on the day after the date on which all claimants who file a claim in Group A, as described in section 405(a)(3)(C)(ii), have received the full compensation due such claimants under this title for such claim, any amounts remaining from the total amount made available under section 406 to compensate claims in Group A as described in section 405(a)(3)(C)(ii).

''(2) The amount appropriated under subsection (c).

''(c) APPROPRIATIONS.—There is appropriated, out of any money in the Treasury not otherwise appropriated, $4,600,000,000 for fiscal year 2017, to remain available until expended, to provide compensation for claims in Group B as described in section 405(a)(3)(C)(iii).

''(d) AVAILABILITY OF FUNDS.—Amounts deposited into the Victims Compensation Fund shall be available, without further appropriation, to the Special Master to provide compensation for claims in Group B as described in section 405(a)(3)(C)(iii).

''(e) TERMINATION.—Upon completion of all payments under this title, the Victims Compensation Fund shall be permanently closed.''.

(g) 9-11 RESPONSE AND BIOMETRIC ENTRY-EXIT FEE.—Title IV of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as amended by subsection (f), is further amended by adding at the end the following:

**''SEC. 411. 9-11 RESPONSE AND BIOMETRIC ENTRY-EXIT FEE.**

''(a) TEMPORARY L-1 VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, during the period beginning on the date of the enactment of this section and ending on September 30, 2025, the combined filing fee and fraud prevention and detection fee required to be submitted with an application for admission as a nonimmigrant under section 101(a)(15)(L) of the Immigration and Nationality Act (8

U.S.C. 1101(a)(15)(L)), including an application for an extension of such status, shall be increased by $4,500 for applicants that employ 50 or more employees in the United States if more than 50 percent of the applicant's employees are nonimmigrants admitted pursuant to subparagraph (H)(i)(b) or (L) of section 101(a)(15) of such Act.

''(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, during the period beginning on the date of the enactment of this section and ending on September 30, 2025, the combined filing fee and fraud prevention and detection fee required to be submitted with an application for admission as a nonimmigrant under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), including an application for an extension of such status, shall be increased by $4,000 for applicants that employ 50 or more employees in the United States if more than 50 percent of the applicant's employees are such nonimmigrants or described in section 101(a)(15)(L) of such Act.

''(c) 9-11 RESPONSE AND BIOMETRIC EXIT ACCOUNT.—

''(1) ESTABLISHMENT.—There is established in the general fund of the Treasury a separate account, which shall be known as the '9–11 Response and Biometric Exit Account'.

''(2) DEPOSITS.—

''(A) IN GENERAL.—Subject to subparagraph (B), of the amounts collected pursuant to the fee increases authorized under subsections (a) and (b)—

''(i) 50 percent shall be deposited in the general fund of the Treasury; and

''(ii) 50 percent shall be deposited as offsetting receipts into the 9–11 Response and Biometric Exit Account, and shall remain available until expended.

''(B) TERMINATION OF DEPOSITS IN ACCOUNT.—After a total of $1,000,000,000 is deposited into the 9–11 Response and Biometric Exit Account under subparagraph (A)(ii), all amounts collected pursuant to the fee increases authorized under subsections (a) and (b) shall be deposited in the general fund of the Treasury.

''(3) USE OF FUNDS.—For fiscal year 2017, and each fiscal year thereafter, amounts in the 9–11 Response and Biometric Exit Account shall be available to the Secretary of Homeland Security without further appropriation for implementing the biometric entry and exit data system described in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b).''.

(h) ADMINISTRATIVE COSTS.—Section 1347 of the Full-Year Continuing Appropriations Act, 2011 (49 U.S.C. 40101 note) is amended—

(1) by inserting ''and (2)'' after ''(d)(1)''; and

(2) by adding at the end the following: ''Costs for payments for compensation for claims in Group A, as described in section 405(a)(3)(C)(ii) of such Act, shall be paid from amounts made available under section 406 of such Act. Costs for payments for compensation for claims in Group B, as described in section 405(a)(3)(C)(iii) of such Act, shall be paid from amounts in the Victims Compensation Fund established under section 410 of such Act.''.

**SEC. 403. AMENDMENT TO EXEMPT PROGRAMS.**

(a) IN GENERAL.—Section 255(g)(1)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(B)) is amended by—

(1) inserting after the item relating to Retirement Pay and Medical Benefits for Commissioned Officers, Public Health Service the following:

''September 11th Victim Compensation Fund (15–0340–0–1–754).'';

(2) inserting after the item relating to United States Secret Service, DC Annuity the following:

''Victims Compensation Fund established under section 410 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note).

''United States Victims of State Sponsored Terrorism Fund.''; and

(3) inserting after the item relating to the Voluntary Separation Incentive Fund the following:

''World Trade Center Health Program Fund (75–0946–0–1–551).''.

(b) APPLICABILITY.—The amendments made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

**SEC. 404. COMPENSATION FOR UNITED STATES VICTIMS OF STATE SPONSORED TERRORISM ACT.**

(a) SHORT TITLE.—This section may be cited as the ''Justice for United States Victims of State Sponsored Terrorism Act''.

(b) ADMINISTRATION OF THE UNITED STATES VICTIMS OF STATE SPONSORED TERRORISM FUND.—

(1) ADMINISTRATION OF THE FUND.—

(A) APPOINTMENT AND TERMS OF SPECIAL MASTER.—

(i) INITIAL APPOINTMENT.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall appoint a Special Master. The initial term for the Special Master shall be 18 months.

(ii) ADDITIONAL TERMS.—Thereafter, each time there exists funds in excess of $100,000,000 in the Fund, the Attorney General shall appoint or reappoint a Special Master for such period as is appropriate, not to exceed 1 year. In addition, if there exists in the Fund funds that are less than $100,000,000, the Attorney General may appoint or reappoint a Special Master each time the Attorney General determines there are sufficient funds available in the Fund to compensate eligible claimants, for such period as is appropriate, not to exceed 1 year.

(iii) SPECIAL MASTER TO ADMINISTER COMPENSATION FROM THE FUND.—The Special Master shall administer the compensation program described in this section for United States persons who are victims of state sponsored terrorism.

(B) ADMINISTRATIVE COSTS AND USE OF DEPARTMENT OF JUSTICE PERSONNEL.—The Special Master may utilize, as necessary, no more than 5 full-time equivalent Department of Justice personnel to assist in carrying out the duties of the Special Master under this section. Any costs associated with the use of such personnel, and any other administrative costs of carrying out this section, shall be paid from the Fund.

(C) COMPENSATION OF SPECIAL MASTER.—The Special Master shall be compensated from the Fund at a rate not to exceed the annual rate of basic pay for level IV of the Executive Schedule, as prescribed by section 5315 of title 5, United States Code.

(2) PUBLICATION OF REGULATIONS AND PROCEDURES.—

(A) IN GENERAL.—Not later than 60 days after the date of the initial appointment of the Special Master, the Special Master shall publish in the Federal Register and on a website maintained by the Department of Justice a notice specifying the procedures necessary for United States persons to apply and establish eligibility for payment, including procedures by which eligible United States persons may apply by and through their attorney. Such notice is not subject to the requirements of section 553 of title 5, United States Code.

(B) INFORMATION REGARDING OTHER SOURCES OF COMPENSATION.—As part of the procedures for United States persons to apply and establish eligibility for payment, the Special Master shall require applicants to provide the Special Master with information regarding compensation from any source other than this Fund that the claimant (or, in the case of a personal representative, the victim's beneficiaries) has received or is entitled or scheduled to receive as a result of the act of international terrorism that gave rise to a claimant's final judgment, including information identifying the amount, nature, and source of such compensation.

(3) DECISIONS OF THE SPECIAL MASTER.—All decisions made by the Special Master with regard to compensation from the Fund shall be—

(A) in writing and provided to the Attorney General, each claimant and, if applicable, the attorney for each claimant; and

(B) final and, except as provided in paragraph (4), not subject to administrative or judicial review.

(4) REVIEW HEARING.—

(A) Not later than 30 days after receipt of a written decision by the Special Master, a claimant whose claim is denied in whole or in part by the Special Master may request a hearing before the Special Master pursuant to procedures established by the Special Master.

(B) Not later than 90 days after any such hearing, the Special Master shall issue a final written decision affirming or amending the original decision. The written decision is final and nonreviewable.

(c) ELIGIBLE CLAIMS.—

(1) IN GENERAL.—For the purposes of this section, a claim is an eligible claim if the Special Master determines that—

(A) the judgment holder, or claimant, is a United States person;

(B) the claim is described in paragraph (2); and

(C) the requirements of paragraph (3) are met.

(2) CERTAIN CLAIMS.—The claims referred to in paragraph (1) are claims for—

(A) compensatory damages awarded to a United States person in a final judgment—

(i) issued by a United States district court under State or Federal law against a state sponsor of terrorism; and

(ii) arising from acts of international terrorism, for which the foreign state was determined not to be immune from the jurisdiction of the courts of the United States under section 1605A, or section 1605(a)(7) (as such section was in effect on January 27, 2008), of title 28, United States Code;

(B) the sum total of $10,000 per day for each day that a United States person was taken and held hostage from the United States embassy in Tehran, Iran, during the period beginning November 4, 1979, and ending January 20, 1981, if such person is identified as a member of the proposed class in case number 1:00-CV-03110 (EGS) of the United States District Court for the District of Columbia; or

(C) damages for the spouses and children of the former hostages described in subparagraph (B), if such spouse or child is identified as a member of the proposed class in case number 1:00-CV-03110 (EGS) of the United States Court for the District of Columbia, in the following amounts:

(i) For each spouse of a former hostage identified as a member of the proposed class described in this subparagraph, a $600,000 lump sum.

(ii) For each child of a former hostage identified as a member of the proposed class described in this subparagraph, a $600,000 lump sum.

(3) DEADLINE FOR APPLICATION SUBMISSION.—

(A) IN GENERAL.—The deadline for submitting an application for a payment under this subsection is as follows:

(i) Not later than 90 days after the date of the publication required under subsection (b)(2)(A), with regard to an application based on—

(I) a final judgment described in paragraph (2)(A) obtained before that date of publication; or

(II) a claim described in paragraph (2)(B) or (2)(C).

(ii) Not later than 90 days after the date of obtaining a final judgment, with regard to a final judgment obtained on or after the date of that publication.

(B) GOOD CAUSE.—For good cause shown, the Special Master may grant a claimant a reasonable extension of a deadline under this paragraph.

(d) PAYMENTS.—

(1) TO WHOM MADE.—The Special Master shall order payment from the Fund for each eligible claim of a United States person to that person or, if that person is deceased, to the personal representative of the estate of that person.

(2) TIMING OF INITIAL PAYMENTS.—The Special Master shall authorize all initial payments to satisfy eligible claims under this section not later than 1 year after the date of the enactment of this Act.

(3) PAYMENTS TO BE MADE PRO RATA.—

(A) IN GENERAL.—

(i) PRO RATA BASIS.—Except as provided in subparagraph (B) and subject to the limitations described in clause (ii), the Special Master shall carry out paragraph (1), by dividing all available funds on a pro rata basis, based on the amounts outstanding and unpaid on eligible claims, until all such amounts have been paid in full.

(ii) LIMITATIONS.—The limitations described in this clause are as follows:

(I) In the event that a United States person has an eligible claim that exceeds $20,000,000, the Special Master shall treat that claim as if it were for $20,000,000 for purposes of this section.

(II) In the event that a United States person and the immediate family members of such person, have claims that if aggregated would exceed $35,000,000, the Special Master shall, for purposes of this section, reduce such claims on a pro rata basis such that in the aggregate such claims do not exceed $35,000,000.

(III) In the event that a United States person, or the immediate family member of such person, has an eligible claim under this section and has received an award or an award determination under section 405 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), the amount of compensation to which such person, or the immediate family member of such person, was determined to be entitled under section 405 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) shall be considered controlling for the purposes of this section, notwithstanding any compensatory damages amounts such person, or immediate family member of such person, is deemed eligible for or entitled to pursuant to a final judgment described in subsection (c)(2)(A).

(B) MINIMUM PAYMENTS.—

(i) Any applicant with an eligible claim described in subsection (c)(2) who has received, or is entitled or scheduled to receive, any payment that is equal to, or in excess of, 30 percent of the total compensatory damages owed to such applicant on the applicant's claim from any source other than this Fund shall not receive any payment from the Fund until such time as all other eligible applicants have received from the Fund an amount equal to 30 percent of the compensatory damages awarded to those applicants pursuant to their final judgments or to claims under subsection (c)(2)(B) or (c)(2)(C). For purposes of calculating the pro rata amounts for these payments, the Special Master shall not include the total compensatory damages for applicants excluded from payment by this subparagraph.

(ii) To the extent that an applicant with an eligible claim has received less than 30 percent of the compensatory damages owed that applicant under a final judgment or claim described in subsection (c)(2) from any source other than this Fund, such applicant may apply to the Special Master for the difference between the percentage of compensatory damages the applicant has received from other sources and the percentage of compensatory damages to be awarded other eligible applicants from the Fund.

(4) ADDITIONAL PAYMENTS.—On January 1 of the second calendar year that begins after the date of the initial payments described in paragraph (1) if funds are available in the Fund, the Special Master shall authorize additional payments on a pro rata basis to those claimants with eligible claims under subsection (c)(2) and shall authorize additional payments for eligible claims annually thereafter if funds are available in the Fund.

(5) SUBROGATION AND RETENTION OF RIGHTS.—

(A) UNITED STATES SUBROGATED TO CREDITOR RIGHTS TO THE EXTENT OF PAYMENT.—The United States shall be subrogated to the rights of any person who applies for and receives payments under this section, but only to the extent and in the amount of such payments made under this section. The President shall pursue these subrogated rights as claims or offsets of the United States in appropriate ways, including any negotiation process that precedes the normalization of relations between the foreign state designated as a state sponsor of terrorism and the United States or the lifting of sanctions against such foreign state.

(B) RIGHTS RETAINED.—To the extent amounts of damages remain unpaid and outstanding following any payments made under this subsection, each applicant shall retain that applicant's creditor rights in any unpaid and outstanding amounts of the judgment, including any prejudgment or post-judgment interest, or punitive damages, awarded by the United States district court pursuant to a judgment.

(e) UNITED STATES VICTIMS OF STATE SPONSORED TERRORISM FUND.—

(1) ESTABLISHMENT OF UNITED STATES VICTIMS OF STATE SPONSORED TERRORISM FUND.—There is established in the Treasury a fund, to be designated as the United States Victims of State Sponsored Terrorism Fund.

(2) DEPOSIT AND TRANSFER.—Beginning on the date of the enactment of this Act, the following shall be deposited or transferred into the Fund for distribution under this section:

(A) FORFEITED FUNDS AND PROPERTY.—

(i) CRIMINAL FUNDS AND PROPERTY.—All funds, and the net proceeds from the sale of property, forfeited or paid to the United States after the date of enactment of this Act as a criminal penalty or fine arising from a violation of any license, order, regulation, or prohibition issued under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or the Trading with the Enemy Act (50 U.S.C. App. 1 et seq.), or any related criminal conspiracy, scheme, or other Federal offense arising from the actions of, or doing business with or acting on behalf of, a state sponsor of terrorism.

(ii) CIVIL FUNDS AND PROPERTY.—One-half of all funds, and one-half of the net proceeds from the sale of property, forfeited or paid to the United States after the date of enactment of this Act as a civil penalty or fine arising from a violation of any license, order, regulation, or prohibition issued under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or the Trading with the Enemy Act (50 U.S.C. App. 1 et seq.), or any related conspiracy, scheme, or other Federal offense arising from the actions of, or doing business with or acting on behalf of, a state sponsor of terrorism.

(B) TRANSFER INTO FUND OF CERTAIN ASSIGNED ASSETS OF IRAN AND ELECTION TO PARTICIPATE IN FUND.—

(i) DEPOSIT INTO FUND OF ASSIGNED PROCEEDS FROM SALE OF PROPERTIES AND RELATED ASSETS IDENTIFIED IN IN RE 650 FIFTH AVENUE & RELATED PROPERTIES.—

(I) IN GENERAL.—Except as provided in subclause (II), if the United States receives a final judgment forfeiting the properties and related assets identified in the proceedings captioned as In Re 650 Fifth Avenue & Related Properties, No. 08 Civ. 10934 (S.D.N.Y. filed Dec. 17, 2008), the net proceeds (not including the litigation expenses and sales costs incurred by the United States) resulting from the sale of such properties and related assets by the United States shall be deposited into the Fund.

(II) LIMITATION.—The following proceeds resulting from any sale of the properties and related assets identified in subclause (I) shall not be transferred into the Fund:

(aa) The percentage of proceeds attributable to any party identified as a Settling Judgment Creditor in the order dated April 16, 2014, in such proceedings, who does not make an election (described in clause (iii)) to participate in the Fund.

(bb) The percentage of proceeds attributable to the parties identified as the Hegna Judgment Creditors in such proceedings, unless and until a final judgment is entered denying the claims of such creditors.

(ii) DEPOSIT INTO FUND OF ASSIGNED ASSETS IDENTIFIED IN PETERSON V. ISLAMIC REPUBLIC OF IRAN.—If a final judgment is entered in Peterson v. Islamic Republic of Iran, No. 10 Civ. 4518 (S.D.N.Y.), awarding the assets at issue in that case to the judgment creditors identified in the order dated July 9, 2013, those assets shall be deposited into the Fund, but only to the extent, and in such percentage, that the rights, title, and interest to such assets were assigned through elections made pursuant to clause (iii).

(iii) ELECTION TO PARTICIPATE IN THE FUND.—Upon written notice to the Attorney General, the Special Master, and the chief judge of the United States District Court for the Southern District of New York within 60 days after the date of the publication required under subsection (b)(2)(A) a United States person, who is a judgment creditor in the proceedings captioned Peterson v. Islamic Republic of Iran, No. 10 Civ. 4518 (S.D.N.Y.), or a Settling Judgment Creditor as identified in the order dated May 27, 2014, in the proceedings captioned In Re 650 Fifth Avenue & Related Properties, No. 08 Civ. 10934 (S.D.N.Y. filed Dec. 17, 2008), shall have the right to elect to participate in the Fund and, to the extent any such person exercises such right, shall irrevocably assign to the Fund all rights, title, and interest to such person's claims to the assets at issue in such proceedings. To the extent that a United States person is both a judgment creditor in the proceedings captioned Peterson v. Islamic Republic of Iran, No. 10 Civ. 4518 (S.D.N.Y.) and a Settling Judgment Creditor in In Re 650 Fifth Avenue & Related Properties, No. 08 Civ. 10934 (S.D.N.Y. filed Dec. 17, 2008), any election by such person to participate in the Fund pursuant to this paragraph shall operate as an election to assign any and all rights, title, and interest in the assets in both actions for the purposes of participating in the Fund. The Attorney General is authorized to pursue any such assigned rights, title, and interest in those claims for the benefit of the Fund.

(iv) APPLICATION FOR CONDITIONAL PAYMENT.—A United States person who is a judg-

ment creditor or a Settling Judgment Creditor in the proceedings identified in clause (iii) and who does not elect to participate in the Fund may, notwithstanding such failure to elect, submit an application for conditional payment from the Fund, subject to the following limitations:

(I) IN GENERAL.—Notwithstanding any such claimant's eligibility for payment and the initial deadline for initial payments set forth in subsection (d)(2), the Special Master shall allocate but withhold payment to an eligible claimant who applies for a conditional payment under this paragraph until such time as an adverse final judgment is entered in both of the proceedings identified in clause (iii).

(II) EXCEPTION.—

(aa) In the event that an adverse final judgment is entered in the proceedings captioned Peterson v. Islamic Republic of Iran, No. 10 Civ. 4518 (S.D.N.Y), prior to a final judgment being entered in the proceedings captioned In Re 650 Fifth Avenue & Related Properties, No. 08 Civ. 10934 (S.D.N.Y. filed Dec. 17, 2008), the Special Master shall release a portion of an eligible claimant's conditional payment to such eligible claimant if the Special Master anticipates that such claimant will receive less than the amount of the conditional payment from any proceeds from a final judgment that is entered in favor of the plaintiffs in In Re 650 Fifth Avenue & Related Properties. Such portion shall not exceed the difference between the amount of the conditional payment and the amount the Special Master anticipates such claimant will receive from the proceeds of In Re 650 Fifth Avenue & Related Properties.

(bb) In the event that a final judgment is entered in favor of the plaintiffs in the proceedings captioned Peterson v. Islamic Republic of Iran, No. 10 Civ. 4518 (S.D.N.Y) and funds are distributed, the payments allocated to claimants who applied for a conditional payment under this subparagraph shall be considered void, and any funds previously allocated to such conditional payments shall be made available and distributed to all other eligible claimants pursuant to subsection (d).

(3) EXPENDITURES FROM FUND.—Amounts in the Fund shall be available, without further appropriation, for the payment of eligible claims and compensation of the Special Master in accordance with this section.

(4) MANAGEMENT OF FUND.—The Fund shall be managed and invested in the same manner as a trust fund is managed and invested under section 9602 of the Internal Revenue Code of 1986.

(5) FUNDING.—There is appropriated to the Fund, out of any money in the Treasury not otherwise appropriated, $1,025,000,000 for fiscal year 2017, to remain available until expended.

(6) TERMINATION.—

(A) IN GENERAL.—Amounts in the Fund may not be obligated on or after January 2, 2026.

(B) CLOSING OF FUND.—Effective on the day after all amounts authorized to be paid from the Fund under this section that were obligated before January 2, 2026 are expended, any unobligated balances in the Fund shall be transferred, as appropriate, to either the Department of the Treasury Forfeiture Fund established under section 9705 of title 31, United States Code, or to the Department of Justice Assets Forfeiture Fund established under section 524(c)(1) of title 28, United States Code.

(f) ATTORNEYS' FEES AND COSTS.—

(1) IN GENERAL.—No attorney shall charge, receive, or collect, and the Special Master shall not approve, any payment of fees and costs that in the aggregate exceeds 25 percent of any payment made under this section.

(2) PENALTY.—Any attorney who violates paragraph (1) shall be fined under title 18, United States Code, imprisoned for not more than 1 year, or both.

(g) AWARD OF COMPENSATION TO INFORMERS.—

(1) IN GENERAL.—Any United States person who holds a final judgment described in subsection (c)(2)(A) or a claim under subsection (c)(2)(B) or (c)(2)(C) and who meets the requirements set forth in paragraph (2) is entitled to receive an award of 10 percent of the funds deposited in the Fund under subsection (e)(2) attributable to information such person furnished to the Attorney General that leads to a forfeiture described in subsection (e)(2)(A), which is made after the date of enactment of this Act pursuant to a proceeding resulting in forfeiture that was initiated after the date of enactment of this Act.

(2) PERSON DESCRIBED.—A person meets the requirements of this paragraph if—

(A) the person identifies and notifies the Attorney General of funds or property—

(i) of a state sponsor of terrorism, or held by a third party on behalf of or subject to the control of that state sponsor of terrorism;

(ii) that were not previously identified or known by the United States Government; and

(iii) that are subsequently forfeited directly or in the form of substitute assets to the United States; and

(B) the Attorney General finds that the identification and notification under subparagraph (A) by that person substantially contributed to the forfeiture to the United States.

(h) SPECIAL EXCLUSION FROM COMPENSATION.—In no event shall an individual who is criminally culpable for an act of international terrorism receive any compensation under this section, either directly or on behalf of a victim.

(i) REPORT TO CONGRESS.—Within 30 days after authorizing the payment of compensation of eligible claims pursuant to subsection (d), the Special Master shall submit to the chairman and ranking minority member of the Committee on the Judiciary of the House of Representatives and the chairman and ranking minority member of the Committee on the Judiciary of the Senate a report on the payment of eligible claims, which shall include—

(1) an explanation of the procedures for filing and processing of applications for compensation; and

(2) an analysis of the payments made to United States persons from the Fund and the amount of outstanding eligible claims, including—

(A) the number of applications for compensation submitted;

(B) the number of applications approved and the amount of each award;

(C) the number of applications denied and the reasons for the denial;

(D) the number of applications for compensation that are pending for which compensatory damages have not been paid in full; and

(E) the total amount of compensatory damages from eligible claims that have been paid and that remain unpaid.

(j) DEFINITIONS.—In this section the following definitions apply:

(1) ACT OF INTERNATIONAL TERRORISM.—The term ''act of international terrorism'' includes—

(A) an act of torture, extrajudicial killing, aircraft sabotage, or hostage taking as those terms are defined in section 1605A(h) of title 28, United States Code; and

(B) providing material support or resources, as defined in section 2339A of title 18, United States Code, for an act described in subparagraph (A).

(2) ADVERSE FINAL JUDGMENT.—The term ''adverse final judgment'' means a final judgment in favor of the defendant, or defendants, in the proceedings identified in subsection (e)(2)(B)(iii), or which does not order any payment from, or award any interest in, the assets at issue in such proceedings to the plaintiffs, judgment creditors, or Settling Judgment Creditors in such proceedings.

(3) COMPENSATORY DAMAGES.—The term ''compensatory damages'' does not include pre-judgment or post-judgment interest or punitive damages.

(4) FINAL JUDGMENT.—The term ''final judgment'' means an enforceable final judgment, decree or order on liability and damages entered by a United States district court that is not subject to further appellate review, but does not include a judgment, decree, or order that has been waived, relinquished, satisfied, espoused by the United States, or subject to a bilateral claims settlement agreement between the United States and a foreign state. In the case of a default judgment, such judgment shall not be considered a final judgment until such time as service of process has been completed pursuant to section 1608(e) of title 28, United States Code.

(5) FUND.—The term ''Fund'' means the United States Victims of State Sponsored Terrorism Fund established by this section.

(6) SOURCE OTHER THAN THIS FUND.—The term ''source other than this Fund'' means all collateral sources, including life insurance, pension funds, death benefit programs, payments by Federal, State, or local governments (including payments from the September 11th Victim Compensation Fund (49 U.S.C. 40101 note)), and court awarded compensation related to the act of international terrorism that gave rise to a claimant's final judgment. The term ''entitled or scheduled to receive'' in subsection (d)(3)(B)(i) includes any potential recovery where that person or their representative is a party to any civil or administrative action pending in any court or agency of competent jurisdiction in which the party seeks to enforce the judgment giving rise to the application to the Fund.

(7) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(8) UNITED STATES PERSON.—The term ''United States person'' means a natural person who has suffered an injury arising from the actions of a foreign state for which the foreign state has been determined not to be immune from the jurisdiction of the courts of the United States under section 1605A or section 1605(a)(7) (as such section was in effect on January 27, 2008) of title 28, United States Code, or is eligible to make a claim under subsection (c)(2)(B) or subsection (c)(2)(C).

(k) SEVERABILITY.—The provisions of this section are severable. If any provision of this section, or any application thereof, is found unconstitutional, that finding shall not affect any provision or application of this section not so adjudicated.

**SEC. 405. BUDGETARY PROVISIONS.**

(a) LIMITATION.—Notwithstanding any other provision of law, including section 982 of title 18, United States Code, and section 413 of the Controlled Substances Act (21 U.S.C. 853), none of the funds paid to the United States Government by BNP Paribas S.A. as part of, or related to, a plea agree-

ment dated June 27, 2014, entered into between the Department of Justice and BNP Paribas S.A., and subject to a consent order entered by the United States District Court for the Southern District of New York on May 1, 2015, in United States v. BNPP, No. 14 Cr. 460 (S.D.N.Y.) to settle charges against BNP Paribas S.A. for conspiracy to commit an offense against the United States in violation of section 371 of title 18, United States Code, by conspiring to violate the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), and the Trading with the Enemy Act (50 U.S.C. 4301 et seq.), may be used by the United States Government—

(1) in any manner in furtherance of the proposed use of such funds by the Department of Justice to compensate individuals as announced by the Department of Justice on May 1, 2015; or

(2) in any other manner whatsoever, including in furtherance of any program to compensate victims of international or state sponsored terrorism, except as such funds are directed by Congress pursuant to this title and the amendments made by this title.

(b) RESCISSION OF FUNDS FROM BNP SETTLEMENT.—Of the amounts in the Department of the Treasury Forfeiture Fund established under section 9705 of title 31, United States Code, $3,800,000,000 from funds paid to the United States Government by BNP Paribas S.A. as part of, or related to, a plea agreement dated June 27, 2014, entered into between the Department of Justice and BNP Paribas S.A., and subject to a consent order entered by the United States District Court for the Southern District of New York on May 1, 2015, in United States v. BNPP, No. 14 Cr. 460 (S.D.N.Y.), shall be deobligated, if necessary, and shall be permanently rescinded.

## TITLE V—MEDICARE AND MEDICAID PROVISIONS

### SEC. 501. MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''$205,000,000'' and inserting ''$5,000,000''.

### SEC. 502. MEDICARE PAYMENT INCENTIVE FOR THE TRANSITION FROM TRADITIONAL X-RAY IMAGING TO DIGITAL RADIOGRAPHY AND OTHER MEDICARE IMAGING PAYMENT PROVISION.

(a) PHYSICIAN FEE SCHEDULE.—

(1) PAYMENT INCENTIVE FOR TRANSITION.—

(A) IN GENERAL.—Section 1848(b) of the Social Security Act (42 U.S.C. 1395w–4(b)) is amended by adding at the end the following new paragraph:

''(9) SPECIAL RULE TO INCENTIVIZE TRANSITION FROM TRADITIONAL X-RAY IMAGING TO DIGITAL RADIOGRAPHY.—

''(A) LIMITATION ON PAYMENT FOR FILM X-RAY IMAGING SERVICES.—In the case of an imaging service (including the imaging portion of a service) that is an X-ray taken using film and that is furnished during 2017 or a subsequent year, the payment amount for the technical component (including the technical component portion of a global service) of such service that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this section) for such year shall be reduced by 20 percent.

''(B) PHASED-IN LIMITATION ON PAYMENT FOR COMPUTED RADIOGRAPHY IMAGING SERVICES.—In the case of an imaging service (including the imaging portion of a service) that is an X-ray taken using computed radiography technology—

''(i) in the case of such a service furnished during 2018, 2019, 2020, 2021, or 2022, the payment amount for the technical component (including the technical component portion of a global service) of such service that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this section) for such year shall be reduced by 7 percent; and

''(ii) in the case of such a service furnished during 2023 or a subsequent year, the payment amount for the technical component (including the technical component portion of a global service) of such service that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this section) for such year shall be reduced by 10 percent.

''(C) COMPUTED RADIOGRAPHY TECHNOLOGY DEFINED.—For purposes of this paragraph, the term 'computed radiography technology' means cassette-based imaging which utilizes an imaging plate to create the image involved.

''(D) IMPLEMENTATION.—In order to implement this paragraph, the Secretary shall adopt appropriate mechanisms which may include use of modifiers.''.

(B) EXEMPTION FROM BUDGET NEUTRALITY.—Section 1848(c)(2)(B)(v) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)(B)(v)) is amended by adding at the end the following new subclause:

''(X) REDUCED EXPENDITURES ATTRIBUTABLE TO INCENTIVES TO TRANSITION TO DIGITAL RADIOGRAPHY.—Effective for fee schedules established beginning with 2017, reduced expenditures attributable to subparagraph (A) of subsection (b)(9) and effective for fee schedules established beginning with 2018, reduced expenditures attributable to subparagraph (B) of such subsection.''.

(2) REDUCTION OF DISCOUNT IN PAYMENT FOR PROFESSIONAL COMPONENT OF MULTIPLE IMAGING SERVICES.—

(A) IN GENERAL.—Section 1848(b) of the Social Security Act (42 U.S.C. 1395w–4(b)), as amended by paragraph (1), is amended by adding at the end the following new paragraph:

''(10) REDUCTION OF DISCOUNT IN PAYMENT FOR PROFESSIONAL COMPONENT OF MULTIPLE IMAGING SERVICES.—In the case of the professional component of imaging services furnished on or after January 1, 2017, instead of the 25 percent reduction for multiple procedures specified in the final rule published by the Secretary in the Federal Register on November 28, 2011, as amended in the final rule published by the Secretary in the Federal Register on November 16, 2012, the reduction percentage shall be 5 percent.''.

(B) EXEMPTION FROM BUDGET NEUTRALITY.—Section 1848(c)(2)(B)(v) of the Social Security Act (42 U.S.C. 1395w 4(c)(2)(B)(v)), as amended by paragraph (1), is amended by adding at the end by the following new subclause:

''(XI) DISCOUNT IN PAYMENT FOR PROFESSIONAL COMPONENT OF IMAGING SERVICES.—Effective for fee schedules established beginning with 2017, reduced expenditures attributable to subsection (b)(10).''.

(C) CONFORMING AMENDMENT.—Section 220(i) of the Protecting Access to Medicare Act of 2014 (42 U.S.C. 1395w–4 note) is repealed.

(b) PAYMENT INCENTIVE FOR TRANSITION UNDER HOSPITAL OUTPATIENT PROSPECTIVE PAYMENT SYSTEM.—Section 1833(t)(16) of the Social Security Act (42 U.S.C. 1395(t)(16)) is amended by adding at the end the following new subparagraph:

''(F) PAYMENT INCENTIVE FOR THE TRANSITION FROM TRADITIONAL X-RAY IMAGING TO DIGITAL RADIOGRAPHY.—Notwithstanding the previous provisions of this subsection:

''(i) LIMITATION ON PAYMENT FOR FILM X-RAY IMAGING SERVICES.—In the case of an imaging service that is an X-ray taken using film and that is furnished during 2017 or a subsequent year, the payment amount for such service (including the X-ray component of a packaged service) that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this subsection) for such year shall be reduced by 20 percent.

''(ii) PHASED-IN LIMITATION ON PAYMENT FOR COMPUTED RADIOGRAPHY IMAGING SERVICES.—In the case of an imaging service that is an X-ray taken using computed radiography technology (as defined in section 1848(b)(9)(C))—

''(I) in the case of such a service furnished during 2018, 2019, 2020, 2021, or 2022, the payment amount for such service (including the X-ray component of a packaged service) that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this subsection) for such year shall be reduced by 7 percent; and

''(II) in the case of such a service furnished during 2023 or a subsequent year, the payment amount for such service (including the X-ray component of a packaged service) that would otherwise be determined under this section (without application of this paragraph and before application of any other adjustment under this subsection) for such year shall be reduced by 10 percent.

''(iii) APPLICATION WITHOUT REGARD TO BUDGET NEUTRALITY.—The reductions made under this subparagraph—

''(I) shall not be considered an adjustment under paragraph (2)(E); and

''(II) shall not be implemented in a budget neutral manner.

''(iv) IMPLEMENTATION.—In order to implement this subparagraph, the Secretary shall adopt appropriate mechanisms which may include use of modifiers.''.

### SEC. 503. LIMITING FEDERAL MEDICAID REIMBURSEMENT TO STATES FOR DURABLE MEDICAL EQUIPMENT (DME) TO MEDICARE PAYMENT RATES.

(a) MEDICAID REIMBURSEMENT.—

(1) IN GENERAL.—Section 1903(i) of the Social Security Act (42 U.S.C. 1396b(i)) is amended—

(A) in paragraph (25), by striking ''or'' at the end;

(B) in paragraph (26), by striking the period at the end and inserting ''; or''; and

(C) by inserting after paragraph (26) the following new paragraph:

''(27) with respect to any amounts expended by the State on the basis of a fee schedule for items described in section 1861(n) and furnished on or after January 1, 2019, as determined in the aggregate with respect to each class of such items as defined by the Secretary, in excess of the aggregate amount, if any, that would be paid for such items within such class on a fee-for-service basis under the program under part B of title XVIII, including, as applicable, under a competitive acquisition program under section 1847 in an area of the State.''.

(2) RULE OF CONSTRUCTION.—Nothing in the amendments made by paragraph (1) shall be construed to prohibit a State Medicaid program from providing medical assistance for durable medical equipment for which payment is denied or not available under the Medicare program under title XVIII of such Act.

(b) EVALUATING APPLICATION OF DME PAYMENT LIMITS UNDER MEDICAID.—The Secretary of Health and Human Services shall evaluate the impact of applying Medicare payment rates with respect to payment for durable medical equipment under the Medicaid program under section 1903(i)(27) of the Social Security Act, as inserted by subsection (a)(1)(C). The Secretary shall make available to the public the results of such evaluation.

**SEC. 504. TREATMENT OF DISPOSABLE DEVICES.**

(a) IN GENERAL.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

''(s) PAYMENT FOR APPLICABLE DISPOSABLE DEVICES.—

''(1) SEPARATE PAYMENT.—The Secretary shall make a payment (separate from the payments otherwise made under section 1895) in the amount established under paragraph (3) to a home health agency for an applicable disposable device (as defined in paragraph (2)) when furnished on or after January 1, 2017, to an individual who receives home health services for which payment is made under section 1895(b).

''(2) APPLICABLE DISPOSABLE DEVICE.—In this subsection, the term applicable disposable device means a disposable device that, as determined by the Secretary, is—

''(A) a disposable negative pressure wound therapy device that is an integrated system comprised of a non-manual vacuum pump, a receptacle for collecting exudate, and dressings for the purposes of wound therapy; and

''(B) a substitute for, and used in lieu of, a negative pressure wound therapy durable medical equipment item that is an integrated system of a negative pressure vacuum pump, a separate exudate collection canister, and dressings that would otherwise be covered for individuals for such wound therapy.

''(3) PAYMENT AMOUNT.—The separate payment amount established under this paragraph for an applicable disposable device for a year shall be equal to the amount of the payment that would be made under section 1833(t) (relating to payment for covered OPD services) for the year for the Level I Healthcare Common Procedure Coding System (HCPCS) code for which the description for a professional service includes the furnishing of such device.''.

(b) CONFORMING AMENDMENTS.—

(1) COINSURANCE.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

(A) by striking ''and (Z)'' and inserting ''(Z)''; and

(B) by inserting before the semicolon at the end the following: '', and (AA) with respect to an applicable disposable device (as defined in paragraph (2) of section 1834(s)) furnished to an individual pursuant to paragraph (1) of such section, the amount paid shall be equal to 80 percent of the lesser of the actual charge or the amount determined under paragraph (3) of such section''.

(2) HOME HEALTH.—Section 1861(m)(5) of the Social Security Act (42 U.S.C. 1395x(m)(5)) is amended by inserting ''and applicable disposable devices (as defined in section 1834(s)(2))'' after ''durable medical equipment''.

(c) REPORTS.—

(1) GAO STUDY AND REPORT ON DISPOSABLE DEVICES.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on the value of disposable devices to the Medicare program and Medicare beneficiaries and the role of disposable devices as substitutes for durable medical equipment. Such study shall address the following:

(i) The types of disposable devices that could potentially qualify as being substitutes for durable medical equipment under the Medicare program, the similarities and differences between such disposable devices and the durable medical equipment for which they would be a substitute, and the extent to which other payers, including the Medicaid program and private payers, cover such disposable devices.

(ii) Views of, and information from, medical device manufacturers, providers of services, and suppliers on the incentives and disincentives under current Medicare coverage and payment policies for disposable devices that are substitutes for durable medical equipment and how such policies affect manufacturers' decisions to develop innovative products and providers' and suppliers' decisions to use such products.

(iii) Implications of expanding coverage under the Medicare program to include additional disposable devices that are substitutes for durable medical equipment.

(iv) Payment methodologies that could be used to pay for disposable devices that are substitutes for durable medical equipment other than applicable disposable devices pursuant to the amendments made by subsections (a) and (b).

(v) Other applicable areas determined appropriate by the Comptroller General.

(B) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress and the Secretary of Health and Human Services a report on the study conducted under subparagraph (A), together with recommendations for such legislation and administrative action as the Comptroller General determines to be appropriate.

(2) GAO STUDY AND REPORT ON THE IMPACT OF THE PAYMENT OF APPLICABLE DISPOSABLE DEVICES.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on the impact of the payment for applicable disposable devices (as defined in section 1834(s)(2) of the Social Security Act) under the provisions of, and the amendments made by, subsections (a) and (b). Such study shall address the following:

(i) The impact on utilization and Medicare program and beneficiary spending as a result of such provisions and amendments.

(ii) The type of Medicare beneficiaries who, under the home health benefit, use the applicable disposable device and the period of use of the applicable disposable devices compared to the beneficiaries who use the substitute durable medical equipment and their period of use.

(iii) How payment rates of other payers, including the Medicaid program and private payers, for applicable disposable devices compare to the payment rates for such devices under such provisions and amendments.

(iv) Other applicable areas determined appropriate by the Comptroller General.

(B) REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress and the Secretary of Health and Human Services a report on the study conducted under subparagraph (A), together with recommendations for such legislation and administrative action as the Comptroller General determines to be appropriate.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to items furnished on or after January 1, 2017.

## TITLE VI—PUERTO RICO

**SEC. 601. MODIFICATION OF MEDICARE INPATIENT HOSPITAL PAYMENT RATE FOR PUERTO RICO HOSPITALS.**

Section 1886(d)(9)(E) of the Social Security Act (42 U.S.C. 1395ww(d)(9)(E)) is amended—

(1) by striking ''and'' at the end of clause (iii);

(2) in clause (iv)—

(A) by inserting ''and before January 1, 2016,'' after ''2004,''; and

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

(3) by adding at the end the following new clause:

''(v) on or after January 1, 2016, the applicable Puerto Rico percentage is 0 percent and the applicable Federal percentage is 100 percent.''.

**SEC. 602. APPLICATION OF MEDICARE HITECH PAYMENTS TO HOSPITALS IN PUERTO RICO.**

(a) IN GENERAL.—Subsection (n)(6)(B) of section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended by striking ''subsection (d) hospital'' and inserting ''hospital that is a subsection (d) hospital or a subsection (d) Puerto Rico hospital''.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (b)(3)(B)(ix) of section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended—

(A) in subclause (I), by striking ''(n)(6)(A)'' and inserting ''(n)(6)(B)''; and

(B) in subclause (II), by striking ''a subsection (d) hospital'' and inserting ''an eligible hospital''.

(2) Paragraphs (2) and (4)(A) of section 1853(m) of the Social Security Act (42 U.S.C. 1395w–23(m)) are each amended by striking ''1886(n)(6)(A)'' and inserting ''1886(n)(6)(B)''.

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), except that, in order to take into account delays in the implementation of this section, in applying subsections (b)(3)(B)(ix), (n)(2)(E)(ii), and (n)(2)(G)(i) of section 1886 of the Social Security Act, as amended by this section, any reference in such subsections to a particular year shall be treated with respect to a subsection (d) Puerto Rico hospital as a reference to the year that is 5 years after such particular year (or 7 years after such particular year in the case of applying subsection (b)(3)(B)(ix) of such section).

## TITLE VII—FINANCIAL SERVICES

**SEC. 701. TABLE OF CONTENTS.**

The table of contents for this title is as follows:



**SEC. 702. LIMITATIONS ON SALE OF PREFERRED STOCK.**

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(2) SENIOR PREFERRED STOCK PURCHASE AGREEMENT.—The term ''Senior Preferred Stock Purchase Agreement'' means—

(A) the Amended and Restated Senior Preferred Stock Purchase Agreement, dated September 26, 2008, as such Agreement has been amended on May 6, 2009, December 24, 2009, and August 17, 2012, respectively, and as such Agreement may be further amended and restated, entered into between the Department of the Treasury and each enterprise, as applicable; and

(B) any provision of any certificate in connection with such Agreement creating or designating the terms, powers, preferences, privileges, limitations, or any other condi-

tions of the Variable Liquidation Preference Senior Preferred Stock of an enterprise issued or sold pursuant to such Agreement.

(b) LIMITATIONS ON SALE OF PREFERRED STOCK.—Notwithstanding any other provision of law or any provision of the Senior Preferred Stock Purchase Agreement, until at least January 1, 2018, the Secretary may not sell, transfer, relinquish, liquidate, divest, or otherwise dispose of any outstanding shares of senior preferred stock acquired pursuant to the Senior Preferred Stock Purchase Agreement, unless Congress has passed and the President has signed into law legislation that includes a specific instruction to the Secretary regarding the sale, transfer, relinquishment, liquidation, divestiture, or other disposition of the senior preferred stock so acquired.

(c) SENSE OF CONGRESS.—It is the Sense of Congress that Congress should pass and the President should sign into law legislation determining the future of Fannie Mae and Freddie Mac, and that notwithstanding the expiration of subsection (b), the Secretary should not sell, transfer, relinquish, liquidate, divest, or otherwise dispose of any outstanding shares of senior preferred stock acquired pursuant to the Senior Preferred Stock Purchase Agreement until such legislation is enacted.

**SEC. 703. CONFIDENTIALITY OF INFORMATION SHARED BETWEEN STATE AND FEDERAL FINANCIAL SERVICES REGULATORS.**

Section 1512(a) of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5111(a)) is amended by inserting ''or financial services'' before ''industry''.

**SEC. 704. APPLICATION OF FACA.**

Section 1013 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5493) is amended by adding at the end the following:

''(h) APPLICATION OF FACA.—Notwithstanding any provision of the Federal Advisory Committee Act (5 U.S.C. App.), such Act shall apply to each advisory committee of the Bureau and each subcommittee of such an advisory committee.''.

**SEC. 705. TREATMENT OF AFFILIATE TRANSACTIONS.**

(a) COMMODITY EXCHANGE ACT AMENDMENTS.—Section 2(h)(7)(D) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(D)) is amended—

(1) by redesignating clause (iii) as clause (v);

(2) by striking clauses (i) and (ii) and inserting the following:

''(i) IN GENERAL.—An affiliate of a person that qualifies for an exception under subparagraph (A) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate—

''(I) enters into the swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, and the commercial risk that the affiliate is hedging or mitigating has been transferred to the affiliate;

''(II) is directly and wholly-owned by another affiliate qualified for the exception under this subparagraph or an entity that is not a financial entity;

''(III) is not indirectly majority-owned by a financial entity;

''(IV) is not ultimately owned by a parent company that is a financial entity; and

''(V) does not provide any services, financial or otherwise, to any affiliate that is a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010).

''(ii) LIMITATION ON QUALIFYING AFFILIATES.—The exception in clause (i) shall not apply if the affiliate is—

''(I) a swap dealer;

''(II) a security-based swap dealer;

''(III) a major swap participant;

''(IV) a major security-based swap participant;

''(V) a commodity pool;

''(VI) a bank holding company;

''(VII) a private fund, as defined in section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80–b–2(a));

''(VIII) an employee benefit plan or government plan, as defined in paragraphs (3) and (32) of section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002);

''(IX) an insured depository institution;

''(X) a farm credit system institution;

''(XI) a credit union;

''(XII) a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010); or

''(XIII) an entity engaged in the business of insurance and subject to capital requirements established by an insurance governmental authority of a State, a territory of the United States, the District of Columbia, a country other than the United States, or a political subdivision of a country other than the United States that is engaged in the supervision of insurance companies under insurance law.

''(iii) LIMITATION ON AFFILIATES' AFFILIATES.—Unless the Commission determines, by order, rule, or regulation, that it is in the public interest, the exception in clause (i) shall not apply with respect to an affiliate if the affiliate is itself affiliated with—

''(I) a major security-based swap participant;

''(II) a security-based swap dealer;

''(III) a major swap participant; or

''(IV) a swap dealer.

''(iv) CONDITIONS ON TRANSACTIONS.—With respect to an affiliate that qualifies for the exception in clause (i)—

''(I) the affiliate may not enter into any swap other than for the purpose of hedging or mitigating commercial risk; and

''(II) neither the affiliate nor any person affiliated with the affiliate that is not a financial entity may enter into a swap with or on behalf of any affiliate that is a financial entity or otherwise assume, net, combine, or consolidate the risk of swaps entered into by any such financial entity, except one that is an affiliate that qualifies for the exception under clause (i).''; and

(3) by adding at the end the following:

''(vi) RISK MANAGEMENT PROGRAM.—Any swap entered into by an affiliate that qualifies for the exception in clause (i) shall be subject to a centralized risk management program of the affiliate, which is reasonably designed both to monitor and manage the risks associated with the swap and to identify each of the affiliates on whose behalf a swap was entered into.''.

(b) SECURITIES EXCHANGE ACT OF 1934 AMENDMENT.—Section 3C(g)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78c–3(g)(4)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (E);

(2) by striking subparagraphs (A) and (B) and inserting the following:

''(A) IN GENERAL.—An affiliate of a person that qualifies for an exception under this subsection (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate—

''(i) enters into the security-based swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, and the commercial risk that the affiliate is hedging or mitigating has been transferred to the affiliate;

''(ii) is directly and wholly-owned by another affiliate qualified for the exception under this paragraph or an entity that is not a financial entity;

''(iii) is not indirectly majority-owned by a financial entity;

''(iv) is not ultimately owned by a parent company that is a financial entity; and

''(v) does not provide any services, financial or otherwise, to any affiliate that is a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010).

''(B) LIMITATION ON QUALIFYING AFFILIATES.—The exception in subparagraph (A) shall not apply if the affiliate is—

''(i) a swap dealer;

''(ii) a security-based swap dealer;

''(iii) a major swap participant;

''(iv) a major security-based swap participant;

''(v) a commodity pool;

''(vi) a bank holding company;

''(vii) a private fund, as defined in section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80–b–2(a));

''(viii) an employee benefit plan or government plan, as defined in paragraphs (3) and (32) of section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002);

''(ix) an insured depository institution;

''(x) a farm credit system institution;

''(xi) a credit union;

''(xii) a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010); or

''(xiii) an entity engaged in the business of insurance and subject to capital requirements established by an insurance governmental authority of a State, a territory of the United States, the District of Columbia, a country other than the United States, or a political subdivision of a country other than the United States that is engaged in the supervision of insurance companies under insurance law.

''(C) LIMITATION ON AFFILIATES' AFFILIATES.—Unless the Commission determines, by order, rule, or regulation, that it is in the public interest, the exception in subparagraph (A) shall not apply with respect to an affiliate if such affiliate is itself affiliated with—

''(i) a major security-based swap participant;

''(ii) a security-based swap dealer;

''(iii) a major swap participant; or

''(iv) a swap dealer.

''(D) CONDITIONS ON TRANSACTIONS.—With respect to an affiliate that qualifies for the exception in subparagraph (A)—

''(i) such affiliate may not enter into any security-based swap other than for the purpose of hedging or mitigating commercial risk; and

''(ii) neither such affiliate nor any person affiliated with such affiliate that is not a financial entity may enter into a security-based swap with or on behalf of any affiliate that is a financial entity or otherwise assume, net, combine, or consolidate the risk of security-based swaps entered into by any such financial entity, except one that is an affiliate that qualifies for the exception under subparagraph (A).''; and

(3) by adding at the end the following:

''(F) RISK MANAGEMENT PROGRAM.—Any security-based swap entered into by an affiliate that qualifies for the exception in subparagraph (A) shall be subject to a centralized risk management program of the affiliate, which is reasonably designed both to monitor and manage the risks associated with the security-based swap and to identify each of the affiliates on whose behalf a security-based swap was entered into.''.

**SEC. 706. ENSURING THE PROTECTION OF INSURANCE POLICYHOLDERS.**

(a) SOURCE OF STRENGTH.—Section 38A of the Federal Deposit Insurance Act (12 U.S.C. 1831o–1) is amended—

(1) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

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

''(c) AUTHORITY OF STATE INSURANCE REGULATOR.—

''(1) IN GENERAL.—The provisions of section 5(g) of the Bank Holding Company Act of 1956 (12 U.S.C. 1844(g)) shall apply to a savings and loan holding company that is an insurance company, an affiliate of an insured depository institution that is an insurance company, and to any other company that is an insurance company and that directly or indirectly controls an insured depository institution, to the same extent as the provisions of that section apply to a bank holding company that is an insurance company.

''(2) RULE OF CONSTRUCTION.—Requiring a bank holding company that is an insurance company, a savings and loan holding company that is an insurance company, an affiliate of an insured depository institution that is an insurance company, or any other company that is an insurance company and that directly or indirectly controls an insured depository institution to serve as a source of financial strength under this section shall be deemed an action of the Board that requires a bank holding company to provide funds or other assets to a subsidiary depository institution for purposes of section 5(g) of the Bank Holding Company Act of 1956 (12 U.S.C. 1844(g)).''.

(b) LIQUIDATION AUTHORITY.—The Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) is amended—

(1) in section 203(e)(3) (12 U.S.C. 5383(e)(3)), by inserting ''or rehabilitation'' after ''orderly liquidation'' each place that term appears; and

(2) in section 204(d)(4) (12 U.S.C. 5384(d)(4)), by inserting before the semicolon at the end the following: '', except that, if the covered financial company or covered subsidiary is an insurance company or a subsidiary of an insurance company, the Corporation—

''(A) shall promptly notify the State insurance authority for the insurance company of the intention to take such lien; and

''(B) may only take such lien—

''(i) to secure repayment of funds made available to such covered financial company or covered subsidiary; and

''(ii) if the Corporation determines, after consultation with the State insurance authority, that such lien will not unduly impede or delay the liquidation or rehabilitation of the insurance company, or the recovery by its policyholders''.

**SEC. 707. LIMITATION ON SEC FUNDS.**

None of the funds made available by any division of this Act shall be used by the Securities and Exchange Commission to finalize, issue, or implement any rule, regulation, or order regarding the disclosure of political contributions, contributions to tax exempt organizations, or dues paid to trade associations.

**SEC. 708. ELIMINATION OF REPORTING REQUIREMENT.**

Paragraph (6) of section 21(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(h)) is repealed.

**SEC. 709. EXTENSION OF HARDEST HIT FUND; TERMINATION OF MAKING HOME AFFORDABLE INITIATIVE.**

(a) EXTENSION OF HARDEST HIT FUND.—Section 120(b) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230(b)) is amended by inserting after the period at the end the following: ''Notwithstanding the foregoing, the Secretary may further extend the authority provided under this Act to expire on December 31, 2017, provided that (1) any such extension shall apply only with respect to current program participants in the Housing Finance Agency Innovation Fund for the Hardest Hit Housing Markets, and (2) funds obligated following such extension shall not exceed $2,000,000,000.''.

(b) TERMINATION.—

(1) IN GENERAL.—The Making Home Affordable initiative of the Secretary of the Treasury, as authorized under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), shall terminate on December 31, 2016.

(2) APPLICABILITY.—Paragraph (1) shall not apply to any loan modification application made under the Home Affordable Modification Program under the Making Home Affordable initiative of the Secretary of the Treasury, as authorized under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), before December 31, 2016.

## TITLE VIII—LAND AND WATER CONSERVATION FUND

**SEC. 801. LAND AND WATER CONSERVATION FUND.**

(a) REAUTHORIZATION.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the language preceding paragraph (1), by striking ''September 30, 2015'' and inserting ''September 30, 2018''; and

(2) in subsection (c)(1), by striking ''September 30, 2015'' and inserting ''September 30, 2018''.

(b) PROHIBITION ON USE OF CONDEMNATION OR EMINENT DOMAIN.—Except as provided by subsection (c), for fiscal years 2016, 2017, and 2018, unless otherwise provided by division G of this Act or an Act enacted after this Act making appropriations for the Department of the Interior, Environment, and Related Agencies, no funds appropriated by such division or Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations.

(c) EXCEPTION FOR EVERGLADES.—Hereafter, subsection (b) shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

## TITLE IX—NATIONAL OCEANS AND COASTAL SECURITY

**SEC. 901. SHORT TITLE.**

This title may be cited as the ''National Oceans and Coastal Security Act''.

**SEC. 902. DEFINITIONS.**

In this title:

(1) COASTAL COUNTY.—The term ''coastal county'' has the meaning given the term by the National Oceanic and Atmospheric Administration in the document entitled ''NOAA's List of Coastal Counties for the Bureau of the Census'' (or similar successor document).

(2) COASTAL STATE.—The term ''coastal State'' has the meaning given the term ''coastal state'' in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(3) FOUNDATION.—The term ''Foundation'' means the National Fish and Wildlife Foundation established by section 2(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(a)).

(4) FUND.—The term ''Fund'' means the National Oceans and Coastal Security Fund established under section 904(a).

(5) INDIAN TRIBE.—The term ''Indian tribe'' means any federally recognized Indian tribe.

(6) ADMINISTRATOR.—Except as otherwise specifically provided, the term ''Administrator'' means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

(7) TIDAL SHORELINE.—The term ''tidal shoreline'' has the meaning given that term pursuant to section 923.110(c)(2)(i) of title 15, Code of Federal Regulations, or a similar successor regulation.

**SEC. 903. PURPOSES AND AGREEMENTS.**

(a) PURPOSES.—The purposes of this title are to better understand and utilize the oceans, coasts, and Great Lakes of the United States, and ensure present and future generations will benefit from the full range of ecological, economic, social, and recreational opportunities, security, and services these resources are capable of providing.

(b) AGREEMENTS.—The Administrator and the Foundation may enter into such agreements as may be necessary to carry out the purposes of this title.

**SEC. 904. NATIONAL OCEANS AND COASTAL SECURITY FUND.**

(a) ESTABLISHMENT.—The Administrator and the Foundation are authorized to establish the National Oceans and Coastal Security Fund as a tax exempt fund to further the purposes of this title.

(b) DEPOSITS.—

(1) IN GENERAL.—There shall be deposited into the Fund amounts appropriated or otherwise made available to carry out this title.

(2) PROHIBITIONS ON DONATIONS FROM FOREIGN GOVERNMENTS.—No amounts donated by a foreign government, as defined in section 7342 of title 5, United States Code, may be deposited into the Fund.

(c) REQUIREMENTS.—Any amounts received by the Foundation pursuant to this title shall be subject to the provisions of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), except the provisions of—

(1) section 4(e)(1)(B) of that Act (16 U.S.C. 3703(e)(1)(B)); and

(2) section 10(a) of that Act (16 U.S.C. 3709(a)).

(d) EXPENDITURE.—Of the amounts deposited into the Fund for each fiscal year—

(1) funds may be used by the Foundation to award grants to coastal States under section 906(b);

(2) funds may be used by the Foundation to award grants under section 906(c);

(3) no more than 2 percent may be used by the Administrator and the Foundation for administrative expenses to carry out this title, which amount shall be divided between the Administrator and the Foundation pursuant to an agreement reached and documented by both the Administrator and the Foundation.

(e) RECOVERY OF PAYMENTS.—After notice and an opportunity for a hearing, the Administrator is authorized to recover any Federal payments under this section if the Foundation—

(1) makes a withdrawal or expenditure from the Fund that is not consistent with the requirements of section 905; or

(2) fails to comply with a procedure, measure, method, or standard established under section 906(a)(1).

**SEC. 905. ELIGIBLE USES.**

(a) IN GENERAL.—Amounts in the Fund may be allocated by the Foundation to support programs and activities intended to better understand and utilize ocean and coastal resources and coastal infrastructure, including baseline scientific research, ocean observing, and other programs and activities carried out in coordination with Federal and State departments or agencies.

(b) PROHIBITION ON USE OF FUNDS FOR LITIGATION OR OTHER PURPOSES.—No funds made available under this title may be used to—

(1) fund litigation against the Federal Government; or

(2) fund the creation of national marine monuments and marine protected areas, marine spatial planning, or the National Ocean Policy.

**SEC. 906. GRANTS.**

(a) ADMINISTRATION OF GRANTS.—

(1) IN GENERAL.—Not later than 90 days after funds are deposited into the Fund and made available to the Foundation for administrative purposes, the Foundation shall establish the following:

(A) Application and review procedures for the awarding of grants under this section, including requirements ensuring that any amounts awarded under such subsections may only be used for an eligible use described under section 905.

(B) Selection procedures and criteria for the awarding of grants under this section that—

(i) require consultation with the Administrator and the Secretary of the Interior; and

(ii) prioritize the projects or activities where non-Federal partners have committed to share the cost of the project.

(C) Eligibility criteria for awarding grants—

(i) under subsection (b) to coastal States; and

(ii) under subsection (c) to—

(I) entities including States, local governments, and Indian tribes; and

(II) the research and restoration work of associations, nongovernmental organizations, public-private partnerships, and academic institutions.

(D) Performance accountability and monitoring measures for programs and activities funded by a grant awarded under subsection (b) or (c).

(E) Procedures and methods to ensure accurate accounting and appropriate administration of grants awarded under this section, including standards of recordkeeping.

(F) Procedures to carry out audits of the Fund as necessary, but not less frequently than once every year if grants have been awarded in that year.

(G) Procedures to carry out audits of the recipients of grants under this section.

(H) Procedures to make publicly available on the Internet a list of all projects funded by the Fund, that includes at a minimum the grant recipient, grant amount, project description, and project status.

(2) APPROVAL.—The Foundation shall submit to the Administrator for approval each procedure, measure, method, and standard established under paragraph (1).

(b) GRANTS TO COASTAL STATES.—

(1) IN GENERAL.—The Administrator and the Foundation may award grants according to the procedures established in subsection (a) to coastal States and United States territories to support activities consistent with section 904. In determining distribution of grants, the Foundation may—

(A) consider for each State—

(i) percent of total United States shoreline miles;

(ii) coastal population density; and

(iii) other factors;

(B) establish criteria for States, including the requirement for a State to establish a plan to distribute the funds; and

(C) establish a maximum and minimum percentage of funding to be awarded to each State or United States territory.

(2) INDIAN TRIBES.—As a condition on receipt of a grant under this subsection, a State that receives a grant under this subsection shall ensure that Indian tribes in the State are eligible to participate in any competitive grants established in this title.

(c) NATIONAL GRANTS FOR OCEANS, COASTS, AND GREAT LAKES.—

(1) IN GENERAL.—The Administrator and the Foundation may award grants according to the procedures established in subsection (a) to support activities consistent with section 905.

(2) ADVISORY PANEL.—

(A) IN GENERAL.—The Foundation may establish an advisory panel to conduct reviews of applications for grants under paragraph (1) and the Foundation may consider the recommendations of the advisory panel with respect to such applications.

(B) MEMBERSHIP.—The advisory panel described under subparagraph (A) shall include persons representing—

(i) ocean and coastal dependent industries;

(ii) geographic regions as defined by the Foundation; and

(iii) academic institutions.

**SEC. 907. ANNUAL REPORT.**

(a) REQUIREMENT FOR ANNUAL REPORT.—Subject to subsection (c), beginning with fiscal year 2017, not later than 60 days after the end of each fiscal year, the Foundation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Fund during that fiscal year.

(b) CONTENT.—Each annual report submitted under subsection (a) for a fiscal year shall include—

(1) a full and complete statement of the receipts, including the source of all receipts, expenditures, and investments of the Fund;

(2) a statement of the amounts deposited in the Fund and the balance remaining in the Fund at the end of the fiscal year; and

(3) a description of the expenditures made from the Fund for the fiscal year, including the purpose of the expenditures.

**SEC. 908. FUNDING.**

There is authorized to be appropriated such sums as are necessary for fiscal years 2017, 2018, and 2019 for this title.

## TITLE X—BUDGETARY PROVISIONS

**SEC. 1001. BUDGETARY EFFECTS.**

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of division M and each succeeding division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of division M and each succeeding division hall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of division M and each succeeding division shall not be estimated—

(1) for purposes of section 251 of the such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

**SEC. 1002. AUTHORITY TO MAKE ADJUSTMENT IN FY 2016 ALLOCATION.**

(a) IN GENERAL.—After the date of enactment of this Act, the chair of the Committee on the Budget of the House of Representatives may revise appropriate allocations, aggregates, and levels established by Senate Concurrent Resolution 11 (114th Congress) to achieve consistency with the Bipartisan Budget Act of 2015.

(b) EXERCISE OF RULEMAKING POWERS.—The House adopts the provisions of this section—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House of Representatives, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

**SEC. 1003. ESTIMATES.**

Section 251(a)(7)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(7)(B)) is amended in the first sentence by striking ''the CBO estimate of that legislation, an OMB estimate of the amount of discretionary new budget authority and outlays'' and inserting ''both the CBO and OMB estimates of the amount of discretionary new budget authority''.

## TITLE XI—IRAQ LOAN AUTHORITY

**SEC. 1101. IRAQ LOAN AUTHORITY.**

(a) AUTHORITY.—During fiscal year 2016, direct loans under section 23 of the Arms Export Control Act may be made available for Iraq, gross obligations for the principal amounts of which shall not exceed $2,700,000,000: *Provided,* That funds appropriated under the heading ''Foreign Military Financing Program'' in title VIII of the Department of State, Foreign Operations and Related Programs Appropriations Act, 2016 that are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans, except that such funds may not be derived from amounts specifically designated by such Acts for countries other than Iraq: *Provided further,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, and may include the costs of selling, reducing, or cancelling any amounts owed to the United States or any agency of the United States by Iraq: *Provided further,* That the Government of the United States may charge fees for such loans, which shall be collected from borrowers in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further,* That no funds made available to Iraq by the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 or previous appropriations Acts may be used for payment of any fees associated with such loans: *Provided further,* That applicable provisions of section 3 of the Arms Export Control Act relating to restrictions on transfers, re-transfers and end-use shall apply to defense articles and services purchased with such loans: *Provided further*, That, in consultation with the Government of Iraq, special emphasis shall be placed on assistance to covered groups (as defined in section 1223(e)(2)(D) of Public Law 114–92) with the loans made available pursuant to this paragraph: *Provided further,* That such loans shall be repaid in not more than 12 years, including a grace period of up to 1 year on repayment of principal.

(b) CONSULTATION AND NOTIFICATION.—Funds made available pursuant to this section shall be subject to prior consultation with the appropriate congressional committees, and subject to the regular notification procedures of the Committees on Appropriations.

(c) COMMITTEES.—For the purposes of this section, the terms ''appropriate congressional committees'' and ''Committees on Appropriations'' have the same meaning as

used in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2016.

(d) BUDGETARY EFFECTS.—Section 1001 of title X of this division shall not apply to this section.

## DIVISION P—TAX-RELATED PROVISIONS

**SEC. 1. TABLE OF CONTENTS.**

The table of contents for this division is as follows:



## TITLE I—HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE EXCISE TAX PROVISIONS

**SEC. 101. DELAY OF EXCISE TAX ON HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE.**

(a) IN GENERAL.—Sections 9001(c) and 10901(c) of the Patient Protection and Affordable Care Act, as amended by section 1401(b) of the Health Care and Education Reconciliation Act of 2010, are each amended by striking ''2017'' and inserting ''2019''.

(b) CONFORMING AMENDMENT.—Clause (v) of section 4980I(b)(3)(C) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''as in effect'' and inserting ''as determined for'', and

(2) by striking ''as so in effect'' and inserting ''as so determined''.

**SEC. 102. DEDUCTIBILITY OF EXCISE TAX ON HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE.**

Paragraph (10) of section 4980I(f) of the Internal Revenue Code of 1986 is amended to read as follows:

''(10) DEDUCTIBILITY OF TAX.—Section 275(a)(6) shall not apply to the tax imposed by subsection (a).''.

**SEC. 103. STUDY ON SUITABLE BENCHMARKS FOR AGE AND GENDER ADJUSTMENT OF EXCISE TAX ON HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE.**

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States, in consultation with the National Association of Insurance Commissioners, shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on—

(1) the suitability of the use (in effect under section 4980I(b)(3)(C)(iii)(II) of the Internal Revenue Code of 1986 as of the date of the enactment of this Act) of the premium cost of the Blue Cross/Blue Shield standard benefit option under the Federal Employees Health Benefits Plan as a benchmark for the age and gender adjustment of the applicable dollar limit with respect to the excise tax on high cost employer-sponsored health coverage under section 4980I of the Internal Revenue Code of 1986; and

(2) recommendations regarding any more suitable benchmarks for such age and gender adjustment.

## TITLE II—ANNUAL FEE ON HEALTH INSURANCE PROVIDERS

**SEC. 201. MORATORIUM ON ANNUAL FEE ON HEALTH INSURANCE PROVIDERS.**

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended to read as follows:

''(j) EFFECTIVE DATE.—This section shall apply to calendar years—

''(1) beginning after December 31, 2013, and ending before January 1, 2017, and

''(2) beginning after December 31, 2017.''.

## TITLE III—MISCELLANEOUS PROVISIONS

**SEC. 301. EXTENSION AND PHASEOUT OF CREDITS FOR WIND FACILITIES.**

(a) IN GENERAL.—

(1) EXTENSION.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2015'' and inserting ''January 1, 2020''.

(2) PHASEOUT.—Subsection (b) of section 45 of such Code is amended by adding at the end the following new paragraph:

''(5) PHASEOUT OF CREDIT FOR WIND FACILITIES.—In the case of any facility using wind to produce electricity, the amount of the credit determined under subsection (a) (determined after the application of paragraphs (1), (2), and (3) and without regard to this paragraph) shall be reduced by—

''(A) in the case of any facility the construction of which begins after December 31, 2016, and before January 1, 2018, 20 percent,

''(B) in the case of any facility the construction of which begins after December 31, 2017, and before January 1, 2019, 40 percent, and

''(C) in the case of any facility the construction of which begins after December 31, 2018, and before January 1, 2020, 60 percent.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2015.

**SEC. 302. EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.**

(a) IN GENERAL.—Clause (ii) of section 48(a)(5)(C) is amended by inserting ''(January 1, 2020, in the case of any facility which is described in paragraph (1) of section 45(d))'' before '', and''.

(b) PHASEOUT FOR WIND FACILITIES.—Paragraph (5) of section 48(a) is amended by adding at the end the following new subparagraph:

''(E) PHASEOUT OF CREDIT FOR WIND FACILITIES.—In the case of any facility using wind to produce electricity, the amount of the credit determined under this section (determined after the application of paragraphs (1) and (2) and without regard to this subparagraph) shall be reduced by—

''(i) in the case of any facility the construction of which begins after December 31, 2016, and before January 1, 2018, 20 percent,

''(ii) in the case of any facility the construction of which begins after December 31, 2017, and before January 1, 2019, 40 percent, and

''(iii) in the case of any facility the construction of which begins after December 31, 2018, and before January 1, 2020, 60 percent.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2015.

**SEC. 303. EXTENSION AND PHASEOUT OF SOLAR ENERGY CREDIT.**

(a) EXTENSION.—Subclause (II) of section 48(a)(2)(A)(i) of the Internal Revenue Code of 1986 is amended by striking ''periods ending before January 1, 2017'' and inserting ''property the construction of which begins before January 1, 2022''.

(b) PHASEOUT FOR SOLAR ENERGY PROPERTY.—Subsection (a) of section 48 of such Code is amended by adding at the end the following new paragraph:

''(6) PHASEOUT FOR SOLAR ENERGY PROPERTY.—

''(A) IN GENERAL.—Subject to subparagraph (B), in the case of any energy property described in paragraph (3)(A)(i) the construction of which begins before January 1, 2022, the energy percentage determined under paragraph (2) shall be equal to—

''(i) in the case of any property the construction of which begins after December 31, 2019, and before January 1, 2021, 26 percent, and

''(ii) in the case of any property the construction of which begins after December 31, 2020, and before January 1, 2022, 22 percent.

''(B) PLACED IN SERVICE DEADLINE.—In the case of any property energy property described in paragraph (3)(A)(i) the construction of which begins before January 1, 2022, and which is not placed in service before January 1, 2024, the energy percentage determined under paragraph (2) shall be equal to 10 percent.''.

(c) CONFORMING AMENDMENT.—Subparagraph (A) of section 48(a)(2) of such Code is amended by striking ''The energy percentage'' and inserting ''Except as provided in paragraph (6), the energy percentage''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SEC. 304. EXTENSION AND PHASEOUT OF CREDITS WITH RESPECT TO QUALIFIED SOLAR ELECTRIC PROPERTY AND QUALIFIED SOLAR WATER HEATING PROPERTY.**

(a) IN GENERAL.—Section 25D of the Internal Revenue Code of 1986 is amended—

(1) in paragraphs (1) and (2) of subsection (a), by striking ''30 percent'' each place it appears and inserting ''the applicable percentage'',

(2) in subsection (g), by inserting ''(December 31, 2021, in the case of any qualified solar electric property expenditures and qualified solar water heating property expenditures)'' before the period at the end,

(3) by redesignating subsection (g), as amended by paragraph (2), as subsection (h), and

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

''(g) APPLICABLE PERCENTAGE.—For purposes of paragraphs (1) and (2) of subsection (a), the applicable percentage shall be—

''(1) in the case of property placed in service after December 31, 2016, and before January 1, 2020, 30 percent,

''(2) in the case of property placed in service after December 31, 2019, and before January 1, 2021, 26 percent, and

''(3) in the case of property placed in service after December 31, 2020, and before January 1, 2022, 22 percent.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2017.

**SEC. 305. TREATMENT OF TRANSPORTATION COSTS OF INDEPENDENT REFINERS.**

(a) IN GENERAL.—Paragraph (3) of section 199(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(C) TRANSPORTATION COSTS OF INDEPENDENT REFINERS.—

''(i) IN GENERAL.—In the case of any taxpayer who is in the trade or business of refin-

ing crude oil and who is not a major integrated oil company (as defined in section 167(h)(5)(B), determined without regard to clause (iii) thereof) for the taxable year, in computing oil related qualified production activities income under subsection (d)(9)(B), the amount allocated to domestic production gross receipts under paragraph (1)(B) for costs related to the transportation of oil shall be 25 percent of the amount properly allocable under such paragraph (determined without regard to this subparagraph).

''(ii) TERMINATION.—Clause (i) shall not apply to any taxable year beginning after December 31, 2021.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

At the end of House amendment #1, insert the following:

**DIVISION Q—PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015**

**SECTION 1. SHORT TITLE, ETC.**

(a) SHORT TITLE.—This division may be cited as the ''Protecting Americans from Tax Hikes Act of 2015''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this division is as follows:

## TITLE I—EXTENDERS

### Subtitle A—Permanent Extensions

### PART 1—TAX RELIEF FOR FAMILIES AND INDIVIDUALS

#### SEC. 101. ENHANCED CHILD TAX CREDIT MADE PERMANENT.

(a) IN GENERAL.—Section 24(d)(1)(B)(i) is amended by striking ''$10,000'' and inserting ''$3,000''.

(b) CONFORMING AMENDMENT.—Section 24(d) is amended by striking paragraphs (3) and (4).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

#### SEC. 102. ENHANCED AMERICAN OPPORTUNITY TAX CREDIT MADE PERMANENT.

(a) IN GENERAL.—Section 25A(i) is amended by striking ''and before 2018''.

(b) TREATMENT OF POSSESSIONS.—Section 1004(c)(1) of division B of the American Recovery and Reinvestment Tax Act of 2009 by striking ''and before 2018'' each place it appears.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

#### SEC. 103. ENHANCED EARNED INCOME TAX CREDIT MADE PERMANENT.

(a) INCREASE IN CREDIT PERCENTAGE FOR 3 OR MORE QUALIFYING CHILDREN MADE PERMANENT.—Section 32(b)(1) is amended to read as follows:

''(1) PERCENTAGES.—The credit percentage and the phaseout percentage shall be determined as follows:

| ''In the case of an eligible individual with: | The credit percentage is: | The phaseout percentage is: |
|---|---|---|
| 1 qualifying child | 34 | 15.98 |
| 2 qualifying children | 40 | 21.06 |
| 3 or more qualifying children | 45 | 21.06 |
| No qualifying children | 7.65 | 7.65''. |

(b) REDUCTION OF MARRIAGE PENALTY MADE PERMANENT.—

(1) IN GENERAL.—Section 32(b)(2)(B) is amended to read as follows:

''(B) JOINT RETURNS.—

''(i) IN GENERAL.—In the case of a joint return filed by an eligible individual and such individual's spouse, the phaseout amount determined under subparagraph (A) shall be increased by $5,000.

''(ii) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2015, the $5,000 amount in clause (i) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost of living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins determined by substituting 'calendar year 2008' for 'calendar year 1992' in subparagraph (B) thereof.

''(iii) ROUNDING.—Subparagraph (A) of subsection (j)(2) shall apply after taking into account any increase under clause (ii).''.

(c) CONFORMING AMENDMENT.—Section 32(b) is amended by striking paragraph (3).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 104. EXTENSION AND MODIFICATION OF DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.**

(a) DEDUCTION MADE PERMANENT.—Section 62(a)(2)(D) is amended by striking ''In the case of taxable years beginning during 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, or 2014, the deductions'' and inserting ''The deductions''.

(b) INFLATION ADJUSTMENT.—Section 62(d) is amended by adding at the end the following new paragraph:

''(3) INFLATION ADJUSTMENT.—In the case of any taxable year beginning after 2015, the $250 amount in subsection (a)(2)(D) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of $50.''.

(c) PROFESSIONAL DEVELOPMENT EXPENSES.—Section 62(a)(2)(D) is amended—

(1) by striking ''educator in connection'' and all that follows and inserting ''educator—'', and

(2) by inserting at the end the following:

''(i) by reason of the participation of the educator in professional development courses related to the curriculum in which the educator provides instruction or to the students for which the educator provides instruction, and

''(ii) in connection with books, supplies (other than nonathletic supplies for courses of instruction in health or physical education), computer equipment (including related software and services) and other equipment, and supplementary materials used by the eligible educator in the classroom.''.

(d) EFFECTIVE DATES.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2014.

(2) MODIFICATIONS.—The amendments made by subsections (b) and (c) shall apply to taxable years beginning after December 31, 2015.

**SEC. 105. EXTENSION OF PARITY FOR EXCLUSION FROM INCOME FOR EMPLOYER-PROVIDED MASS TRANSIT AND PARKING BENEFITS.**

(a) MASS TRANSIT AND PARKING PARITY.—Section 132(f)(2) is amended—

(1) by striking ''$100'' in subparagraph (A) and inserting ''$175'', and

(2) by striking the last sentence.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months after December 31, 2014.

**SEC. 106. EXTENSION OF DEDUCTION OF STATE AND LOCAL GENERAL SALES TAXES.**

(a) IN GENERAL.—Section 164(b)(5) is amended by striking subparagraph (I).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

## PART 2—INCENTIVES FOR CHARITABLE GIVING

**SEC. 111. EXTENSION AND MODIFICATION OF SPECIAL RULE FOR CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES.**

(a) MADE PERMANENT.—

(1) INDIVIDUALS.—Section 170(b)(1)(E) is amended by striking clause (vi).

(2) CORPORATIONS.—Section 170(b)(2)(B) is amended by striking clause (iii).

(b) CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES BY NATIVE CORPORATIONS.—

(1) IN GENERAL.—Section 170(b)(2) is amended by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED CONSERVATION CONTRIBUTIONS BY CERTAIN NATIVE CORPORATIONS.—

''(i) IN GENERAL.—Any qualified conservation contribution (as defined in subsection (h)(1)) which—

''(I) is made by a Native Corporation, and

''(II) is a contribution of property which was land conveyed under the Alaska Native Claims Settlement Act,

shall be allowed to the extent that the aggregate amount of such contributions does not exceed the excess of the taxpayer's taxable income over the amount of charitable contributions allowable under subparagraph (A).

''(ii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation of clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(2)) as a charitable contribution to which clause (i) applies in each of the 15 succeeding taxable years in order of time.

''(iii) NATIVE CORPORATION.—For purposes of this subparagraph, the term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 170(b)(2)(A) is amended by striking ''subparagraph (B) applies'' and inserting ''subparagraph (B) or (C) applies''.

(B) Section 170(b)(2)(B)(ii) is amended by striking ''15 succeeding years'' and inserting ''15 succeeding taxable years''.

(3) VALID EXISTING RIGHTS PRESERVED.—Nothing in this subsection (or any amendment made by this subsection) shall be construed to modify the existing property rights validly conveyed to Native Corporations (within the meaning of section 3(m) of the Alaska Native Claims Settlement Act) under such Act.

(c) EFFECTIVE DATES.—

(1) EXTENSION.—The amendments made by subsection (a) shall apply to contributions made in taxable years beginning after December 31, 2014.

(2) MODIFICATION.—The amendments made by subsection (b) shall apply to contributions made in taxable years beginning after December 31, 2015.

**SEC. 112. EXTENSION OF TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.**

(a) IN GENERAL.—Section 408(d)(8) is amended by striking subparagraph (F).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2014.

**SEC. 113. EXTENSION AND MODIFICATION OF CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.**

(a) PERMANENT EXTENSION.—Section 170(e)(3)(C) is amended by striking clause (iv).

(b) MODIFICATIONS.—Section 170(e)(3)(C), as amended by subsection (a), is amended by striking clause (ii), by redesignating clause (iii) as clause (vi), and by inserting after clause (i) the following new clauses:

''(ii) LIMITATION.—The aggregate amount of such contributions for any taxable year which may be taken into account under this section shall not exceed—

''(I) in the case of any taxpayer other than a C corporation, 15 percent of the taxpayer's aggregate net income for such taxable year from all trades or businesses from which such contributions were made for such year, computed without regard to this section, and

''(II) in the case of a C corporation, 15 percent of taxable income (as defined in subsection (b)(2)(D)).

''(iii) RULES RELATED TO LIMITATION.—

''(I) CARRYOVER.—If such aggregate amount exceeds the limitation imposed under clause (ii), such excess shall be treated (in a manner consistent with the rules of subsection (d)) as a charitable contribution described in clause (i) in each of the 5 succeeding taxable years in order of time.

''(II) COORDINATION WITH OVERALL CORPORATE LIMITATION.—In the case of any charitable contribution which is allowable after the application of clause (ii)(II), subsection (b)(2)(A) shall not apply to such contribution, but the limitation imposed by such subsection shall be reduced (but not below zero) by the aggregate amount of such contributions. For purposes of subsection (b)(2)(B), such contributions shall be treated as allowable under subsection (b)(2)(A).

''(iv) DETERMINATION OF BASIS FOR CERTAIN TAXPAYERS.—If a taxpayer—

''(I) does not account for inventories under section 471, and

''(II) is not required to capitalize indirect costs under section 263A,

the taxpayer may elect, solely for purposes of subparagraph (B), to treat the basis of any apparently wholesome food as being equal to 25 percent of the fair market value of such food.

''(v) DETERMINATION OF FAIR MARKET VALUE.—In the case of any such contribution of apparently wholesome food which cannot or will not be sold solely by reason of internal standards of the taxpayer, lack of market, or similar circumstances, or by reason of being produced by the taxpayer exclusively for the purposes of transferring the food to an organization described in subparagraph (A), the fair market value of such contribution shall be determined—

''(I) without regard to such internal standards, such lack of market, such circumstances, or such exclusive purpose, and

''(II) by taking into account the price at which the same or substantially the same food items (as to both type and quality) are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).''

(c) EFFECTIVE DATES.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to contributions made after December 31, 2014.

(2) MODIFICATIONS.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2015.

**SEC. 114. EXTENSION OF MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.**

(a) IN GENERAL.—Section 512(b)(13)(E) is amended by striking clause (iv).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2014.

**SEC. 115. EXTENSION OF BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.**

(a) IN GENERAL.—Section 1367(a)(2) is amended by striking the last sentence.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2014.

**PART 3—INCENTIVES FOR GROWTH, JOBS, INVESTMENT, AND INNOVATION**

**SEC. 121. EXTENSION AND MODIFICATION OF RESEARCH CREDIT.**

(a) MADE PERMANENT.—

(1) IN GENERAL.—Section 41 is amended by striking subsection (h).

(2) CONFORMING AMENDMENT.—Section 45C(b)(1) is amended by striking subparagraph (D).

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

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

(c) TREATMENT OF RESEARCH CREDIT FOR CERTAIN STARTUP COMPANIES.—

(1) IN GENERAL.—Section 41, as amended by subsection (a), is amended by adding at the end the following new subsection:

''(h) TREATMENT OF CREDIT FOR QUALIFIED SMALL BUSINESSES.—

''(1) IN GENERAL.—At the election of a qualified small business for any taxable year, section 3111(f) shall apply to the payroll tax credit portion of the credit otherwise determined under subsection (a) for the taxable year and such portion shall not be treated (other than for purposes of section 280C) as a credit determined under subsection (a).

''(2) PAYROLL TAX CREDIT PORTION.—For purposes of this subsection, the payroll tax credit portion of the credit determined under subsection (a) with respect to any qualified small business for any taxable year is the least of—

''(A) the amount specified in the election made under this subsection,

''(B) the credit determined under subsection (a) for the taxable year (determined before the application of this subsection), or

''(C) in the case of a qualified small business other than a partnership or S corporation, the amount of the business credit carryforward under section 39 carried from the taxable year (determined before the application of this subsection to the taxable year).

''(3) QUALIFIED SMALL BUSINESS.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified small business' means, with respect to any taxable year—

''(i) a corporation or partnership, if—

''(I) the gross receipts (as determined under the rules of section 448(c)(3), without regard to subparagraph (A) thereof) of such entity for the taxable year is less than $5,000,000, and

''(II) such entity did not have gross receipts (as so determined) for any taxable year preceding the 5-taxable-year period ending with such taxable year, and

''(ii) any person (other than a corporation or partnership) who meets the requirements of subclauses (I) and (II) of clause (i), determined—

''(I) by substituting 'person' for 'entity' each place it appears, and

''(II) by only taking into account the aggregate gross receipts received by such person in carrying on all trades or businesses of such person.

''(B) LIMITATION.—Such term shall not include an organization which is exempt from taxation under section 501.

''(4) ELECTION.—

''(A) IN GENERAL.—Any election under this subsection for any taxable year—

''(i) shall specify the amount of the credit to which such election applies,

''(ii) shall be made on or before the due date (including extensions) of—

''(I) in the case of a qualified small business which is a partnership, the return required to be filed under section 6031,

''(II) in the case of a qualified small business which is an S corporation, the return required to be filed under section 6037, and

''(III) in the case of any other qualified small business, the return of tax for the taxable year, and

''(iii) may be revoked only with the consent of the Secretary.

''(B) LIMITATIONS.—

''(i) AMOUNT.—The amount specified in any election made under this subsection shall not exceed $250,000.

''(ii) NUMBER OF TAXABLE YEARS.—A person may not make an election under this subsection if such person (or any other person treated as a single taxpayer with such person under paragraph (5)(A)) has made an election under this subsection for 5 or more preceding taxable years.

''(C) SPECIAL RULE FOR PARTNERSHIPS AND S CORPORATIONS.—In the case of a qualified small business which is a partnership or S corporation, the election made under this subsection shall be made at the entity level.

''(5) AGGREGATION RULES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), all persons or entities treated as a single taxpayer under subsection (f)(1) shall be treated as a single taxpayer for purposes of this subsection.

''(B) SPECIAL RULES.—For purposes of this subsection and section 3111(f)—

''(i) each of the persons treated as a single taxpayer under subparagraph (A) may separately make the election under paragraph (1) for any taxable year, and

''(ii) the $250,000 amount under paragraph (4)(B)(i) shall be allocated among all persons treated as a single taxpayer under subparagraph (A) in the same manner as under subparagraph (A)(ii) or (B)(ii) of subsection (f)(1), whichever is applicable.

''(6) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection, including—

''(A) regulations to prevent the avoidance of the purposes of the limitations and aggregation rules under this subsection through the use of successor companies or other means,

''(B) regulations to minimize compliance and record-keeping burdens under this subsection, and

''(C) regulations for recapturing the benefit of credits determined under section 3111(f) in cases where there is a subsequent adjustment to the payroll tax credit portion of the credit determined under subsection (a), including requiring amended income tax returns in the cases where there is such an adjustment.''.

(2) CREDIT ALLOWED AGAINST FICA TAXES.—Section 3111 is amended by adding at the end the following new subsection:

''(f) CREDIT FOR RESEARCH EXPENDITURES OF QUALIFIED SMALL BUSINESSES.—

''(1) IN GENERAL.—In the case of a taxpayer who has made an election under section 41(h) for a taxable year, there shall be allowed as a credit against the tax imposed by subsection (a) for the first calendar quarter which begins after the date on which the taxpayer files the return specified in section 41(h)(4)(A)(ii) an amount equal to the payroll tax credit portion determined under section 41(h)(2).

''(2) LIMITATION.—The credit allowed by paragraph (1) shall not exceed the tax imposed by subsection (a) for any calendar quarter on the wages paid with respect to the employment of all individuals in the employ of the employer.

''(3) CARRYOVER OF UNUSED CREDIT.—If the amount of the credit under paragraph (1) exceeds the limitation of paragraph (2) for any calendar quarter, such excess shall be carried to the succeeding calendar quarter and allowed as a credit under paragraph (1) for such quarter.

''(4) DEDUCTION ALLOWED FOR CREDITED AMOUNTS.—The credit allowed under paragraph (1) shall not be taken into account for purposes of determining the amount of any deduction allowed under chapter 1 for taxes imposed under subsection (a).''.

(d) EFFECTIVE DATES.—

(1) EXTENSION.—The amendments made by subsection (a) shall apply to shall apply to amounts paid or incurred after December 31, 2014.

(2) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX IN CASE OF ELIGIBLE SMALL BUSINESS.—The amendments made by subsection (b) shall apply to credits determined for taxable years beginning after December 31, 2015.

(3) TREATMENT OF RESEARCH CREDIT FOR CERTAIN STARTUP COMPANIES.—The amendments made by subsection (c) shall apply to taxable years beginning after December 31, 2015.

**SEC. 122. EXTENSION AND MODIFICATION OF EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.**

(a) IN GENERAL.—Section 45P is amended by striking subsection (f).

(b) APPLICABILITY TO ALL EMPLOYERS.—

(1) IN GENERAL.—Section 45P(a) is amended by striking '', in the case of an eligible small business employer''.

(2) CONFORMING AMENDMENT.—Section 45P(b)(3) is amended to read as follows:

''(3) CONTROLLED GROUPS.—All persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer.''.

(c) EFFECTIVE DATE.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to payments made after December 31, 2014.

(2) MODIFICATION.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2015.

**SEC. 123. EXTENSION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS, QUALIFIED RESTAURANT BUILDINGS AND IMPROVEMENTS, AND QUALIFIED RETAIL IMPROVEMENTS.**

(a) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY AND QUALIFIED RESTAURANT PROPERTY.—Clauses (iv) and (v) of section 168(e)(3)(E) are each amended by striking ''placed in service before January 1, 2015''.

(b) QUALIFIED RETAIL IMPROVEMENT PROPERTY.—Section 168(e)(3)(E)(ix) is amended by striking ''placed in service after December 31, 2008, and before January 1, 2015''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2014.

**SEC. 124. EXTENSION AND MODIFICATION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.**

(a) MADE PERMANENT.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) is amended by striking ''shall not exceed—'' and all that follows and inserting ''shall not exceed $500,000.''.

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended by striking ''exceeds—'' and all that follows and inserting ''exceeds $2,000,000.''.

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking '', to which section 167 applies, and which is placed in service in a taxable year beginning after 2002 and before 2015'' and inserting ''and to which section 167 applies''.

(c) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—

(1) EXTENSION FOR 2015.—Section 179(f) is amended—

(A) by striking ''2015'' in paragraph (1) and inserting ''2016'',

(B) by striking ''2014'' each place it appears in paragraph (4) and inserting ''2015'', and

(C) by striking ''AND 2013'' in the heading of paragraph (4)(C) and inserting ''2013, AND 2014''.

(2) MADE PERMANENT.—Section 179(f), as amended by paragraph (1), is amended—

(A) by striking ''beginning after 2009 and before 2016'' in paragraph (1), and

(B) by striking paragraphs (3) and (4).

(d) ELECTION.—Section 179(c)(2) is amended—

(1) by striking ''may not be revoked'' and all that follows through ''and before 2015'', and

(2) by striking ''IRREVOCABLE'' in the heading thereof.

(e) AIR CONDITIONING AND HEATING UNITS.—Section 179(d)(1) is amended by striking ''and shall not include air conditioning or heating units''.

(f) INFLATION ADJUSTMENT.—Section 179(b) is amended by adding at the end the following new paragraph:

''(6) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning after 2015, the dollar amounts in paragraphs (1) and (2) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—The amount of any increase under subparagraph (A) shall be rounded to the nearest multiple of $10,000.''.

(g) EFFECTIVE DATES.—

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

(2) MODIFICATIONS.—The amendments made by subsections (c)(2) and (e) shall apply to taxable years beginning after December 31, 2015.

**SEC. 125. EXTENSION OF TREATMENT OF CERTAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.**

(a) IN GENERAL.—Section 871(k) is amended by striking clause (v) of paragraph (1)(C) and clause (v) of paragraph (2)(C).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

**SEC. 126. EXTENSION OF EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.**

(a) IN GENERAL.—Section 1202(a)(4) is amended—

(1) by striking ''and before January 1, 2015'', and

(2) by striking '', 2011, 2012, 2013, AND 2014'' in the heading thereof and inserting ''AND THEREAFTER''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after December 31, 2014.

**SEC. 127. EXTENSION OF REDUCTION IN S-CORPORATION RECOGNITION PERIOD FOR BUILT-IN GAINS TAX.**

(a) IN GENERAL.—Section 1374(d)(7) is amended to read as follows:

''(7) RECOGNITION PERIOD.—

''(A) IN GENERAL.—The term 'recognition period' means the 5-year period beginning with the 1st day of the 1st taxable year for which the corporation was an S corporation. For purposes of applying this section to any amount includible in income by reason of distributions to shareholders pursuant to section 593(e), the preceding sentence shall be applied without regard to the phrase '5-year'.

''(B) INSTALLMENT SALES.—If an S corporation sells an asset and reports the income from the sale using the installment method under section 453, the treatment of all payments received shall be governed by the provisions of this paragraph applicable to the taxable year in which such sale was made.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

**SEC. 128. EXTENSION OF SUBPART F EXCEPTION FOR ACTIVE FINANCING INCOME.**

(a) INSURANCE BUSINESSES.—Section 953(e) is amended by striking paragraph (10) and by redesignating paragraph (11) as paragraph (10).

(b) BANKING, FINANCING, OR SIMILAR BUSINESSES.—Section 954(h) is amended by striking paragraph (9).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2014, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

**PART 4—INCENTIVES FOR REAL ESTATE INVESTMENT**

**SEC. 131. EXTENSION OF MINIMUM LOW-INCOME HOUSING TAX CREDIT RATE FOR NON-FEDERALLY SUBSIDIZED BUILDINGS.**

(a) IN GENERAL.—Section 42(b)(2) is amended by striking ''with respect to housing credit dollar amount allocations made before January 1, 2015''.

(b) CLERICAL AMENDMENT.—The heading for section 42(b)(2) is amended by striking ''TEMPORARY MINIMUM'' and inserting ''MINIMUM''.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on January 1, 2015.

**SEC. 132. EXTENSION OF MILITARY HOUSING ALLOWANCE EXCLUSION FOR DETERMINING WHETHER A TENANT IN CERTAIN COUNTIES IS LOW-INCOME.**

(a) IN GENERAL.—Section 3005(b) of the Housing Assistance Tax Act of 2008 is amended by striking ''and before January 1, 2015'' each place it appears.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 3005 of the Housing Assistance Tax Act of 2008.

**SEC. 133. EXTENSION OF RIC QUALIFIED INVESTMENT ENTITY TREATMENT UNDER FIRPTA.**

(a) IN GENERAL.—Section 897(h)(4)(A) is amended—

(1) by striking clause (ii), and

(2) by striking all that precedes ''regulated investment company which'' and inserting the following:

''(A) QUALIFIED INVESTMENT ENTITY.—The term 'qualified investment entity' means—

''(i) any real estate investment trust, and

''(ii) any''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on January 1, 2015. Notwithstanding the preceding sentence, such amendments shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before the date of the enactment of this Act.

(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

(A) which makes a distribution after December 31, 2014, and before the date of the enactment of this Act, and

(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.

**Subtitle B—Extensions Through 2019**

**SEC. 141. EXTENSION OF NEW MARKETS TAX CREDIT.**

(a) IN GENERAL.—Section 45D(f)(1)(G) is amended by striking ''for 2010, 2011, 2012, 2013, and 2014'' and inserting ''for each of calendar years 2010 through 2019''.

(b) CARRYOVER OF UNUSED LIMITATION.—Section 45D(f)(3) is amended by striking ''2019'' and inserting ''2024''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 2014.

**SEC. 142. EXTENSION AND MODIFICATION OF WORK OPPORTUNITY TAX CREDIT.**

(a) IN GENERAL.—Section 51(c)(4) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2019''.

(b) CREDIT FOR HIRING LONG-TERM UNEMPLOYMENT RECIPIENTS.—

(1) IN GENERAL.—Section 51(d)(1) is amended by striking ''or'' at the end of subparagraph (H), by striking the period at the end of subparagraph (I) and inserting '', or'', and by adding at the end the following new subparagraph:

''(J) a qualified long-term unemployment recipient.''.

(2) QUALIFIED LONG-TERM UNEMPLOYMENT RECIPIENT.—Section 51(d) is amended by adding at the end the following new paragraph:

''(15) QUALIFIED LONG-TERM UNEMPLOYMENT RECIPIENT.—The term 'qualified long-term unemployment recipient' means any individual who is certified by the designated local agency as being in a period of unemployment which—

''(A) is not less than 27 consecutive weeks, and

''(B) includes a period in which the individual was receiving unemployment compensation under State or Federal law.''.

(c) EFFECTIVE DATES.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to individuals who begin work for the employer after December 31, 2014.

(2) MODIFICATION.—The amendments made by subsection (b) shall apply to individuals who begin work for the employer after December 31, 2015.

**SEC. 143. EXTENSION AND MODIFICATION OF BONUS DEPRECIATION.**

(a) EXTENDED FOR 2015.—

(1) IN GENERAL.—Section 168(k)(2) is amended—

(A) by striking ''January 1, 2016'' in subparagraph (A)(iv) and inserting ''January 1, 2017'', and

(B) by striking ''January 1, 2015'' each place it appears and inserting ''January 1, 2016''.

(2) SPECIAL RULE FOR FEDERAL LONG-TERM CONTRACTS.—Section 460(c)(6)(B)(ii) is

amended by striking ''January 1, 2015 (January 1, 2016'' and inserting ''January 1, 2016 (January 1, 2017''.

(3) EXTENSION OF ELECTION TO ACCELERATE AMT CREDIT IN LIEU OF BONUS DEPRECIATION.—

(A) IN GENERAL.—Section 168(k)(4)(D)(iii)(II) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2016''.

(B) ROUND 5 EXTENSION PROPERTY.—Section 168(k)(4) is amended by adding at the end the following new subparagraph:

''(L) SPECIAL RULES FOR ROUND 5 EXTENSION PROPERTY.—

''(i) IN GENERAL.—In the case of round 5 extension property, in applying this paragraph to any taxpayer—

''(I) the limitation described in subparagraph (B)(i) and the business credit increase amount under subparagraph (E)(iii) thereof shall not apply, and

''(II) the bonus depreciation amount, maximum amount, and maximum increase amount shall be computed separately from amounts computed with respect to eligible qualified property which is not round 5 extension property.

''(ii) ELECTION.—

''(I) A taxpayer who has an election in effect under this paragraph for round 4 extension property shall be treated as having an election in effect for round 5 extension property unless the taxpayer elects to not have this paragraph apply to round 5 extension property.

''(II) A taxpayer who does not have an election in effect under this paragraph for round 4 extension property may elect to have this paragraph apply to round 5 extension property.

''(iii) ROUND 5 EXTENSION PROPERTY.—For purposes of this subparagraph, the term 'round 5 extension property' means property which is eligible qualified property solely by reason of the extension of the application of the special allowance under paragraph (1) pursuant to the amendments made by section 143(a)(1) of the Protecting Americans from Tax Hikes Act of 2015 (and the application of such extension to this paragraph pursuant to the amendment made by section 143(a)(3) of such Act).''.

(4) CONFORMING AMENDMENTS.—

(A) The heading for section 168(k) is amended by striking ''JANUARY 1, 2015'' and inserting ''JANUARY 1, 2016''.

(B) The heading for section 168(k)(2)(B)(ii) is amended by striking ''PRE-JANUARY 1, 2015'' and inserting ''PRE-JANUARY 1, 2016''.

(5) EFFECTIVE DATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection shall apply to property placed in service after December 31, 2014, in taxable years ending after such date.

(B) ELECTION TO ACCELERATE AMT CREDIT.—The amendments made by paragraph (3) shall apply to taxable years ending after December 31, 2014.

(b) EXTENDED AND MODIFIED FOR 2016 THROUGH 2019.—

(1) IN GENERAL.—Section 168(k)(2), as amended by subsection (a), is amended to read as follows:

''(2) QUALIFIED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified property' means property—

''(i)(I) to which this section applies which has a recovery period of 20 years or less,

''(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

''(III) which is water utility property, or

''(IV) which is qualified improvement property,

''(ii) the original use of which commences with the taxpayer, and

''(iii) which is placed in service by the taxpayer before January 1, 2020.

''(B) CERTAIN PROPERTY HAVING LONGER PRODUCTION PERIODS TREATED AS QUALIFIED PROPERTY.—

''(i) IN GENERAL.—The term 'qualified property' includes any property if such property—

''(I) meets the requirements of clauses (i) and (ii) of subparagraph (A),

''(II) is placed in service by the taxpayer before January 1, 2021,

''(III) is acquired by the taxpayer (or acquired pursuant to a written contract entered into) before January 1, 2020,

''(IV) has a recovery period of at least 10 years or is transportation property,

''(V) is subject to section 263A, and

''(VI) meets the requirements of clause (iii) of section 263A(f)(1)(B) (determined as if such clause also applies to property which has a long useful life (within the meaning of section 263A(f))).

''(ii) ONLY PRE-JANUARY 1, 2020 BASIS ELIGIBLE FOR ADDITIONAL ALLOWANCE.—In the case of property which is qualified property solely by reason of clause (i), paragraph (1) shall apply only to the extent of the adjusted basis thereof attributable to manufacture, construction, or production before January 1, 2020.

''(iii) TRANSPORTATION PROPERTY.—For purposes of this subparagraph, the term 'transportation property' means tangible personal property used in the trade or business of transporting persons or property.

''(iv) APPLICATION OF SUBPARAGRAPH.—This subparagraph shall not apply to any property which is described in subparagraph (C).

''(C) CERTAIN AIRCRAFT.—The term 'qualified property' includes property—

''(i) which meets the requirements of subparagraph (A)(ii) and subclauses (II) and (III) of subparagraph (B)(i),

''(ii) which is an aircraft which is not a transportation property (as defined in subparagraph (B)(iii)) other than for agricultural or firefighting purposes,

''(iii) which is purchased and on which such purchaser, at the time of the contract for purchase, has made a nonrefundable deposit of the lesser of—

''(I) 10 percent of the cost, or

''(II) $100,000, and

''(iv) which has—

''(I) an estimated production period exceeding 4 months, and

''(II) a cost exceeding $200,000.

''(D) EXCEPTION FOR ALTERNATIVE DEPRECIATION PROPERTY.—The term 'qualified property' shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

''(i) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

''(ii) after application of section 280F(b) (relating to listed property with limited business use).

''(E) SPECIAL RULES.—

''(i) SELF-CONSTRUCTED PROPERTY.—In the case of a taxpayer manufacturing, constructing, or producing property for the taxpayer's own use, the requirements of subclause (III) of subparagraph (B)(i) shall be treated as met if the taxpayer begins manufacturing, constructing, or producing the property before January 1, 2020.

''(ii) SALE-LEASEBACKS.—For purposes of clause (iii) and subparagraph (A)(ii), if property is—

''(I) originally placed in service by a person, and

''(II) sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in subclause (II).

''(iii) SYNDICATION.—For purposes of subparagraph (A)(ii), if—

''(I) property is originally placed in service by the lessor of such property,

''(II) such property is sold by such lessor or any subsequent purchaser within 3 months after the date such property was originally placed in service (or, in the case of multiple units of property subject to the same lease, within 3 months after the date the final unit is placed in service, so long as the period between the time the first unit is placed in service and the time the last unit is placed in service does not exceed 12 months), and

''(III) the user of such property after the last sale during such 3-month period remains the same as when such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date of such last sale.

''(F) COORDINATION WITH SECTION 280F.—For purposes of section 280F—

''(i) AUTOMOBILES.—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified property, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i) by $8,000.

''(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).

''(iii) PHASE DOWN.—In the case of a passenger automobile placed in service by the taxpayer after December 31, 2017, clause (i) shall be applied by substituting for '$8,000'—

''(I) in the case of an automobile placed in service during 2018, $6,400, and

''(II) in the case of an automobile placed in service during 2019, $4,800.

''(G) DEDUCTION ALLOWED IN COMPUTING MINIMUM TAX.—For purposes of determining alternative minimum taxable income under section 55, the deduction under section 167 for qualified property shall be determined without regard to any adjustment under section 56.''.

(2) QUALIFIED IMPROVEMENT PROPERTY.—Section 168(k)(3) is amended to read as follows:

''(3) QUALIFIED IMPROVEMENT PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified improvement property' means any improvement to an interior portion of a building which is nonresidential real property if such improvement is placed in service after the date such building was first placed in service.

''(B) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

''(i) the enlargement of the building,

''(ii) any elevator or escalator, or

''(iii) the internal structural framework of the building.''.

(3) EXPANSION OF ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—Section 168(k)(4), as amended by subsection (a), is amended to read as follows:

''(4) ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

''(A) IN GENERAL.—If a corporation elects to have this paragraph apply for any taxable year—

''(i) paragraphs (1) and (2)(F) shall not apply to any qualified property placed in service during such taxable year,

''(ii) the applicable depreciation method used under this section with respect to such property shall be the straight line method, and

''(iii) the limitation imposed by section 53(c) for such taxable year shall be increased by the bonus depreciation amount which is

determined for such taxable year under subparagraph (B).

''(B) BONUS DEPRECIATION AMOUNT.—For purposes of this paragraph—

''(i) IN GENERAL.—The bonus depreciation amount for any taxable year is an amount equal to 20 percent of the excess (if any) of—

''(I) the aggregate amount of depreciation which would be allowed under this section for qualified property placed in service by the taxpayer during such taxable year if paragraph (1) applied to all such property (and, in the case of any such property which is a passenger automobile (as defined in section 280F(d)(5)), if paragraph (2)(F) applied to such automobile), over

''(II) the aggregate amount of depreciation which would be allowed under this section for qualified property placed in service by the taxpayer during such taxable year if paragraphs (1) and (2)(F) did not apply to any such property.

The aggregate amounts determined under subclauses (I) and (II) shall be determined without regard to any election made under subparagraph (A) or subsection (b)(2)(D), (b)(3)(D), or (g)(7).

''(ii) LIMITATION.—The bonus depreciation amount for any taxable year shall not exceed the lesser of—

''(I) 50 percent of the minimum tax credit under section 53(b) for the first taxable year ending after December 31, 2015, or

''(II) the minimum tax credit under section 53(b) for such taxable year determined by taking into account only the adjusted net minimum tax for taxable years ending before January 1, 2016 (determined by treating credits as allowed on a first-in, first-out basis).

''(iii) AGGREGATION RULE.—All corporations which are treated as a single employer under section 52(a) shall be treated—

''(I) as 1 taxpayer for purposes of this paragraph, and

''(II) as having elected the application of this paragraph if any such corporation so elects.

''(C) CREDIT REFUNDABLE.—For purposes of section 6401(b), the aggregate increase in the credits allowable under part IV of subchapter A for any taxable year resulting from the application of this paragraph shall be treated as allowed under subpart C of such part (and not any other subpart).

''(D) OTHER RULES.—

''(i) ELECTION.—Any election under this paragraph may be revoked only with the consent of the Secretary.

''(ii) PARTNERSHIPS WITH ELECTING PARTNERS.—In the case of a corporation which is a partner in a partnership and which makes an election under subparagraph (A) for the taxable year, for purposes of determining such corporation's distributive share of partnership items under section 702 for such taxable year—

''(I) paragraphs (1) and (2)(F) shall not apply to any qualified property placed in service during such taxable year, and

''(II) the applicable depreciation method used under this section with respect to such property shall be the straight line method.

''(iii) CERTAIN PARTNERSHIPS.—In the case of a partnership in which more than 50 percent of the capital and profits interests are owned (directly or indirectly) at all times during the taxable year by 1 corporation (or by corporations treated as 1 taxpayer under subparagraph (B)(iii)), each partner shall compute its bonus depreciation amount under clause (i) of subparagraph (B) by taking into account its distributive share of the amounts determined by the partnership under subclauses (I) and (II) of such clause for the taxable year of the partnership ending with or within the taxable year of the partner.''.

(4) SPECIAL RULES FOR CERTAIN PLANTS BEARING FRUITS AND NUTS.—Section 168(k) is amended—

(A) by striking paragraph (5), and

(B) by inserting after paragraph (4) the following new paragraph:

''(5) SPECIAL RULES FOR CERTAIN PLANTS BEARING FRUITS AND NUTS.—

''(A) IN GENERAL.—In the case of any specified plant which is planted before January 1, 2020, or is grafted before such date to a plant that has already been planted, by the taxpayer in the ordinary course of the taxpayer's farming business (as defined in section 263A(e)(4)) during a taxable year for which the taxpayer has elected the application of this paragraph—

''(i) a depreciation deduction equal to 50 percent of the adjusted basis of such specified plant shall be allowed under section 167(a) for the taxable year in which such specified plant is so planted or grafted, and

''(ii) the adjusted basis of such specified plant shall be reduced by the amount of such deduction.

''(B) SPECIFIED PLANT.—For purposes of this paragraph, the term 'specified plant' means—

''(i) any tree or vine which bears fruits or nuts, and

''(ii) any other plant which will have more than one yield of fruits or nuts and which generally has a pre-productive period of more than 2 years from the time of planting or grafting to the time at which such plant begins bearing fruits or nuts.

Such term shall not include any property which is planted or grafted outside of the United States.

''(C) ELECTION REVOCABLE ONLY WITH CONSENT.—An election under this paragraph may be revoked only with the consent of the Secretary.

''(D) ADDITIONAL DEPRECIATION MAY BE CLAIMED ONLY ONCE.—If this paragraph applies to any specified plant, such specified plant shall not be treated as qualified property in the taxable year in which placed in service.

''(E) DEDUCTION ALLOWED IN COMPUTING MINIMUM TAX.—Rules similar to the rules of paragraph (2)(G) shall apply for purposes of this paragraph.

''(F) PHASE DOWN.—In the case of a specified plant which is planted after December 31, 2017 (or is grafted to a plant that has already been planted before such date), subparagraph (A)(i) shall be applied by substituting for '50 percent'—

''(i) in the case of a plant which is planted (or so grafted) in 2018, '40 percent', and

''(ii) in the case of a plant which is planted (or so grafted) during 2019, '30 percent'.''.

(5) PHASE DOWN OF BONUS DEPRECIATION.—Section 168(k) is amended by adding at the end the following new paragraph:

''(6) PHASE DOWN.—In the case of qualified property placed in service by the taxpayer after December 31, 2017, paragraph (1)(A) shall be applied by substituting for '50 percent'—

''(A) in the case of property placed in service in 2018 (or in the case of property placed in service in 2019 and described in paragraph (2)(B) or (C) (determined by substituting '2019' for '2020' in paragraphs (2)(B)(i)(III) and (ii) and paragraph (2)(E)(i)), '40 percent',

''(B) in the case of property placed in service in 2019 (or in the case of property placed in service in 2020 and described in paragraph (2)(B) or (C), '30 percent'.''.

(6) CONFORMING AMENDMENTS.—

(A) Section 168(e)(6) is amended—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (D) and (E), respectively,

(ii) by striking all that precedes subparagraph (D) (as so redesignated) and inserting the following:

''(6) QUALIFIED LEASEHOLD IMPROVEMENT PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified leasehold improvement property' means any improvement to an interior portion of a building which is nonresidential real property if—

''(i) such improvement is made under or pursuant to a lease (as defined in subsection (h)(7))—

''(I) by the lessee (or any sublessee) of such portion, or

''(II) by the lessor of such portion,

''(ii) such portion is to be occupied exclusively by the lessee (or any sublessee) of such portion, and

''(iii) such improvement is placed in service more than 3 years after the date the building was first placed in service.

''(B) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

''(i) the enlargement of the building,

''(ii) any elevator or escalator,

''(iii) any structural component benefitting a common area, or

''(iv) the internal structural framework of the building.

''(C) DEFINITIONS AND SPECIAL RULES.—For purposes of this paragraph—

''(i) COMMITMENT TO LEASE TREATED AS LEASE.—A commitment to enter into a lease shall be treated as a lease, and the parties to such commitment shall be treated as lessor and lessee, respectively.

''(ii) RELATED PERSONS.—A lease between related persons shall not be considered a lease. For purposes of the preceding sentence, the term 'related persons' means—

''(I) members of an affiliated group (as defined in section 1504), and

''(II) persons having a relationship described in subsection (b) of section 267; except that, for purposes of this clause, the phrase '80 percent or more' shall be substituted for the phrase 'more than 50 percent' each place it appears in such subsection.'', and

(iii) by striking ''subparagraph (A)'' in subparagraph (E) (as so redesignated) and inserting ''subparagraph (D)''.

(B) Section 168(e)(7)(B) is amended by striking ''qualified leasehold improvement property'' and inserting ''qualified improvement property''.

(C) Section 168(e)(8) is amended by striking subparagraph (D).

(D) Section 168(k), as amended by the preceding provisions of this section, is amended by adding at the end the following new paragraph:

''(7) ELECTION OUT.—If a taxpayer makes an election under this paragraph with respect to any class of property for any taxable year, paragraphs (1) and (2)(F) shall not apply to any qualified property in such class placed in service during such taxable year. An election under this paragraph may be revoked only with the consent of the Secretary.''.

(E) Section 168(l)(3) is amended—

(i) by striking ''section 168(k)'' in subparagraph (A) and inserting ''subsection (k)'', and

(ii) by striking ''section 168(k)(2)(D)(i)'' in subparagraph (B) and inserting ''subsection (k)(2)(D)''.

(F) Section 168(l)(4) is amended by striking ''subparagraph (E) of section 168(k)(2)'' and all that follows and inserting ''subsection (k)(2)(E) shall apply.''.

(G) Section 168(l)(5) is amended by striking ''section 168(k)(2)(G)'' and inserting ''subsection (k)(2)(G)''.

(H) Section 263A(c) is amended by adding at the end the following new paragraph:

''(7) COORDINATION WITH SECTION 168(k)(5).—This section shall not apply to any amount allowed as a deduction by reason of section

168(k)(5) (relating to special rules for certain plants bearing fruits and nuts).''.

(I) Section 460(c)(6)(B)(ii), as amended by subsection (a), is amended to read as follows:

''(ii) is placed in service before January 1, 2020 (January 1, 2021 in the case of property described in section 168(k)(2)(B)).''.

(J) Section 168(k), as amended by subsection (a), is amended by striking ''AND BEFORE JANUARY 1, 2016'' in the heading thereof and inserting ''AND BEFORE JANUARY 1, 2020''.

(7) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the amendments made by this subsection shall apply to property placed in service after December 31, 2015, in taxable years ending after such date.

(B) EXPANSION OF ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—The amendments made by paragraph (3) shall apply to taxable years ending after December 31, 2015, except that in the case of any taxable year beginning before January 1, 2016, and ending after December 31, 2015, the limitation under section 168(k)(4)(B)(ii) of the Internal Revenue Code of 1986 (as amended by this section) shall be the sum of—

(i) the product of—

(I) the maximum increase amount (within the meaning of section 168(k)(4)(C)(iii) of such Code, as in effect before the amendments made by this subsection), multiplied by

(II) a fraction the numerator of which is the number of days in the taxable year before January 1, 2016, and the denominator of which is the number of days in the taxable year, plus

(ii) the product of—

(I) such limitation (determined without regard to this subparagraph), multiplied by

(II) a fraction the numerator of which is the number of days in the taxable year after December 31, 2015, and the denominator of which is the number of days in the taxable year.

(C) SPECIAL RULES FOR CERTAIN PLANTS BEARING FRUITS AND NUTS.—The amendments made by paragraph (4) (other than subparagraph (A) thereof) shall apply to specified plants (as defined in section 168(k)(5)(B) of the Internal Revenue Code of 1986, as amended by this subsection) planted or grafted after December 31, 2015.

**SEC. 144. EXTENSION OF LOOK-THRU TREATMENT OF PAYMENTS BETWEEN RELATED CONTROLLED FOREIGN CORPORATIONS UNDER FOREIGN PERSONAL HOLDING COMPANY RULES.**

(a) IN GENERAL.—Section 954(c)(6)(C) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2020''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2014, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

## Subtitle C—Extensions Through 2016

## PART 1—TAX RELIEF FOR FAMILIES AND INDIVIDUALS

**SEC. 151. EXTENSION AND MODIFICATION OF EXCLUSION FROM GROSS INCOME OF DISCHARGE OF QUALIFIED PRINCIPAL RESIDENCE INDEBTEDNESS.**

(a) EXTENSION.—Section 108(a)(1)(E) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2017''.

(b) MODIFICATION.—Section 108(a)(1)(E), as amended by subsection (a), is amended by striking ''discharged before'' and all that follows and inserting ''discharged—

''(i) before January 1, 2017, or

''(ii) subject to an arrangement that is entered into and evidenced in writing before January 1, 2017.''.

(c) EFFECTIVE DATES.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to discharges of indebtedness after December 31, 2014.

(2) MODIFICATION.—The amendment made by subsection (b) shall apply to discharges of indebtedness after December 31, 2015.

**SEC. 152. EXTENSION OF MORTGAGE INSURANCE PREMIUMS TREATED AS QUALIFIED RESIDENCE INTEREST.**

(a) IN GENERAL.—Subclause (I) of section 163(h)(3)(E)(iv) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or accrued after December 31, 2014.

**SEC. 153. EXTENSION OF ABOVE-THE-LINE DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.**

(a) IN GENERAL.—Section 222(e) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

## PART 2—INCENTIVES FOR GROWTH, JOBS, INVESTMENT, AND INNOVATION

**SEC. 161. EXTENSION OF INDIAN EMPLOYMENT TAX CREDIT.**

(a) IN GENERAL.—Section 45A(f) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

**SEC. 162. EXTENSION AND MODIFICATION OF RAILROAD TRACK MAINTENANCE CREDIT.**

(a) EXTENSION.—Section 45G(f) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2017''.

(b) MODIFICATION.—Section 45G(d) is amended by striking ''January 1, 2005,'' and inserting ''January 1, 2015,''.

(c) EFFECTIVE DATES.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2014.

(2) MODIFICATION.—The amendment made by subsection (b) shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2015.

**SEC. 163. EXTENSION OF MINE RESCUE TEAM TRAINING CREDIT.**

(a) IN GENERAL.—Section 45N(e) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

**SEC. 164. EXTENSION OF QUALIFIED ZONE ACADEMY BONDS.**

(a) EXTENSION.—Section 54E(c)(1) is amended by striking ''and 2014'' and inserting ''2014, 2015, and 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after December 31, 2014.

**SEC. 165. EXTENSION OF CLASSIFICATION OF CERTAIN RACE HORSES AS 3-YEAR PROPERTY.**

(a) IN GENERAL.—Section 168(e)(3)(A)(i) is amended—

(1) by striking ''January 1, 2015'' in subclause (I) and inserting ''January 1, 2017'', and

(2) by striking ''December 31, 2014'' in subclause (II) and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2014.

**SEC. 166. EXTENSION OF 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.**

(a) IN GENERAL.—Section 168(i)(15)(D) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2014.

**SEC. 167. EXTENSION AND MODIFICATION OF ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIAN RESERVATION.**

(a) IN GENERAL.—Section 168(j)(8) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) ELECTION TO HAVE SPECIAL RULES NOT APPLY.—Section 168(j) is amended by redesignating paragraph (8), as amended by subsection (a), as paragraph (9), and by inserting after paragraph (7) the following new paragraph:

''(8) ELECTION OUT.—If a taxpayer makes an election under this paragraph with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service during such taxable year. Such election, once made, shall be irrevocable.''.

(c) EFFECTIVE DATES.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to property placed in service after December 31, 2014.

(2) MODIFICATION.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2015.

**SEC. 168. EXTENSION OF ELECTION TO EXPENSE MINE SAFETY EQUIPMENT.**

(a) IN GENERAL.—Section 179E(g) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2014.

**SEC. 169. EXTENSION OF SPECIAL EXPENSING RULES FOR CERTAIN FILM AND TELEVISION PRODUCTIONS; SPECIAL EXPENSING FOR LIVE THEATRICAL PRODUCTIONS.**

(a) IN GENERAL.—Section 181(f) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) APPLICATION TO LIVE PRODUCTIONS.—

(1) IN GENERAL.—Paragraph (1) of section 181(a) is amended by inserting '', and any qualified live theatrical production,'' after ''any qualified film or television production''.

(2) CONFORMING AMENDMENTS.—Section 181 is amended—

(A) by inserting ''or any qualified live theatrical production'' after ''qualified film or television production'' each place it appears in subsections (a)(2), (b), and (c)(1),

(B) by inserting ''or qualified live theatrical productions'' after ''qualified film or television productions'' in subsection (f), and

(C) by inserting ''**AND LIVE THEATRICAL**'' after ''**FILM AND TELEVISION**'' in the heading.

(3) CLERICAL AMENDMENT.—The item relating to section 181 in the table of sections for part VI of subchapter B of chapter 1 is amended to read as follows:

''Sec. 181. Treatment of certain qualified film and television and live theatrical productions.''.

(c) QUALIFIED LIVE THEATRICAL PRODUCTION.—Section 181 is amended—

(1) by redesignating subsections (e) and (f), as amended by subsections (a) and (b), as subsections (f) and (g), respectively, and

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

''(e) QUALIFIED LIVE THEATRICAL PRODUCTION.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified live theatrical production' means any production described in paragraph (2) if 75 percent of the total compensation of the production is qualified compensation (as defined in subsection (d)(3)).

''(2) PRODUCTION.—

''(A) IN GENERAL.—A production is described in this paragraph if such production is a live staged production of a play (with or

without music) which is derived from a written book or script and is produced or presented by a taxable entity in any venue which has an audience capacity of not more than 3,000 or a series of venues the majority of which have an audience capacity of not more than 3,000.

''(B) TOURING COMPANIES, ETC.—In the case of multiple live staged productions—

''(i) for which the election under this section would be allowable to the same taxpayer, and

''(ii) which are—

''(I) separate phases of a production, or

''(II) separate simultaneous stagings of the same production in different geographical locations (not including multiple performance locations of any one touring production),

each such live staged production shall be treated as a separate production.

''(C) PHASE.—For purposes of subparagraph (B), the term 'phase' with respect to any qualified live theatrical production refers to each of the following, but only if each of the following is treated by the taxpayer as a separate activity for all purposes of this title:

''(i) The initial staging of a live theatrical production.

''(ii) Subsequent additional stagings or touring of such production which are produced by the same producer as the initial staging.

''(D) SEASONAL PRODUCTIONS.—

''(i) IN GENERAL.—In the case of a live staged production not described in subparagraph (B) which is produced or presented by a taxable entity for not more than 10 weeks of the taxable year, subparagraph (A) shall be applied by substituting '6,500' for '3,000'.

''(ii) SHORT TAXABLE YEARS.—For purposes of clause (i), in the case of any taxable year of less than 12 months, the number of weeks for which a production is produced or presented shall be annualized by multiplying the number of weeks the production is produced or presented during such taxable year by 12 and dividing the result by the number of months in such taxable year.

''(E) EXCEPTION.—A production is not described in this paragraph if such production includes or consists of any performance of conduct described in section 2257(h)(1) of title 18, United States Code.''.

(d) EFFECTIVE DATE.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to productions commencing after December 31, 2014.

(2) MODIFICATIONS.—

(A) IN GENERAL.—The amendments made by subsections (b) and (c) shall apply to productions commencing after December 31, 2015.

(B) COMMENCEMENT.—For purposes of subparagraph (A), the date on which a qualified live theatrical production commences is the date of the first public performance of such production for a paying audience.

**SEC. 170. EXTENSION OF DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.**

(a) IN GENERAL.—Section 199(d)(8)(C) is amended—

(1) by striking ''first 9 taxable years'' and inserting ''first 11 taxable years'', and

(2) by striking ''January 1, 2015'' and inserting ''January 1, 2017''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

**SEC. 171. EXTENSION AND MODIFICATION OF EMPOWERMENT ZONE TAX INCENTIVES.**

(a) IN GENERAL.—

(1) EXTENSION.—Section 1391(d)(1)(A)(i) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(2) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

(b) MODIFICATION.—Section 1394(b)(3)(B)(i) is amended—

(1) by striking ''References'' and inserting the following:

''(I) IN GENERAL.—Except as provided in subclause (II), references'', and

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

''(II) SPECIAL RULE FOR EMPLOYEE RESIDENCE TEST.—For purposes of subsection (b)(6) and (c)(5) of section 1397C, an employee shall be treated as a resident of an empowerment zone if such employee is a resident of an empowerment zone, an enterprise community, or a qualified low-income community within an applicable nominating jurisdiction.''.

(c) DEFINITIONS.—

(1) QUALIFIED LOW-INCOME COMMUNITY.—Section 1394(b)(3) is amended by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED LOW-INCOME COMMUNITY.—For purposes of subparagraph (B)—

''(i) IN GENERAL.—The term 'qualified low-income community' means any population census tract if—

''(I) the poverty rate for such tract is at least 20 percent, or

''(II) the median family income for such tract does not exceed 80 percent of statewide median family income (or, in the case of a tract located within a metropolitan area, metropolitan area median family income if greater).

Subclause (II) shall be applied using possessionwide median family income in the case of census tracts located within a possession of the United States.

''(ii) TARGETED POPULATIONS.—The Secretary shall prescribe regulations under which 1 or more targeted populations (within the meaning of section 103(20) of the Riegle Community Development and Regulatory Improvement Act of 1994) may be treated as qualified low-income communities.

''(iii) AREAS NOT WITHIN CENSUS TRACTS.—In the case of an area which is not tracted for population census tracts, the equivalent county divisions (as defined by the Bureau of the Census for purposes of defining poverty areas) shall be used for purposes of determining poverty rates and median family income.

''(iv) MODIFICATION OF INCOME REQUIREMENT FOR CENSUS TRACTS WITHIN HIGH MIGRATION RURAL COUNTIES.—

''(I) IN GENERAL.—In the case of a population census tract located within a high migration rural county, clause (i)(II) shall be applied to areas not located within a metropolitan area by substituting '85 percent' for '80 percent'.

''(II) HIGH MIGRATION RURAL COUNTY.—For purposes of this clause, the term 'high migration rural county' means any county which, during the 20-year period ending with the year in which the most recent census was conducted, has a net out-migration of inhabitants from the county of at least 10 percent of the population of the county at the beginning of such period.''.

(2) APPLICABLE NOMINATING JURISDICTION.—Section 1394(b)(3)(D), as redesignated by paragraph (1), is amended by adding at the end the following new clause:

''(iii) APPLICABLE NOMINATING JURISDICTION.—The term 'applicable nominating jurisdiction' means, with respect to any empowerment zone or enterprise community, any local government that nominated such community for designation under section 1391.''.

(d) CONFORMING AMENDMENTS.—

(1) Section 1394(b)(3)(B)(iii) is amended by striking ''or an enterprise community'' and inserting '', an enterprise community, or a qualified low-income community within an applicable nominating jurisdiction''.

(2) Section 1394(b)(3)(D), as redesignated by subsection (c)(1), is amended by striking ''DEFINITIONS'' and inserting ''OTHER DEFINITIONS''.

(e) EFFECTIVE DATES.—

(1) EXTENSIONS.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2014.

(2) MODIFICATIONS.—The amendments made by subsections (b), (c), and (d) shall apply to bonds issued after December 31, 2015.

**SEC. 172. EXTENSION OF TEMPORARY INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAXES TO PUERTO RICO AND THE VIRGIN ISLANDS.**

(a) IN GENERAL.—Section 7652(f)(1) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2017''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled spirits brought into the United States after December 31, 2014.

**SEC. 173. EXTENSION OF AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.**

(a) IN GENERAL.—Section 119(d) of division A of the Tax Relief and Health Care Act of 2006 is amended—

(1) by striking ''January 1, 2015'' each place it appears and inserting ''January 1, 2017'',

(2) by striking ''first 9 taxable years'' in paragraph (1) and inserting ''first 11 taxable years'', and

(3) by striking ''first 3 taxable years'' in paragraph (2) and inserting ''first 5 taxable years''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

**SEC. 174. MORATORIUM ON MEDICAL DEVICE EXCISE TAX.**

(a) IN GENERAL.—Section 4191 is amended by adding at the end the following new subsection:

''(c) MORATORIUM.—The tax imposed under subsection (a) shall not apply to sales during the period beginning on January 1, 2016, and ending on December 31, 2017.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales after December 31, 2015.

## PART 3—INCENTIVES FOR ENERGY PRODUCTION AND CONSERVATION

**SEC. 181. EXTENSION AND MODIFICATION OF CREDIT FOR NONBUSINESS ENERGY PROPERTY.**

(a) EXTENSION.—Section 25C(g)(2) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) UPDATED ENERGY STAR REQUIREMENTS.—

(1) IN GENERAL.—Section 25C(c)(1) is amended by striking ''which meets'' and all that follows through ''requirements)''.

(2) ENERGY EFFICIENT BUILDING ENVELOPE COMPONENT.—Section 25C(c) is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

''(2) ENERGY EFFICIENT BUILDING ENVELOPE COMPONENT.—The term 'energy efficient

building envelope component' means a building envelope component which meets—

''(A) applicable Energy Star program requirements, in the case of a roof or roof products,

''(B) version 6.0 Energy Star program requirements, in the case of an exterior window, a skylight, or an exterior door, and

''(C) the prescriptive criteria for such component established by the 2009 International Energy Conservation Code, as such Code (including supplements) is in effect on the date of the enactment of the American Recovery and Reinvestment Tax Act of 2009, in the case of any other component.''.

(c) EFFECTIVE DATES.—

(1) EXTENSION.—The amendment made by subsection (a) shall apply to property placed in service after December 31, 2014.

(2) MODIFICATION.—The amendments made by subsection (b) shall apply to property placed in service after December 31, 2015.

**SEC. 182. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.**

(a) IN GENERAL.—Section 30C(g) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2014.

**SEC. 183. EXTENSION OF CREDIT FOR 2-WHEELED PLUG-IN ELECTRIC VEHICLES.**

(a) IN GENERAL.—Section 30D(g)(3)(E) is amended by striking ''acquired'' and all that follows and inserting the following: ''acquired—

''(i) after December 31, 2011, and before January 1, 2014, or

''(ii) in the case of a vehicle that has 2 wheels, after December 31, 2014, and before January 1, 2017.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to vehicles acquired after December 31, 2014.

**SEC. 184. EXTENSION OF SECOND GENERATION BIOFUEL PRODUCER CREDIT.**

(a) IN GENERAL.—Section 40(b)(6)(J)(i) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2017''.

(b) EFFECTIVE DATE.—The amendment made by this subsection shall apply to qualified second generation biofuel production after December 31, 2014.

**SEC. 185. EXTENSION OF BIODIESEL AND RENEWABLE DIESEL INCENTIVES.**

(a) INCOME TAX CREDIT.—

(1) IN GENERAL.—Subsection (g) of section 40A is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to fuel sold or used after December 31, 2014.

(b) EXCISE TAX INCENTIVES.—

(1) IN GENERAL.—Section 6426(c)(6) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(2) PAYMENTS.—Section 6427(e)(6)(B) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2014.

(4) SPECIAL RULE FOR 2015.—Notwithstanding any other provision of law, in the case of any biodiesel mixture credit properly determined under section 6426(c) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2015, and ending on December 31, 2015, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

**SEC. 186. EXTENSION AND MODIFICATION OF PRODUCTION CREDIT FOR INDIAN COAL FACILITIES.**

(a) IN GENERAL.—Section 45(e)(10)(A) is amended by striking ''9-year period'' each place it appears and inserting ''11-year period''.

(b) REPEAL OF LIMITATION BASED ON DATE FACILITY IS PLACED IN SERVICE.—Section 45(d)(10) is amended to read as follows:

''(10) INDIAN COAL PRODUCTION FACILITY.—The term 'Indian coal production facility' means a facility that produces Indian coal.''.

(c) TREATMENT OF SALES TO RELATED PARTIES.—Section 45(e)(10)(A)(ii)(I) is amended by inserting ''(either directly by the taxpayer or after sale or transfer to one or more related persons)'' after ''unrelated person''.

(d) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 38(c)(4)(B), as amended by the preceding provisions of this Act, is amended by redesignating clauses (v) through (x) as clauses (vi) through (xi), respectively, and by inserting after clause (iv) the following new clause:

''(v) the credit determined under section 45 to the extent that such credit is attributable to section 45(e)(10) (relating to Indian coal production facilities),''.

(2) CONFORMING AMENDMENT.—Section 45(e)(10) is amended by striking subparagraph (D).

(e) EFFECTIVE DATES.—

(1) EXTENSION.—The amendments made by subsection (a) shall apply to coal produced after December 31, 2014.

(2) MODIFICATIONS.—The amendments made by subsections (b) and (c) shall apply to coal produced and sold after December 31, 2015, in taxable years ending after such date.

(3) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—The amendments made by subsection (d) shall apply to credits determined for taxable years beginning after December 31, 2015.

**SEC. 187. EXTENSION OF CREDITS WITH RESPECT TO FACILITIES PRODUCING ENERGY FROM CERTAIN RENEWABLE RESOURCES.**

(a) IN GENERAL.—The following provisions of section 45(d) are each amended by striking ''January 1, 2015'' each place it appears and inserting ''January 1, 2017'':

(1) Paragraph (2)(A).
(2) Paragraph (3)(A).
(3) Paragraph (4)(B).
(4) Paragraph (6).
(5) Paragraph (7).
(6) Paragraph (9).
(7) Paragraph (11)(B).

(b) EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Section 48(a)(5)(C)(ii) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2017''.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on January 1, 2015.

**SEC. 188. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT NEW HOMES.**

(a) IN GENERAL.—Section 45L(g) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to homes acquired after December 31, 2014.

**SEC. 189. EXTENSION OF SPECIAL ALLOWANCE FOR SECOND GENERATION BIOFUEL PLANT PROPERTY.**

(a) IN GENERAL.—Section 168(l)(2)(D) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2017''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2014.

**SEC. 190. EXTENSION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.**

(a) IN GENERAL.—Section 179D(h) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to property placed in service after December 31, 2014.

**SEC. 191. EXTENSION OF SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.**

(a) IN GENERAL.—Section 451(i)(3) is amended by striking ''January 1, 2015'' and inserting ''January 1, 2017''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions after December 31, 2014.

**SEC. 192. EXTENSION OF EXCISE TAX CREDITS RELATING TO ALTERNATIVE FUELS.**

(a) EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS.—

(1) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3) are each amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(2) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Section 6427(e)(6)(C) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2014.

(c) SPECIAL RULE FOR 2015.—Notwithstanding any other provision of law, in the case of any alternative fuel credit properly determined under section 6426(d) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2015, and ending on December 31, 2015, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

**SEC. 193. EXTENSION OF CREDIT FOR NEW QUALIFIED FUEL CELL MOTOR VEHICLES.**

(a) IN GENERAL.—Section 30B(k)(1) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property purchased after December 31, 2014.

## TITLE II—PROGRAM INTEGRITY

**SEC. 201. MODIFICATION OF FILING DATES OF RETURNS AND STATEMENTS RELATING TO EMPLOYEE WAGE INFORMATION AND NONEMPLOYEE COMPENSATION TO IMPROVE COMPLIANCE.**

(a) IN GENERAL.—Section 6071 is amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) the following new subsection:

''(c) RETURNS AND STATEMENTS RELATING TO EMPLOYEE WAGE INFORMATION AND NONEMPLOYEE COMPENSATION.—Forms W–2 and W–3 and any returns or statements required by the Secretary to report nonemployee compensation shall be filed on or before January 31 of the year following the calendar year to which such returns relate.''.

(b) DATE FOR CERTAIN REFUNDS.—Section 6402 is amended by adding at the end the following new subsection:

''(m) EARLIEST DATE FOR CERTAIN REFUNDS.—No credit or refund of an overpayment for a taxable year shall be made to a taxpayer before the 15th day of the second month following the close of such taxable year if a credit is allowed to such taxpayer under section 24 (by reason of subsection (d) thereof) or 32 for such taxable year.''.

(c) CONFORMING AMENDMENT.—Section 6071(b) is amended by striking ''subparts B and C of part III of this subchapter'' and inserting ''subpart B of part III of this subchapter (other than returns and statements required to be filed with respect to nonemployee compensation)''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to returns and statements relating to calendar years beginning after the date of the enactment of this Act.

(2) DATE FOR CERTAIN REFUNDS.—The amendment made by subsection (b) shall apply to credits or refunds made after December 31, 2016.

**SEC. 202. SAFE HARBOR FOR DE MINIMIS ERRORS ON INFORMATION RETURNS AND PAYEE STATEMENTS.**

(a) IN GENERAL.—Section 6721(c) is amended by adding at the end the following new paragraph:

''(3) SAFE HARBOR FOR CERTAIN DE MINIMIS ERRORS.—

''(A) IN GENERAL.—If, with respect to an information return filed with the Secretary—

''(i) there are 1 or more failures described in subsection (a)(2)(B) relating to an incorrect dollar amount,

''(ii) no single amount in error differs from the correct amount by more than $100, and

''(iii) no single amount reported for tax withheld on any information return differs from the correct amount by more than $25,

then no correction shall be required and, for purposes of this section, such return shall be treated as having been filed with all of the correct required information.

''(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to any incorrect dollar amount to the extent that such error relates to an amount with respect to which an election is made under section 6722(c)(3)(B).

''(C) REGULATORY AUTHORITY.—The Secretary may issue regulations to prevent the abuse of the safe harbor under this paragraph, including regulations providing that this paragraph shall not apply to the extent necessary to prevent any such abuse.''.

(b) FAILURE TO FURNISH CORRECT PAYEE STATEMENT.—Section 6722(c) is amended by adding at the end the following new paragraph:

''(3) SAFE HARBOR FOR CERTAIN DE MINIMIS ERRORS.—

''(A) IN GENERAL.—If, with respect to any payee statement—

''(i) there are 1 or more failures described in subsection (a)(2)(B) relating to an incorrect dollar amount,

''(ii) no single amount in error differs from the correct amount by more than $100, and

''(iii) no single amount reported for tax withheld on any information return differs from the correct amount by more than $25,

then no correction shall be required and, for purposes of this section, such statement shall be treated as having been filed with all of the correct required information.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to any payee statement if the person to whom such statement is required to be furnished makes an election (at such time and in such manner as the Secretary may prescribe) that subparagraph (A) not apply with respect to such statement.

''(C) REGULATORY AUTHORITY.—The Secretary may issue regulations to prevent the abuse of the safe harbor under this paragraph, including regulations providing that this paragraph shall not apply to the extent necessary to prevent any such abuse.''.

(c) APPLICATION TO BROKER REPORTING OF BASIS.—Section 6045(g)(2)(B) is amended by adding at the end the following new clause:

''(iii) TREATMENT OF UNCORRECTED DE MINIMIS ERRORS.—Except as otherwise provided by the Secretary, the customer's adjusted basis shall be determined by treating any incorrect dollar amount which is not required to be corrected by reason of section 6721(c)(3) or section 6722(c)(3) as the correct amount.''.

(d) CONFORMING AMENDMENTS.—

(1) Section 6721(c) is amended by striking ''EXCEPTION FOR DE MINIMIS FAILURES TO INCLUDE ALL REQUIRED INFORMATION'' in the heading and inserting ''EXCEPTIONS FOR CERTAIN DE MINIMIS FAILURES''.

(2) Section 6721(c)(1) is amended by striking ''IN GENERAL'' in the heading and inserting ''EXCEPTION FOR DE MINIMIS FAILURE TO INCLUDE ALL REQUIRED INFORMATION''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed, and payee statements required to be provided, after December 31, 2016.

**SEC. 203. REQUIREMENTS FOR THE ISSUANCE OF ITINS.**

(a) IN GENERAL.—Section 6109 is amended by adding at the end the following new subsection:

''(i) SPECIAL RULES RELATING TO THE ISSUANCE OF ITINS.—

''(1) IN GENERAL.—The Secretary is authorized to issue an individual taxpayer identification number to an individual only if the applicant submits an application, using such form as the Secretary may require and including the required documentation—

''(A) in the case of an applicant not described in subparagraph (B)—

''(i) in person to an employee of the Internal Revenue Service or a community-based certified acceptance agent approved by the Secretary, or

''(ii) by mail, pursuant to rules prescribed by the Secretary, or

''(B) in the case of an applicant who resides outside of the United States, by mail or in person to an employee of the Internal Revenue Service or a designee of the Secretary at a United States diplomatic mission or consular post.

''(2) REQUIRED DOCUMENTATION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'required documentation' includes such documentation as the Secretary may require that proves the individual's identity, foreign status, and residency.

''(B) VALIDITY OF DOCUMENTS.—The Secretary may accept only original documents or certified copies meeting the requirements of the Secretary.

''(3) TERM OF ITIN.—

''(A) IN GENERAL.—An individual taxpayer identification number issued after December 31, 2012, shall remain in effect unless the individual to whom such number is issued does not file a return of tax (or is not included as a dependent on the return of tax of another taxpayer) for 3 consecutive taxable years. In the case of an individual described in the preceding sentence, such number shall expire on the last day of such third consecutive taxable year.

''(B) SPECIAL RULE FOR EXISTING ITINS.—In the case of an individual with respect to whom an individual taxpayer identification number was issued before January 1, 2013, such number shall remain in effect until the earlier of—

''(i) the applicable date, or

''(ii) if the individual does not file a return of tax (or is not included as a dependent on the return of tax of another taxpayer) for 3 consecutive taxable years, the earlier of—

''(I) the last day of such third consecutive taxable year, or

''(II) the last day of the taxable year that includes the date of the enactment of this subsection.

''(C) APPLICABLE DATE.—For purposes of subparagraph (B), the term 'applicable date' means—

''(i) January 1, 2017, in the case of an individual taxpayer identification number issued before January 1, 2008,

''(ii) January 1, 2018, in the case of an individual taxpayer identification number issued in 2008,

''(iii) January 1, 2019, in the case of an individual taxpayer identification number issued in 2009 or 2010, and

''(iv) January 1, 2020, in the case of an individual taxpayer identification number issued in 2011 or 2012.

''(4) DISTINGUISHING ITINS ISSUED SOLELY FOR PURPOSES OF TREATY BENEFITS.—The Secretary shall implement a system that ensures that individual taxpayer identification numbers issued solely for purposes of claiming tax treaty benefits are used only for such purposes, by distinguishing such numbers from other individual taxpayer identification numbers issued.''.

(b) AUDIT BY TIGTA.—Not later than 2 years after the date of the enactment of this Act, and every 2 years thereafter, the Treasury Inspector General for Tax Administration shall conduct an audit of the program of the Internal Revenue Service for the issuance of individual taxpayer identification numbers pursuant to section 6109(i) of the Internal Revenue Code of 1986 (as added by this section) and report the results of such audit to the Committee on Finance of the Senate and the Committee on the Ways and Means of the House of Representatives.

(c) COMMUNITY-BASED CERTIFIED ACCEPTANCE AGENTS.—The Secretary of the Treasury, or the Secretary's delegate, shall maintain a program for training and approving community-based certified acceptance agents for purposes of section 6109(i)(1)(A)(i) of the Internal Revenue Code of 1986 (as added by this section). Persons eligible to be acceptance agents under such program include—

(1) financial institutions (as defined in section 265(b)(5) of such Code and the regulations thereunder),

(2) colleges and universities which are described in section 501(c)(3) of such Code and exempt from taxation under section 501(a) of such Code,

(3) Federal agencies (as defined in section 6402(h) of such Code),

(4) State and local governments, including agencies responsible for vital records,

(5) community-based organizations which are described in subsection (c)(3) or (d) of

section 501 of such Code and exempt from taxation under section 501(a) of such Code,

(6) persons that provide assistance to taxpayers in the preparation of their tax returns, and

(7) other persons or categories of persons as authorized by regulations or other guidance of the Secretary of the Treasury.

(d) ITIN STUDY.—

(1) IN GENERAL.—The Secretary of the Treasury, or the Secretary's delegate, shall conduct a study on the effectiveness of the application process for individual taxpayer identification numbers before the implementation of the amendments made by this section, the effects of the amendments made by this section on such application process, the comparative effectiveness of an in-person review process for application versus other methods of reducing fraud in the ITIN program and improper payments to ITIN holders as a result, and possible administrative and legislative recommendations to improve such process.

(2) SPECIFIC REQUIREMENTS.—Such study shall include an evaluation of the following:

(A) Possible administrative and legislative recommendations to reduce fraud and improper payments through the use of individual taxpayer identification numbers (hereinafter referred to as ''ITINs'').

(B) If data supports an in-person initial review of ITIN applications to reduce fraud and improper payments, the administrative and legislative steps needed to implement such an in-person initial review of ITIN applications, in conjunction with an expansion of the community-based certified acceptance agent program under subsection (c), with a goal of transitioning to such a program by 2020.

(C) Strategies for more efficient processing of ITIN applications.

(D) The acceptance agent program as in existence on the date of the enactment of this Act and ways to expand the geographic availability of agents through the community-based certified acceptance agent program under subsection (c).

(E) Strategies for the Internal Revenue Service to work with other Federal agencies, State and local governments, and other organizations and persons described in subsection (c) to encourage participation in the community-based certified acceptance agent program under subsection (c) to facilitate in-person initial review of ITIN applications.

(F) Typical characteristics (derived from Form W–7 and other sources) of mail applications for ITINs as compared with typical characteristics of in-person applications.

(G) Typical characteristics (derived from 17 Form W–7 and other sources) of ITIN applications before the Internal Revenue Service revised its application procedures in 2012 as compared with typical characteristics of ITIN applications made after such revisions went into effect.

(3) REPORT.—The Secretary, or the Secretary's delegate, shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report detailing the study under paragraph (1) and its findings not later than 1 year after the date of the enactment of this Act.

(4) ADMINISTRATIVE STEPS.—The Secretary of the Treasury shall implement any administrative steps identified by the report under paragraph (3) not later than 180 days after submitting such report.

(e) MATHEMATICAL OR CLERICAL ERROR AUTHORITY.—Paragraph (2) of section 6213(g) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (M), by striking the period at the end of subparagraph (N) and inserting '', and'', and by inserting after subparagraph (N) the following new subparagraph:

''(O) the inclusion on a return of an individual taxpayer identification number issued under section 6109(i) which has expired, been revoked by the Secretary, or is otherwise invalid.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to applications for individual taxpayer identification numbers made after the date of the enactment of this Act.

**SEC. 204. PREVENTION OF RETROACTIVE CLAIMS OF EARNED INCOME CREDIT AFTER ISSUANCE OF SOCIAL SECURITY NUMBER.**

(a) IN GENERAL.—Section 32(m) is amended by inserting ''on or before the due date for filing the return for the taxable year'' before the period at the end.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by this section shall apply to any return of tax, and any amendment or supplement to any return of tax, which is filed after the date of the enactment of this Act.

(2) EXCEPTION FOR TIMELY-FILED 2015 RETURNS.—The amendment made by this section shall not apply to any return of tax (other than an amendment or supplement to any return of tax) for any taxable year which includes the date of the enactment of this Act if such return is filed on or before the due date for such return of tax.

**SEC. 205. PREVENTION OF RETROACTIVE CLAIMS OF CHILD TAX CREDIT.**

(a) QUALIFYING CHILD IDENTIFICATION REQUIREMENT.—Section 24(e) is amended by inserting ''and such taxpayer identification number was issued on or before the due date for filing such return'' before the period at the end.

(b) TAXPAYER IDENTIFICATION REQUIREMENT.—Section 24(e), as amended by subsection (a) is amended—

(1) by striking ''IDENTIFICATION REQUIREMENT.—No credit shall be allowed'' and inserting the following: ''IDENTIFICATION REQUIREMENTS.—

''(1) QUALIFYING CHILD IDENTIFICATION REQUIREMENT.—No credit shall be allowed'', and

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

''(2) TAXPAYER IDENTIFICATION REQUIREMENT.—No credit shall be allowed under this section if the identifying number of the taxpayer was issued after the due date for filing the return for the taxable year.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to any return of tax, and any amendment or supplement to any return of tax, which is filed after the date of the enactment of this Act.

(2) EXCEPTION FOR TIMELY-FILED 2015 RETURNS.—The amendments made by this section shall not apply to any return of tax (other than an amendment or supplement to any return of tax) for any taxable year which includes the date of the enactment of this Act if such return is filed on or before the due date for such return of tax.

**SEC. 206. PREVENTION OF RETROACTIVE CLAIMS OF AMERICAN OPPORTUNITY TAX CREDIT.**

(a) IN GENERAL.—Section 25A(i) is amended—

(1) by striking paragraph (6), and

(2) by inserting after paragraph (5) the following new paragraph:

''(6) IDENTIFICATION NUMBERS.—

''(A) STUDENT.—The requirements of subsection (g)(1) shall not be treated as met with respect to the Hope Scholarship Credit unless the individual's taxpayer identification number was issued on or before the due date for filing the return of tax for the taxable year.

''(B) TAXPAYER.—No Hope Scholarship Credit shall be allowed under this section if the identifying number of the taxpayer was issued after the due date for filing the return for the taxable year.''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by subsection (a)(2) shall apply to any return of tax, and any amendment or supplement to any return of tax, which is filed after the date of the enactment of this Act.

(2) EXCEPTION FOR TIMELY-FILED 2015 RETURNS.—The amendment made by subsection (a)(2) shall not apply to any return of tax (other than an amendment or supplement to any return of tax) for any taxable year which includes the date of the enactment of this Act if such return is filed on or before the due date for such return of tax.

(3) REPEAL OF DEADWOOD.—The amendment made by subsection (a)(1) shall take effect on the date of the enactment of this Act.

**SEC. 207. PROCEDURES TO REDUCE IMPROPER CLAIMS.**

(a) DUE DILIGENCE REQUIREMENTS.—Section 6695(g) is amended—

(1) by striking ''section 32''and inserting ''section 24, 25A(a)(1), or 32'', and

(2) in the heading by inserting ''CHILD TAX CREDIT; AMERICAN OPPORTUNITY TAX CREDIT; AND'' before ''EARNED INCOME CREDIT''.

(b) RETURN PREPARER DUE DILIGENCE STUDY.—

(1) IN GENERAL.—The Secretary of the Treasury, or his delegate, shall conduct a study of the effectiveness of tax return preparer due diligence requirements for claiming the earned income tax credit under section 32 of the Internal Revenue Code of 1986, the child tax credit under section 24 of such Code, and the American opportunity tax credit under section 25A(i) of such Code.

(2) REQUIREMENTS.—Such study shall include an evaluation of the following:

(A) The effectiveness of the questions currently asked as part of the due-diligence requirement with respect to minimizing error and fraud.

(B) Whether all such questions are necessary and support improved compliance.

(C) The comparative effectiveness of such questions relative to other means of determining (i) eligibility for these tax credits and (ii) the correct amount of tax credit.

(D) Whether due diligence of this type should apply to other methods of tax filing and whether such requirements should vary based on the methods to increase effectiveness.

(E) The effectiveness of the preparer penalty under section 6695(g) in enforcing the due diligence requirements.

(3) REPORT.—The Secretary, or his delegate, shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report detailing the study and its findings—

(A) in the case of the portion of the study that relates to the earned income tax credit, not later than 1 year after the date of enactment of this Act, and

(B) in the case of the portions of the study that relate to the child tax credit and the American opportunity tax credit, not later than 2 years after the date of the enactment of this Act.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 208. RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED CREDITS IN PRIOR YEAR.**

(a) RESTRICTIONS.—

(1) CHILD TAX CREDIT.—Section 24 is amended by adding at the end the following new subsection:

''(g) RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED CREDIT IN PRIOR YEAR.—

''(1) TAXPAYERS MAKING PRIOR FRAUDULENT OR RECKLESS CLAIMS.—

''(A) IN GENERAL.—No credit shall be allowed under this section for any taxable year in the disallowance period.

''(B) DISALLOWANCE PERIOD.—For purposes of subparagraph (A), the disallowance period is—

''(i) the period of 10 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this section was due to fraud, and

''(ii) the period of 2 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this section was due to reckless or intentional disregard of rules and regulations (but not due to fraud).

''(2) TAXPAYERS MAKING IMPROPER PRIOR CLAIMS.—In the case of a taxpayer who is denied credit under this section for any taxable year as a result of the deficiency procedures under subchapter B of chapter 63, no credit shall be allowed under this section for any subsequent taxable year unless the taxpayer provides such information as the Secretary may require to demonstrate eligibility for such credit.''.

(2) AMERICAN OPPORTUNITY TAX CREDIT.—Section 25A(i), as amended by the preceding provisions of this Act, is amended by adding at the end the following new paragraph:

''(7) RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED CREDIT IN PRIOR YEAR.—

''(A) TAXPAYERS MAKING PRIOR FRAUDULENT OR RECKLESS CLAIMS.—

''(i) IN GENERAL.—No credit shall be allowed under this section for any taxable year in the disallowance period.

''(ii) DISALLOWANCE PERIOD.—For purposes of clause (i), the disallowance period is—

''(I) the period of 10 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this section was due to fraud, and

''(II) the period of 2 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this section was due to reckless or intentional disregard of rules and regulations (but not due to fraud).

''(B) TAXPAYERS MAKING IMPROPER PRIOR CLAIMS.—In the case of a taxpayer who is denied credit under this section for any taxable year as a result of the deficiency procedures under subchapter B of chapter 63, no credit shall be allowed under this section for any subsequent taxable year unless the taxpayer provides such information as the Secretary may require to demonstrate eligibility for such credit.''.

(b) MATH ERROR AUTHORITY.—

(1) EARNED INCOME TAX CREDIT.—Section 6213(g)(2)(K) is amended by inserting before the comma at the end the following: ''or an entry on the return claiming the credit under section 32 for a taxable year for which the credit is disallowed under subsection (k)(1) thereof''.

(2) AMERICAN OPPORTUNITY TAX CREDIT AND CHILD TAX CREDIT.—Section 6213(g)(2), as amended by the preceding provisions of this Act, is amended by striking ''and'' at the end of subparagraph (N), by striking the period at the end of subparagraph (O), and by inserting after subparagraph (O) the following new subparagraphs:

''(P) an omission of information required by section 24(h)(2) or an entry on the return claiming the credit under section 24 for a taxable year for which the credit is disallowed under subsection (h)(1) thereof, and

''(Q) an omission of information required by section 25A(i)(8)(B) or an entry on the return claiming the credit determined under section 25A(i) for a taxable year for which the credit is disallowed under paragraph (8)(A) thereof.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 209. TREATMENT OF CREDITS FOR PURPOSES OF CERTAIN PENALTIES.**

(a) APPLICATION OF UNDERPAYMENT PENALTIES.—Section 6664(a) is amended by adding at the end the following: ''A rule similar to the rule of section 6211(b)(4) shall apply for purposes of this subsection.''.

(b) PENALTY FOR ERRONEOUS CLAIM OF CREDIT MADE APPLICABLE TO EARNED INCOME CREDIT.—Section 6676(a) is amended by striking ''(other than a claim for a refund or credit relating to the earned income credit under section 32)''.

(c) REASONABLE CAUSE EXCEPTION FOR ERRONEOUS CLAIM FOR REFUND OR CREDIT.—

(1) IN GENERAL.—Section 6676(a) is amended by striking ''has a reasonable basis'' and inserting ''is due to reasonable cause''.

(2) NONECONOMIC SUBSTANCE TRANSACTIONS.—Section 6676(c) is amended by striking ''having a reasonable basis'' and inserting ''due to reasonable cause''.

(d) EFFECTIVE DATES.—

(1) UNDERPAYMENT PENALTIES.—The amendment made by subsection (a) shall apply to—

(A) returns filed after the date of the enactment of this Act, and

(B) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 for assessment of the taxes with respect to which such return relates has not expired as of such date.

(2) PENALTY FOR ERRONEOUS CLAIM OF CREDIT.—The amendment made by subsection (b) shall apply to claims filed after the date of the enactment of this Act.

**SEC. 210. INCREASE THE PENALTY APPLICABLE TO PAID TAX PREPARERS WHO ENGAGE IN WILLFUL OR RECKLESS CONDUCT.**

(a) IN GENERAL.—Section 6694(b)(1)(B) is amended by striking ''50 percent'' and inserting ''75 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns prepared for taxable years ending after the date of the enactment of this Act.

**SEC. 211. EMPLOYER IDENTIFICATION NUMBER REQUIRED FOR AMERICAN OPPORTUNITY TAX CREDIT.**

(a) IN GENERAL.—Section 25A(i)(6), as added by this Act, is amended by adding at the end the following new subparagraph:

''(C) INSTITUTION.—No Hope Scholarship Credit shall be allowed under this section unless the taxpayer includes the employer identification number of any institution to which qualified tuition and related expenses were paid with respect to the individual.''.

(b) INFORMATION REPORTING.—Section 6050S(b)(2) is amended by striking ''and'' at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) the employer identification number of the institution, and''.

(c) EFFECTIVE DATE.—

(1) SUBSECTION (a).—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2015.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to expenses paid after December 31, 2015, for education furnished in academic periods beginning after such date.

**SEC. 212. HIGHER EDUCATION INFORMATION REPORTING ONLY TO INCLUDE QUALIFIED TUITION AND RELATED EXPENSES ACTUALLY PAID.**

(a) IN GENERAL.—Section 6050S(b)(2)(B)(i) is amended by striking ''or the aggregate amount billed''.

(b) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply to expenses paid after December 31, 2015, for education furnished in academic periods beginning after such date.

## TITLE III—MISCELLANEOUS PROVISIONS

### Subtitle A—Family Tax Relief

**SEC. 301. EXCLUSION FOR AMOUNTS RECEIVED UNDER THE WORK COLLEGES PROGRAM.**

(a) IN GENERAL.—Paragraph (2) of section 117(c) is amended by striking ''or'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', or'', and by adding at the end the following new subparagraph:

''(C) a comprehensive student work-learning-service program (as defined in section 448(e) of the Higher Education Act of 1965) operated by a work college (as defined in such section).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received in taxable years beginning after the date of the enactment of this Act.

**SEC. 302. IMPROVEMENTS TO SECTION 529 ACCOUNTS.**

(a) COMPUTER TECHNOLOGY AND EQUIPMENT PERMANENTLY ALLOWED AS A QUALIFIED HIGHER EDUCATION EXPENSE FOR SECTION 529 ACCOUNTS.—

(1) IN GENERAL.—Section 529(e)(3)(A)(iii) is amended to read as follows:

''(iii) expenses for the purchase of computer or peripheral equipment (as defined in section 168(i)(2)(B)), computer software (as defined in section 197(e)(3)(B)), or Internet access and related services, if such equipment, software, or services are to be used primarily by the beneficiary during any of the years the beneficiary is enrolled at an eligible educational institution.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2014.

(b) ELIMINATION OF DISTRIBUTION AGGREGATION REQUIREMENTS.—

(1) IN GENERAL.—Section 529(c)(3) is amended by striking subparagraph (D).

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to distributions after December 31, 2014.

(c) RECONTRIBUTION OF REFUNDED AMOUNTS.—

(1) IN GENERAL.—Section 529(c)(3), as amended by subsection (b), is amended by adding at the end the following new subparagraph:

''(D) SPECIAL RULE FOR CONTRIBUTIONS OF REFUNDED AMOUNTS.—In the case of a beneficiary who receives a refund of any qualified higher education expenses from an eligible educational institution, subparagraph (A) shall not apply to that portion of any distribution for the taxable year which is recontributed to a qualified tuition program of which such individual is a beneficiary, but only to the extent such recontribution is made not later than 60 days after the date of such refund and does not exceed the refunded amount.''.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendment made by this subsection shall apply with respect to refunds of qualified higher education expenses after December 31, 2014.

(B) TRANSITION RULE.—In the case of a refund of qualified higher education expenses received after December 31, 2014, and before the date of the enactment of this Act, section 529(c)(3)(D) of the Internal Revenue Code of 1986 (as added by this subsection) shall be applied by substituting ''not later than 60 days after the date of the enactment of this subparagraph'' for ''not later than 60 days after the date of such refund''.

**SEC. 303. ELIMINATION OF RESIDENCY REQUIREMENT FOR QUALIFIED ABLE PROGRAMS.**

(a) IN GENERAL.—Section 529A(b)(1) is amended by striking subparagraph (C), by inserting ''and'' at the end of subparagraph (B), and by redesignating subparagraph (D) as subparagraph (C).

(b) CONFORMING AMENDMENTS.—

(1) The second sentence of section 529A(d)(3) is amended by striking ''and State of residence''.

(2) Section 529A(e) is amended by striking paragraph (7).

(c) TECHNICAL AMENDMENTS.—

(1) Section 529A(d)(4) is amended by striking ''section 4'' and inserting ''section 103''.

(2) Section 529A(c)(1)(C)(i) is amended by striking ''family member'' and inserting ''member of the family''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

**SEC. 304. EXCLUSION FOR WRONGFULLY INCARCERATED INDIVIDUALS.**

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by inserting before section 140 the following new section:

**''SEC. 139F. CERTAIN AMOUNTS RECEIVED BY WRONGFULLY INCARCERATED INDIVIDUALS.**

''(a) EXCLUSION FROM GROSS INCOME.—In the case of any wrongfully incarcerated individual, gross income shall not include any civil damages, restitution, or other monetary award (including compensatory or statutory damages and restitution imposed in a criminal matter) relating to the incarceration of such individual for the covered offense for which such individual was convicted.

''(b) WRONGFULLY INCARCERATED INDIVIDUAL.—For purposes of this section, the term 'wrongfully incarcerated individual' means an individual—

''(1) who was convicted of a covered offense,

''(2) who served all or part of a sentence of imprisonment relating to that covered offense, and

''(3)(A) who was pardoned, granted clemency, or granted amnesty for that covered offense because that individual was innocent of that covered offense, or

''(B)(i) for whom the judgment of conviction for that covered offense was reversed or vacated, and

''(ii) for whom the indictment, information, or other accusatory instrument for that covered offense was dismissed or who was found not guilty at a new trial after the judgment of conviction for that covered offense was reversed or vacated.

''(c) COVERED OFFENSE.—For purposes of this section, the term 'covered offense' means any criminal offense under Federal or State law, and includes any criminal offense arising from the same course of conduct as that criminal offense.''.

(b) CONFORMING AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting after the item relating to section 139E the following new item:

''Sec. 139F. Certain amounts received by wrongfully incarcerated individuals.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning before, on, or after the date of the enactment of this Act.

(d) WAIVER OF LIMITATIONS.—If the credit or refund of any overpayment of tax resulting from the application of this Act to a period before the date of enactment of this Act is prevented as of such date by the operation of any law or rule of law (including res judicata), such credit or refund may nevertheless be allowed or made if the claim therefor is filed before the close of the 1-year period beginning on the date of the enactment of this Act.

**SEC. 305. CLARIFICATION OF SPECIAL RULE FOR CERTAIN GOVERNMENTAL PLANS.**

(a) IN GENERAL.—Paragraph (1) of section 105(j) is amended—

(1) by striking ''the taxpayer'' and inserting ''a qualified taxpayer'', and

(2) by striking ''deceased plan participant's beneficiary'' and inserting ''deceased employee's beneficiary (other than an individual described in paragraph (3)(B))''.

(b) QUALIFIED TAXPAYER.—Subsection (j) of section 105 is amended by adding at the end the following new paragraph:

''(3) QUALIFIED TAXPAYER.—For purposes of paragraph (1), with respect to an accident or health plan described in paragraph (2), the term 'qualified taxpayer' means a taxpayer who is—

''(A) an employee, or

''(B) the spouse, dependent (as defined for purposes of subsection (b)), or child (as defined for purposes of such subsection) of an employee.''.

(c) APPLICATION TO POLITICAL SUBDIVISIONS OF STATES.—Paragraph (2) of section 105(j) is amended—

(1) by inserting ''or established by or on behalf of a State or political subdivision thereof'' after ''public retirement system'', and

(2) by inserting ''or 501(c)(9)'' after ''section 115'' in subparagraph (B).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to payments after the date of the enactment of this Act.

**SEC. 306. ROLLOVERS PERMITTED FROM OTHER RETIREMENT PLANS INTO SIMPLE RETIREMENT ACCOUNTS.**

(a) IN GENERAL.—Section 408(p)(1)(B) is amended by inserting ''except in the case of a rollover contribution described in subsection (d)(3)(G) or a rollover contribution otherwise described in subsection (d)(3) or in section 402(c), 403(a)(4), 403(b)(8), or 457(e)(16), which is made after the 2-year period described in section 72(t)(6),'' before ''with respect to which the only contributions allowed''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after the date of the enactment of this Act.

**SEC. 307. TECHNICAL AMENDMENT RELATING TO ROLLOVER OF CERTAIN AIRLINE PAYMENT AMOUNTS.**

(a) IN GENERAL.—Section 1106(a) of the FAA Modernization and Reform Act of 2012 (26 U.S.C. 408 note) is amended by adding at the end the following new paragraph:

''(6) SPECIAL RULE FOR CERTAIN AIRLINE PAYMENT AMOUNTS.—In the case of any amount which became an airline payment amount by reason of the amendments made by section 1(b) of Public Law 113–243 (26 U.S.C. 408 note), paragraph (1) shall be applied by substituting '(or, if later, within the period beginning on December 18, 2014, and ending on the date which is 180 days after the date of enactment of the Protecting Americans from Tax Hikes Act of 2015)' for '(or, if later, within 180 days of the date of the enactment of this Act)'.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in Public Law 113–243 (26 U.S.C. 408 note).

**SEC. 308. TREATMENT OF EARLY RETIREMENT DISTRIBUTIONS FOR NUCLEAR MATERIALS COURIERS, UNITED STATES CAPITOL POLICE, SUPREME COURT POLICE, AND DIPLOMATIC SECURITY SPECIAL AGENTS.**

(a) IN GENERAL.—Section 72(t)(10)(B)(ii), as added by Public Law 114–26, is amended by striking ''or any'' and inserting ''any'' and by inserting before the period at the end the following: '', any nuclear materials courier described in section 8331(27) or 8401(33) of such title, any member of the United States Capitol Police, any member of the Supreme Court Police, or any diplomatic security special agent of the Department of State''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2015.

**SEC. 309. PREVENTION OF EXTENSION OF TAX COLLECTION PERIOD FOR MEMBERS OF THE ARMED FORCES WHO ARE HOSPITALIZED AS A RESULT OF COMBAT ZONE INJURIES.**

(a) IN GENERAL.—Section 7508(e) is amended by adding at the end the following new paragraph:

''(3) COLLECTION PERIOD AFTER ASSESSMENT NOT EXTENDED AS A RESULT OF HOSPITALIZATION.—With respect to any period of continuous qualified hospitalization described in subsection (a) and the next 180 days thereafter, subsection (a) shall not apply in the application of section 6502.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxes assessed before, on, or after the date of the enactment of this Act.

**Subtitle B—Real Estate Investment Trusts**

**SEC. 311. RESTRICTION ON TAX-FREE SPINOFFS INVOLVING REITS.**

(a) IN GENERAL.—Section 355 is amended by adding at the end the following new subsection:

''(h) RESTRICTION ON DISTRIBUTIONS INVOLVING REAL ESTATE INVESTMENT TRUSTS.—

''(1) IN GENERAL.—This section (and so much of section 356 as relates to this section) shall not apply to any distribution if either the distributing corporation or controlled corporation is a real estate investment trust.

''(2) EXCEPTIONS FOR CERTAIN SPINOFFS.—

''(A) SPINOFFS OF A REAL ESTATE INVESTMENT TRUST BY ANOTHER REAL ESTATE INVESTMENT TRUST.—Paragraph (1) shall not apply to any distribution if, immediately after the distribution, the distributing corporation and the controlled corporation are both real estate investment trusts.

''(B) SPINOFFS OF CERTAIN TAXABLE REIT SUBSIDIARIES.—Paragraph (1) shall not apply to any distribution if—

''(i) the distributing corporation has been a real estate investment trust at all times during the 3-year period ending on the date of such distribution,

''(ii) the controlled corporation has been a taxable REIT subsidiary (as defined in section 856(l)) of the distributing corporation at all times during such period, and

''(iii) the distributing corporation had control (as defined in section 368(c) applied by taking into account stock owned directly or indirectly, including through one or more corporations or partnerships, by the distributing corporation) of the controlled corporation at all times during such period.

A controlled corporation will be treated as meeting the requirements of clauses (ii) and (iii) if the stock of such corporation was distributed by a taxable REIT subsidiary in a transaction to which this section (or so much of section 356 as relates to this section) applies and the assets of such corporation consist solely of the stock or assets of assets held by one or more taxable REIT subsidiaries of the distributing corporation meeting the requirements of clauses (ii) and (iii). For purposes of clause (iii), control of a partnership means ownership of 80 percent of the profits interest and 80 percent of the capital interests.''.

(b) PREVENTION OF REIT ELECTION FOLLOWING TAX-FREE SPIN OFF.—Section 856(c) is amended by redesignating paragraph (8) as paragraph (9) and by inserting after paragraph (7) the following new paragraph:

''(8) ELECTION AFTER TAX-FREE REORGANIZATION.—If a corporation was a distributing

corporation or a controlled corporation (other than a controlled corporation with respect to a distribution described in section 355(h)(2)(A)) with respect to any distribution to which section 355 (or so much of section 356 as relates to section 355) applied, such corporation (and any successor corporation) shall not be eligible to make any election under paragraph (1) for any taxable year beginning before the end of the 10-year period beginning on the date of such distribution.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions on or after December 7, 2015, but shall not apply to any distribution pursuant to a transaction described in a ruling request initially submitted to the Internal Revenue Service on or before such date, which request has not been withdrawn and with respect to which a ruling has not been issued or denied in its entirety as of such date.

**SEC. 312. REDUCTION IN PERCENTAGE LIMITATION ON ASSETS OF REIT WHICH MAY BE TAXABLE REIT SUBSIDIARIES.**

(a) IN GENERAL.—Section 856(c)(4)(B)(ii) is amended by striking ''25 percent'' and inserting ''20 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

**SEC. 313. PROHIBITED TRANSACTION SAFE HARBORS.**

(a) ALTERNATIVE 3–YEAR AVERAGING TEST FOR PERCENTAGE OF ASSETS THAT CAN BE SOLD ANNUALLY.—

(1) IN GENERAL.—Clause (iii) of section 857(b)(6)(C) is amended by inserting before the semicolon at the end the following: '', or (IV) the trust satisfies the requirements of subclause (II) applied by substituting '20 percent' for '10 percent' and the 3-year average adjusted bases percentage for the taxable year (as defined in subparagraph (G)) does not exceed 10 percent, or (V) the trust satisfies the requirements of subclause (III) applied by substituting '20 percent' for '10 percent' and the 3-year average fair market value percentage for the taxable year (as defined in subparagraph (H)) does not exceed 10 percent''.

(2) 3-YEAR AVERAGE ADJUSTED BASES AND FAIR MARKET VALUE PERCENTAGES.—Paragraph (6) of section 857(b) is amended by redesignating subparagraphs (G) and (H) as subparagraphs (I) and (J), respectively, and by inserting after subparagraph (F) the following new subparagraphs:

''(G) 3-YEAR AVERAGE ADJUSTED BASES PERCENTAGE.—The term '3-year average adjusted bases percentage' means, with respect to any taxable year, the ratio (expressed as a percentage) of—

''(i) the aggregate adjusted bases (as determined for purposes of computing earnings and profits) of property (other than sales of foreclosure property or sales to which section 1033 applies) sold during the 3 taxable year period ending with such taxable year, divided by

''(ii) the sum of the aggregate adjusted bases (as so determined) of all of the assets of the trust as of the beginning of each of the 3 taxable years which are part of the period referred to in clause (i).

''(H) 3-YEAR AVERAGE FAIR MARKET VALUE PERCENTAGE.—The term '3-year average fair market value percentage' means, with respect to any taxable year, the ratio (expressed as a percentage) of—

''(i) the fair market value of property (other than sales of foreclosure property or sales to which section 1033 applies) sold during the 3 taxable year period ending with such taxable year, divided by

''(ii) the sum of the fair market value of all of the assets of the trust as of the beginning of each of the 3 taxable years which are part of the period referred to in clause (i).''.

(3) CONFORMING AMENDMENTS.—Clause (iv) of section 857(b)(6)(D) is amended by adding ''or'' at the end of subclause (III) and by adding at the end the following new subclauses:

''(IV) the trust satisfies the requirements of subclause (II) applied by substituting '20 percent' for '10 percent' and the 3-year average adjusted bases percentage for the taxable year (as defined in subparagraph (G)) does not exceed 10 percent, or

''(V) the trust satisfies the requirements of subclause (III) applied by substituting '20 percent' for '10 percent' and the 3-year average fair market value percentage for the taxable year (as defined in subparagraph (H)) does not exceed 10 percent,''.

(b) APPLICATION OF SAFE HARBORS INDEPENDENT OF DETERMINATION WHETHER REAL ESTATE ASSET IS INVENTORY PROPERTY.—

(1) IN GENERAL.—Subparagraphs (C) and (D) of section 857(b)(6) are each amended by striking ''and which is described in section 1221(a)(1)'' in the matter preceding clause (i).

(2) NO INFERENCE FROM SAFE HARBORS.—Subparagraph (F) of section 857(b)(6) is amended to read as follows:

''(F) NO INFERENCE WITH RESPECT TO TREATMENT AS INVENTORY PROPERTY.—The determination of whether property is described in section 1221(a)(1) shall be made without regard to this paragraph.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

(2) APPLICATION OF SAFE HARBORS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by subsection (b) shall take effect as if included in section 3051 of the Housing Assistance Tax Act of 2008.

(B) RETROACTIVE APPLICATION OF NO INFERENCE NOT APPLICABLE TO CERTAIN TIMBER PROPERTY PREVIOUSLY TREATED AS NOT INVENTORY PROPERTY.—The amendment made by subsection (b)(2) shall not apply to any sale of property to which section 857(b)(6)(G) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of this Act) applies.

**SEC. 314. REPEAL OF PREFERENTIAL DIVIDEND RULE FOR PUBLICLY OFFERED REITS.**

(a) IN GENERAL.—Section 562(c) is amended by inserting ''or a publicly offered REIT'' after ''a publicly offered regulated investment company (as defined in section 67(c)(2)(B))''.

(b) PUBLICLY OFFERED REIT.—Section 562(c), as amended by subsection (a), is amended—

(1) by striking ''Except in the case of'' and inserting the following:

''(1) IN GENERAL.—Except in the case of'', and

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

''(2) PUBLICLY OFFERED REIT.—For purposes of this subsection, the term 'publicly offered REIT' means a real estate investment trust which is required to file annual and periodic reports with the Securities and Exchange Commission under the Securities Exchange Act of 1934.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions in taxable years beginning after December 31, 2014.

**SEC. 315. AUTHORITY FOR ALTERNATIVE REMEDIES TO ADDRESS CERTAIN REIT DISTRIBUTION FAILURES.**

(a) IN GENERAL.—Subsection (e) of section 562 is amended—

(1) by striking ''In the case of a real estate investment trust'' and inserting the following:

''(1) DETERMINATION OF EARNINGS AND PROFITS FOR PURPOSES OF DIVIDENDS PAID DEDUCTION.—In the case of a real estate investment trust'', and

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

''(2) AUTHORITY TO PROVIDE ALTERNATIVE REMEDIES FOR CERTAIN FAILURES.—In the case of a failure of a distribution by a real estate investment trust to comply with the requirements of subsection (c), the Secretary may provide an appropriate remedy to cure such failure in lieu of not considering the distribution to be a dividend for purposes of computing the dividends paid deduction if—

''(A) the Secretary determines that such failure is inadvertent or is due to reasonable cause and not due to willful neglect, or

''(B) such failure is of a type of failure which the Secretary has identified for purposes of this paragraph as being described in subparagraph (A).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions in taxable years beginning after December 31, 2015.

**SEC. 316. LIMITATIONS ON DESIGNATION OF DIVIDENDS BY REITS.**

(a) IN GENERAL.—Section 857 is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) LIMITATIONS ON DESIGNATION OF DIVIDENDS.—

''(1) OVERALL LIMITATION.—The aggregate amount of dividends designated by a real estate investment trust under subsections (b)(3)(C) and (c)(2)(A) with respect to any taxable year may not exceed the dividends paid by such trust with respect to such year. For purposes of the preceding sentence, dividends paid after the close of the taxable year described in section 858 shall be treated as paid with respect to such year.

''(2) PROPORTIONALITY.—The Secretary may prescribe regulations or other guidance requiring the proportionality of the designation of particular types of dividends among shares or beneficial interests of a real estate investment trust.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions in taxable years beginning after December 31, 2015.

**SEC. 317. DEBT INSTRUMENTS OF PUBLICLY OFFERED REITS AND MORTGAGES TREATED AS REAL ESTATE ASSETS.**

(a) DEBT INSTRUMENTS OF PUBLICLY OFFERED REITS TREATED AS REAL ESTATE ASSETS.—

(1) IN GENERAL.—Subparagraph (B) of section 856(c)(5) is amended—

(A) by striking ''and shares'' and inserting '', shares'', and

(B) by inserting '', and debt instruments issued by publicly offered REITs'' before the period at the end of the first sentence.

(2) INCOME FROM NONQUALIFIED DEBT INSTRUMENTS OF PUBLICLY OFFERED REITS NOT QUALIFIED FOR PURPOSES OF SATISFYING THE 75 PERCENT GROSS INCOME TEST.—Subparagraph (H) of section 856(c)(3) is amended by inserting ''(other than a nonqualified publicly offered REIT debt instrument)'' after ''real estate asset''.

(3) 25 PERCENT ASSET LIMITATION ON HOLDING OF NONQUALIFIED DEBT INSTRUMENTS OF PUBLICLY OFFERED REITS.—Subparagraph (B) of section 856(c)(4) is amended by redesignating clause (iii) as clause (iv) and by inserting after clause (ii) the following new clause:

''(iii) not more than 25 percent of the value of its total assets is represented by nonqualified publicly offered REIT debt instruments, and''.

(4) DEFINITIONS RELATED TO DEBT INSTRUMENTS OF PUBLICLY OFFERED REITS.—Paragraph (5) of section 856(c) is amended by adding at the end the following new subparagraph:

''(L) DEFINITIONS RELATED TO DEBT INSTRUMENTS OF PUBLICLY OFFERED REITS.—

''(i) PUBLICLY OFFERED REIT.—The term 'publicly offered REIT' has the meaning given such term by section 562(c)(2).

''(ii) NONQUALIFIED PUBLICLY OFFERED REIT DEBT INSTRUMENT.—The term 'nonqualified publicly offered REIT debt instrument' means any real estate asset which would cease to be a real estate asset if subparagraph (B) were applied without regard to the reference to 'debt instruments issued by publicly offered REITs'.''.

(b) INTERESTS IN MORTGAGES ON INTERESTS IN REAL PROPERTY TREATED AS REAL ESTATE ASSETS.—Subparagraph (B) of section 856(c)(5) is amended by inserting ''or on interests in real property'' after ''interests in mortgages on real property''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 318. ASSET AND INCOME TEST CLARIFICATION REGARDING ANCILLARY PERSONAL PROPERTY.**

(a) IN GENERAL.—Subsection (c) of section 856, as amended by the preceding provisions of this Act, is amended by redesignating paragraph (9) as paragraph (10) and by inserting after paragraph (8) the following new paragraph:

''(9) SPECIAL RULES FOR CERTAIN PERSONAL PROPERTY WHICH IS ANCILLARY TO REAL PROPERTY.—

''(A) CERTAIN PERSONAL PROPERTY LEASED IN CONNECTION WITH REAL PROPERTY.—Personal property shall be treated as a real estate asset for purposes of paragraph (4)(A) to the extent that rents attributable to such personal property are treated as rents from real property under subsection (d)(1)(C).

''(B) CERTAIN PERSONAL PROPERTY MORTGAGED IN CONNECTION WITH REAL PROPERTY.—In the case of an obligation secured by a mortgage on both real property and personal property, if the fair market value of such personal property does not exceed 15 percent of the total fair market value of all such property, such obligation shall be treated—

''(i) for purposes of paragraph (3)(B), as an obligation described therein, and

''(ii) for purposes of paragraph (4)(A), as a real estate asset.

For purposes of the preceding sentence, the fair market value of all such property shall be determined in the same manner as the fair market value of real property is determined for purposes of apportioning interest income between real property and personal property under paragraph (3)(B).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 319. HEDGING PROVISIONS.**

(a) MODIFICATION TO PERMIT THE TERMINATION OF A HEDGING TRANSACTION USING AN ADDITIONAL HEDGING INSTRUMENT.—Subparagraph (G) of section 856(c)(5) is amended by striking ''and'' at the end of clause (i), by striking the period at the end of clause (ii) and inserting '', and'', and by adding at the end the following new clause:

''(iii) if—

''(I) a real estate investment trust enters into one or more positions described in clause (i) with respect to indebtedness described in clause (i) or one or more positions described in clause (ii) with respect to property which generates income or gain described in paragraph (2) or (3),

''(II) any portion of such indebtedness is extinguished or any portion of such property is disposed of, and

''(III) in connection with such extinguishment or disposition, such trust enters into one or more transactions which would be hedging transactions described in clause (ii) or (iii) of section 1221(b)(2)(A) with respect to any position referred to in subclause (I) if such position were ordinary property,

any income of such trust from any position referred to in subclause (I) and from any transaction referred to in subclause (III) (including gain from the termination of any such position or transaction) shall not constitute gross income under paragraphs (2) and (3) to the extent that such transaction hedges such position.''.

(b) IDENTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Subparagraph (G) of section 856(c)(5), as amended by subsection (a), is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following new clause:

''(iv) clauses (i), (ii), and (iii) shall not apply with respect to any transaction unless such transaction satisfies the identification requirement described in section 1221(a)(7) (determined after taking into account any curative provisions provided under the regulations referred to therein).''.

(2) CONFORMING AMENDMENTS.—Subparagraph (G) of section 856(c)(5) is amended—

(A) by striking ''which is clearly identified pursuant to section 1221(a)(7)'' in clause (i), and

(B) by striking '', but only if such transaction is clearly identified as such before the close of the day on which it was acquired, originated, or entered into (or such other time as the Secretary may prescribe)'' in clause (ii).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 320. MODIFICATION OF REIT EARNINGS AND PROFITS CALCULATION TO AVOID DUPLICATE TAXATION.**

(a) EARNINGS AND PROFITS NOT INCREASED BY AMOUNTS ALLOWED IN COMPUTING TAXABLE INCOME IN PRIOR YEARS.—Section 857(d) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The earnings and profits of a real estate investment trust for any taxable year (but not its accumulated earnings) shall not be reduced by any amount which—

''(A) is not allowable in computing its taxable income for such taxable year, and

''(B) was not allowable in computing its taxable income for any prior taxable year.'', and

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

''(4) REAL ESTATE INVESTMENT TRUST.—For purposes of this subsection, the term 'real estate investment trust' includes a domestic corporation, trust, or association which is a real estate investment trust determined without regard to the requirements of subsection (a).

''(5) SPECIAL RULES FOR DETERMINING EARNINGS AND PROFITS FOR PURPOSES OF THE DEDUCTION FOR DIVIDENDS PAID.—For special rules for determining the earnings and profits of a real estate investment trust for purposes of the deduction for dividends paid, see section 562(e)(1).''.

(b) EXCEPTION FOR PURPOSES OF DETERMINING DIVIDENDS PAID DEDUCTION.—Section 562(e)(1), as amended by the preceding provisions of this Act, is amended by striking ''deduction, the earnings'' and all that follows and inserting the following: ''deduction—

''(A) the earnings and profits of such trust for any taxable year (but not its accumulated earnings) shall be increased by the amount of gain (if any) on the sale or exchange of real property which is taken into account in determining the taxable income of such trust for such taxable year (and not otherwise taken into account in determining such earnings and profits), and

''(B) section 857(d)(1) shall be applied without regard to subparagraph (B) thereof.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 321. TREATMENT OF CERTAIN SERVICES PROVIDED BY TAXABLE REIT SUBSIDIARIES.**

(a) TAXABLE REIT SUBSIDIARIES TREATED IN SAME MANNER AS INDEPENDENT CONTRACTORS FOR CERTAIN PURPOSES.—

(1) MARKETING AND DEVELOPMENT EXPENSES UNDER RENTAL PROPERTY SAFE HARBOR.—Clause (v) of section 857(b)(6)(C) is amended by inserting ''or a taxable REIT subsidiary'' before the period at the end.

(2) MARKETING EXPENSES UNDER TIMBER SAFE HARBOR.—Clause (v) of section 857(b)(6)(D) is amended by striking '', in the case of a sale on or before the termination date,''.

(3) FORECLOSURE PROPERTY GRACE PERIOD.—Subparagraph (C) of section 856(e)(4) is amended by inserting ''or through a taxable REIT subsidiary'' after ''receive any income''.

(b) TAX ON REDETERMINED TRS SERVICE INCOME.—

(1) IN GENERAL.—Subparagraph (A) of section 857(b)(7) is amended by striking ''and excess interest'' and inserting ''excess interest, and redetermined TRS service income''.

(2) REDETERMINED TRS SERVICE INCOME.—Paragraph (7) of section 857(b) is amended by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and inserting after subparagraph (D) the following new subparagraph:

''(E) REDETERMINED TRS SERVICE INCOME.—

''(i) IN GENERAL.—The term 'redetermined TRS service income' means gross income of a taxable REIT subsidiary of a real estate investment trust attributable to services provided to, or on behalf of, such trust (less deductions properly allocable thereto) to the extent the amount of such income (less such deductions) would (but for subparagraph (F)) be increased on distribution, apportionment, or allocation under section 482.

''(ii) COORDINATION WITH REDETERMINED RENTS.—Clause (i) shall not apply with respect to gross income attributable to services furnished or rendered to a tenant of the real estate investment trust (or to deductions properly allocable thereto).''.

(3) CONFORMING AMENDMENTS.—Subparagraphs (B)(i) and (C) of section 857(b)(7) are each amended by striking ''subparagraph (E)'' and inserting ''subparagraph (F)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 322. EXCEPTION FROM FIRPTA FOR CERTAIN STOCK OF REITS.**

(a) MODIFICATIONS OF OWNERSHIP RULES.—

(1) IN GENERAL.—Section 897 is amended by adding at the end the following new subsection:

''(k) SPECIAL RULES RELATING TO REAL ESTATE INVESTMENT TRUSTS.—

''(1) INCREASE IN PERCENTAGE OWNERSHIP FOR EXCEPTIONS FOR PERSONS HOLDING PUBLICLY TRADED STOCK.—

''(A) DISPOSITIONS.—In the case of any disposition of stock in a real estate investment trust, paragraphs (3) and (6)(C) of subsection (c) shall each be applied by substituting 'more than 10 percent' for 'more than 5 percent'.

''(B) DISTRIBUTIONS.—In the case of any distribution from a real estate investment trust, subsection (h)(1) shall be applied by substituting '10 percent' for '5 percent'.

''(2) STOCK HELD BY QUALIFIED SHAREHOLDERS NOT TREATED AS USRPI.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)—

''(i) stock of a real estate investment trust which is held directly (or indirectly through 1 or more partnerships) by a qualified share-

holder shall not be treated as a United States real property interest, and

''(ii) notwithstanding subsection (h)(1), any distribution to a qualified shareholder shall not be treated as gain recognized from the sale or exchange of a United States real property interest to the extent the stock of the real estate investment trust held by such qualified shareholder is not treated as a United States real property interest under clause (i).

''(B) EXCEPTION.—In the case of a qualified shareholder with 1 or more applicable investors—

''(i) subparagraph (A)(i) shall not apply to so much of the stock of a real estate investment trust held by a qualified shareholder as bears the same ratio to the value of the interests (other than interests held solely as a creditor) held by such applicable investors in the qualified shareholder bears to value of all interests (other than interests held solely as a creditor) in the qualified shareholder, and

''(ii) a percentage equal to the ratio determined under clause (i) of the amounts realized by the qualified shareholder with respect to any disposition of stock in the real estate investment trust or with respect to any distribution from the real estate investment trust attributable to gain from sales or exchanges of a United States real property interest shall be treated as amounts realized from the disposition of United States real property interests.

''(C) SPECIAL RULE FOR CERTAIN DISTRIBUTIONS TREATED AS SALE OR EXCHANGE.—If a distribution by a real estate investment trust is treated as a sale or exchange of stock under section 301(c)(3), 302, or 331 with respect to a qualified shareholder—

''(i) in the case of an applicable investor, subparagraph (B) shall apply with respect to such distribution, and

''(ii) in the case of any other person, such distribution shall be treated under section 857(b)(3)(F) as a dividend from a real estate investment trust notwithstanding any other provision of this title.

''(D) APPLICABLE INVESTOR.—For purposes of this paragraph, the term 'applicable investor' means, with respect to any qualified shareholder holding stock in a real estate investment trust, a person (other than a qualified shareholder) which—

''(i) holds an interest (other than an interest solely as a creditor) in such qualified shareholder, and

''(ii) holds more than 10 percent of the stock of such real estate investment trust (whether or not by reason of the person's ownership interest in the qualified shareholder).

''(E) CONSTRUCTIVE OWNERSHIP RULES.—For purposes of subparagraphs (B)(i) and (C) and paragraph (4), the constructive ownership rules under subsection (c)(6)(C) shall apply.

''(3) QUALIFIED SHAREHOLDER.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified shareholder' means a foreign person which—

''(i)(I) is eligible for benefits of a comprehensive income tax treaty with the United States which includes an exchange of information program and the principal class of interests of which is listed and regularly traded on 1 or more recognized stock exchanges (as defined in such comprehensive income tax treaty), or

''(II) is a foreign partnership that is created or organized under foreign law as a limited partnership in a jurisdiction that has an agreement for the exchange of information with respect to taxes with the United States and has a class of limited partnership units which is regularly traded on the New York Stock Exchange or Nasdaq Stock Market and such class of limited partnership units value is greater than 50 percent of the value of all the partnership units,

''(ii) is a qualified collective investment vehicle, and

''(iii) maintains records on the identity of each person who, at any time during the foreign person's taxable year, holds directly 5 percent or more of the class of interest described in subclause (I) or (II) of clause (i), as the case may be.

''(B) QUALIFIED COLLECTIVE INVESTMENT VEHICLE.—For purposes of this subsection, the term 'qualified collective investment vehicle' means a foreign person—

''(i) which, under the comprehensive income tax treaty described in subparagraph (A)(i), is eligible for a reduced rate of withholding with respect to ordinary dividends paid by a real estate investment trust even if such person holds more than 10 percent of the stock of such real estate investment trust,

''(ii) which—

''(I) is a publicly traded partnership (as defined in section 7704(b)) to which subsection (a) of section 7704 does not apply,

''(II) is a withholding foreign partnership for purposes of chapters 3, 4, and 61,

''(III) if such foreign partnership were a United States corporation, would be a United States real property holding corporation (determined without regard to paragraph (1)) at any time during the 5-year period ending on the date of disposition of, or distribution with respect to, such partnership's interests in a real estate investment trust, or

''(iii) which is designated as a qualified collective investment vehicle by the Secretary and is either—

''(I) fiscally transparent within the meaning of section 894, or

''(II) required to include dividends in its gross income, but entitled to a deduction for distributions to persons holding interests (other than interests solely as a creditor) in such foreign person.

''(4) PARTNERSHIP ALLOCATIONS.—

''(A) IN GENERAL.—For the purposes of this subsection, in the case of an applicable investor who is a nonresident alien individual or a foreign corporation and is a partner in a partnership that is a qualified shareholder, if such partner's proportionate share of USRPI gain for the taxable year exceeds such partner's distributive share of USRPI gain for the taxable year, then

''(i) such partner's distributive share of the amount of gain taken into account under subsection (a)(1) by the partner for the taxable year (determined without regard to this paragraph) shall be increased by the amount of such excess, and

''(ii) such partner's distributive share of items of income or gain for the taxable year that are not treated as gain taken into account under subsection (a)(1) (determined without regard to this paragraph) shall be decreased (but not below zero) by the amount of such excess.

''(B) USRPI GAIN.—For the purposes of this paragraph, the term 'USRPI gain' means the excess (if any) of—

''(i) the sum of—

''(I) any gain recognized from the disposition of a United States real property interest, and

''(II) any distribution by a real estate investment trust that is treated as gain recognized from the sale or exchange of a United States real property interest, over

''(ii) any loss recognized from the disposition of a United States real property interest.

''(C) PROPORTIONATE SHARE OF USRPI GAIN.—For purposes of this paragraph, an applicable investor's proportionate share of USRPI gain shall be determined on the basis of such investor's share of partnership items of income or gain (excluding gain allocated under section 704(c)), whichever results in the largest proportionate share. If the investor's share of partnership items of income or gain (excluding gain allocated under section 704(c)) may vary during the period such investor is a partner in the partnership, such share shall be the highest share such investor may receive.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 897(c)(1)(A) is amended by inserting ''or subsection (k)'' after ''subparagraph (B)'' in the matter preceding clause (i).

(B) Section 857(b)(3)(F) is amended by inserting ''or subparagraph (A)(ii) or (C) of section 897(k)(2)'' after ''897(h)(1)''.

(b) DETERMINATION OF DOMESTIC CONTROL.—

(1) SPECIAL OWNERSHIP RULES.—

(A) IN GENERAL.—Section 897(h)(4) is amended by adding at the end the following new subparagraph:

''(E) SPECIAL OWNERSHIP RULES.—For purposes of determining the holder of stock under subparagraphs (B) and (C)—

''(i) in the case of any class of stock of the qualified investment entity which is regularly traded on an established securities market in the United States, a person holding less than 5 percent of such class of stock at all times during the testing period shall be treated as a United States person unless the qualified investment entity has actual knowledge that such person is not a United States person,

''(ii) any stock in the qualified investment entity held by another qualified investment entity—

''(I) any class of stock of which is regularly traded on an established securities market, or

''(II) which is a regulated investment company which issues redeemable securities (within the meaning of section 2 of the Investment Company Act of 1940),

shall be treated as held by a foreign person, except that if such other qualified investment entity is domestically controlled (determined after application of this subparagraph), such stock shall be treated as held by a United States person, and

''(iii) any stock in the qualified investment entity held by any other qualified investment entity not described in subclause (I) or (II) of clause (ii) shall only be treated as held by a United States person in proportion to the stock of such other qualified investment entity which is (or is treated under clause (ii) or (iii) as) held by a United States person.''.

(B) CONFORMING AMENDMENT.—The heading for paragraph (4) of section 897(h) is amended by inserting ''AND SPECIAL RULES'' after ''DEFINITIONS''.

(2) TECHNICAL AMENDMENT.—Clause (ii) of section 897(h)(4)(A) is amended by inserting ''and for purposes of determining whether a real estate investment trust is a domestically controlled qualified investment entity under this subsection'' after ''real estate investment trust''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date of enactment and shall apply to—

(A) any disposition on and after the date of the enactment of this Act, and

(B) any distribution by a real estate investment trust on or after the date of the enactment of this Act which is treated as a deduction for a taxable year of such trust ending after such date.

(2) DETERMINATION OF DOMESTIC CONTROL.—The amendments made by subsection (b)(1) shall take effect on the date of the enactment of this Act.

(3) TECHNICAL AMENDMENT.—The amendment made by subsection (b)(2) shall take effect on January 1, 2015.

**SEC. 323. EXCEPTION FOR INTERESTS HELD BY FOREIGN RETIREMENT OR PENSION FUNDS.**

(a) IN GENERAL.—Section 897, as amended by the preceding provisions of this Act, is amended by adding at the end the following new subsection:

''(l) EXCEPTION FOR INTERESTS HELD BY FOREIGN PENSION FUNDS.—

''(1) IN GENERAL.—This section shall not apply to any United States real property interest held directly (or indirectly through 1 or more partnerships) by, or to any distribution received from a real estate investment trust by—

''(A) a qualified foreign pension fund, or

''(B) any entity all of the interests of which are held by a qualified foreign pension fund.

''(2) QUALIFIED FOREIGN PENSION FUND.—For purposes of this subsection, the term 'qualified foreign pension fund' means any trust, corporation, or other organization or arrangement—

''(A) which is created or organized under the law of a country other than the United States,

''(B) which is established to provide retirement or pension benefits to participants or beneficiaries that are current or former employees (or persons designated by such employees) of one or more employers in consideration for services rendered,

''(C) which does not have a single participant or beneficiary with a right to more than five percent of its assets or income,

''(D) which is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the country in which it is established or operates, and

''(E) with respect to which, under the laws of the country in which it is established or operates—

''(i) contributions to such trust, corporation, organization, or arrangement which would otherwise be subject to tax under such laws are deductible or excluded from the gross income of such entity or taxed at a reduced rate, or

''(ii) taxation of any investment income of such trust, corporation, organization or arrangement is deferred or such income is taxed at a reduced rate.

''(3) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection.''.

(b) EXEMPTION FROM WITHHOLDING.—Section 1445(f)(3) is amended by striking ''any person'' and all that follows and inserting the following: ''any person other than—

''(A) a United States person, and

''(B) except as otherwise provided by the Secretary, an entity with respect to which section 897 does not apply by reason of subsection (l) thereof.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to dispositions and distributions after the date of the enactment of this Act.

**SEC. 324. INCREASE IN RATE OF WITHHOLDING OF TAX ON DISPOSITIONS OF UNITED STATES REAL PROPERTY INTERESTS.**

(a) IN GENERAL.—Subsections (a), (e)(3), (e)(4), and (e)(5) of section 1445 are each amended by striking ''10 percent'' and inserting ''15 percent''.

(b) EXCEPTION FOR CERTAIN RESIDENCES.—Section 1445(c) is amended by adding at the end the following new paragraph:

''(4) REDUCED RATE OF WITHHOLDING FOR RESIDENCE WHERE AMOUNT REALIZED DOES NOT EXCEED $1,000,000.—In the case of a disposition—

''(A) of property which is acquired by the transferee for use by the transferee as a residence,

''(B) with respect to which the amount realized for such property does not exceed $1,000,000, and

''(C) to which subsection (b)(5) does not apply,

subsection (a) shall be applied by substituting '10 percent' for '15 percent'.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to dispositions after the date which is 60 days after the date of the enactment of this Act.

**SEC. 325. INTERESTS IN RICS AND REITS NOT EXCLUDED FROM DEFINITION OF UNITED STATES REAL PROPERTY INTERESTS.**

(a) IN GENERAL.—Section 897(c)(1)(B) is amended by striking ''and'' at the end of clause (i), by striking the period at the end of clause (ii)(II) and inserting '', and'', and by adding at the end the following new clause:

''(iii) neither such corporation nor any predecessor of such corporation was a regulated investment company or a real estate investment trust at any time during the shorter of the periods described in subparagraph (A)(ii).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions on or after the date of the enactment of this Act.

**SEC. 326. DIVIDENDS DERIVED FROM RICS AND REITS INELIGIBLE FOR DEDUCTION FOR UNITED STATES SOURCE PORTION OF DIVIDENDS FROM CERTAIN FOREIGN CORPORATIONS.**

(a) IN GENERAL.—Section 245(a) is amended by adding at the end the following new paragraph:

''(12) DIVIDENDS DERIVED FROM RICS AND REITS INELIGIBLE FOR DEDUCTION.—Regulated investment companies and real estate investment trusts shall not be treated as domestic corporations for purposes of paragraph (5)(B).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dividends received from regulated investment companies and real estate investment trusts on or after the date of the enactment of this Act.

(c) NO INFERENCE.—Nothing contained in this section or the amendments made by this section shall be construed to create any inference with respect to the proper treatment under section 245 of the Internal Revenue Code of 1986 of dividends received from regulated investment companies or real estate investment trusts before the date of the enactment of this Act.

**Subtitle C—Additional Provisions**

**SEC. 331. DEDUCTIBILITY OF CHARITABLE CONTRIBUTIONS TO AGRICULTURAL RESEARCH ORGANIZATIONS.**

(a) IN GENERAL.—Subparagraph (A) of section 170(b)(1) is amended by striking ''or'' at the end of clause (vii), by striking the comma at the end of clause (viii) and inserting '', or'', and by inserting after clause (viii) the following new clause:

''(ix) an agricultural research organization directly engaged in the continuous active conduct of agricultural research (as defined in section 1404 of the Agricultural Research, Extension, and Teaching Policy Act of 1977) in conjunction with a land-grant college or university (as defined in such section) or a non-land grant college of agriculture (as defined in such section), and during the calendar year in which the contribution is made such organization is committed to spend such contribution for such research before January 1 of the fifth calendar year which begins after the date such contribution is made,''.

(b) EXPENDITURES TO INFLUENCE LEGISLATION.—Paragraph (4) of section 501(h) is amended by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and by inserting after subparagraph (D) the following new subparagraph:

''(E) section 170(b)(1)(A)(ix) (relating to agricultural research organizations),''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made on and after the date of the enactment of this Act.

**SEC. 332. REMOVAL OF BOND REQUIREMENTS AND EXTENDING FILING PERIODS FOR CERTAIN TAXPAYERS WITH LIMITED EXCISE TAX LIABILITY.**

(a) FILING REQUIREMENTS.—Paragraph (4) of section 5061(d) of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (A)—

(A) by striking ''In the case of'' and inserting the following:

''(i) MORE THAN $1,000 AND NOT MORE THAN $50,000 IN TAXES.—Except as provided in clause (ii), in the case of'',

(B) by striking ''under bond for deferred payment'', and

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

''(ii) NOT MORE THAN $1,000 IN TAXES.—In the case of any taxpayer who reasonably expects to be liable for not more than $1,000 in taxes imposed with respect to distilled spirits, wines, and beer under subparts A, C, and D and section 7652 for the calendar year and who was liable for not more than $1,000 in such taxes in the preceding calendar year, the last day for the payment of tax on withdrawals, removals, and entries (and articles brought into the United States from Puerto Rico) shall be the 14th day after the last day of the calendar year.'', and

(2) in subparagraph (B)—

(A) by striking ''Subparagraph (A)'' and inserting the following:

''(i) EXCEEDS $50,000 LIMIT.—Subparagraph (A)(i)'', and

(B) by adding at the end the following new clause:

''(ii) EXCEEDS $1,000 LIMIT.—Subparagraph (A)(ii) shall not apply to any taxpayer for any portion of the calendar year following the first date on which the aggregate amount of tax due under subparts A, C, and D and section 7652 from such taxpayer during such calendar year exceeds $1,000, and any tax under such subparts which has not been paid on such date shall be due on the 14th day after the last day of the calendar quarter in which such date occurs.''.

(b) BOND REQUIREMENTS.—

(1) IN GENERAL.—Section 5551 of such Code is amended—

(A) in subsection (a), by striking ''No individual'' and inserting ''Except as provided under subsection (d), no individual'', and

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

''(d) REMOVAL OF BOND REQUIREMENTS.—

''(1) IN GENERAL.—During any period to which subparagraph (A) of section 5061(d)(4) applies to a taxpayer (determined after application of subparagraph (B) thereof), such taxpayer shall not be required to furnish any bond covering operations or withdrawals of distilled spirits or wines for nonindustrial use or of beer.

''(2) SATISFACTION OF BOND REQUIREMENTS.—Any taxpayer for any period described in paragraph (1) shall be treated as if sufficient bond has been furnished for purposes of covering operations and withdrawals of distilled spirits or wines for nonindustrial use or of beer for purposes of any requirements relating to bonds under this chapter.''.

(2) CONFORMING AMENDMENTS.—

(A) BONDS FOR DISTILLED SPIRITS PLANTS.—Section 5173(a) of such Code is amended—

(i) in paragraph (1), by striking ''No person'' and inserting ''Except as provided under section 5551(d), no person'', and

(ii) in paragraph (2), by striking ''No distilled spirits'' and inserting ''Except as pro-

vided under section 5551(d), no distilled spirits''.

(B) BONDED WINE CELLARS.—Section 5351 of such Code is amended—

(i) by striking ''Any person'' and inserting the following:

''(a) IN GENERAL.—Any person'',

(ii) by inserting '', except as provided under section 5551(d),'' before ''file bond'',

(iii) by striking ''Such premises shall'' and all that follows through the period, and

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

''(b) DEFINITIONS.—For purposes of this chapter—

''(1) BONDED WINE CELLAR.—The term 'bonded wine cellar' means any premises described in subsection (a), including any such premises established by a taxpayer described in section 5551(d).

''(2) BONDED WINERY.—At the discretion of the Secretary, any bonded wine cellar that engages in production operations may be designated as a 'bonded winery'.''.

(C) BONDS FOR BREWERIES.—Section 5401 of such Code is amended by adding at the end the following new subsection:

''(c) EXCEPTION FROM BOND REQUIREMENTS FOR CERTAIN BREWERIES.—Subsection (b) shall not apply to any taxpayer for any period described in section 5551(d).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any calendar quarters beginning more than 1 year after the date of the enactment of this Act.

**SEC. 333. MODIFICATIONS TO ALTERNATIVE TAX FOR CERTAIN SMALL INSURANCE COMPANIES.**

(a) ADDITIONAL REQUIREMENT FOR COMPANIES TO WHICH ALTERNATIVE TAX APPLIES.—

(1) ADDED REQUIREMENT.—

(A) IN GENERAL.—Subparagraph (A) of section 831(b)(2) is amended—

(i) by striking ''(including interinsurers and reciprocal underwriters)'', and

(ii) by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) such company meets the diversification requirements of subparagraph (B), and''.

(B) DIVERSIFICATION REQUIREMENT.—Paragraph (2) of section 831(b) is amended by redesignating subparagraphs (B) as subparagraph (C) and by inserting after subparagraph (A) the following new subparagraph:

''(B) DIVERSIFICATION REQUIREMENTS.—

''(i) IN GENERAL.—An insurance company meets the requirements of this subparagraph if—

''(I) no more than 20 percent of the net written premiums (or, if greater, direct written premiums) of such company for the taxable year is attributable to any one policyholder, or

''(II) such insurance company does not meet the requirement of subclause (I) and no person who holds (directly or indirectly) an interest in such insurance company is a specified holder who holds (directly or indirectly) aggregate interests in such insurance company which constitute a percentage of the entire interests in such insurance company which is more than a de minimis percentage higher than the percentage of interests in the specified assets with respect to such insurance company held (directly or indirectly) by such specified holder.

''(ii) DEFINITIONS.—For purposes of clause (i)(II)—

''(I) SPECIFIED HOLDER.—The term 'specified holder' means, with respect to any insurance company, any individual who holds (directly or indirectly) an interest in such insurance company and who is a spouse or lineal descendant (including by adoption) of an individual who holds an interest (directly or indirectly) in the specified assets with respect to such insurance company.

''(II) SPECIFIED ASSETS.—The term 'specified assets' means, with respect to any insurance company, the trades or businesses, rights, or assets with respect to which the net written premiums (or direct written premiums) of such insurance company are paid.

''(III) INDIRECT INTEREST.—An indirect interest includes any interest held through a trust, estate, partnership, or corporation.

''(IV) DE MINIMIS.—Except as otherwise provided by the Secretary in regulations or other guidance, 2 percentage points or less shall be treated as de minimis.''.

(C) CONFORMING AMENDMENTS.—The second sentence section 831(b)(2)(A) is amended—

(i) by striking ''clause (ii)'' and inserting ''clause (iii)'', and

(ii) by striking ''clause (i)'' and inserting ''clauses (i) and (ii)''.

(2) TREATMENT OF RELATED POLICYHOLDERS.—Clause (i) of section 831(b)(2)(C), as redesignated by paragraph (1)(B), is amended—

(A) by striking ''For purposes of subparagraph (A), in determining'' and inserting ''For purposes of this paragraph—

''(I) in determining'',

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

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

''(II) in determining the attribution of premiums to any policyholder under subparagraph (B)(i), all policyholders which are related (within the meaning of section 267(b) or 707(b)) or are members of the same controlled group shall be treated as one policyholder.''.

(3) REPORTING.—Section 831 is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

''(d) REPORTING.—Every insurance company for which an election is in effect under subsection (b) for any taxable year shall furnish to the Secretary at such time and in such manner as the Secretary shall prescribe such information for such taxable year as the Secretary shall require with respect to the requirements of subsection (b)(2)(A)(ii).''.

(b) INCREASE IN LIMITATION ON PREMIUMS.—

(1) IN GENERAL.—Clause (i) of section 831(b)(2)(A) is amended by striking ''$1,200,000'' and inserting ''$2,200,000''.

(2) INFLATION ADJUSTMENT.—Paragraph (2) of section 831(b), as amended by subsection (a)(1)(B), is amended by adding at the end the following new subparagraph:

''(D) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2015, the dollar amount set forth in subparagraph (A)(i) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

If the amount as adjusted under the preceding sentence is not a multiple of $50,000, such amount shall be rounded to the next lowest multiple of $50,000.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

**SEC. 334. TREATMENT OF TIMBER GAINS.**

(a) IN GENERAL.—Section 1201(b) is amended to read as follows:

''(b) SPECIAL RATE FOR QUALIFIED TIMBER GAINS.—

''(1) IN GENERAL.—If, for any taxable year beginning in 2016, a corporation has both a net capital gain and qualified timber gain—

''(A) subsection (a) shall apply to such corporation for the taxable year without regard to whether the applicable tax rate exceeds 35 percent, and

''(B) the tax computed under subsection (a)(2) shall be equal to the sum of—

''(i) 23.8 percent of the least of—

''(I) qualified timber gain,

''(II) net capital gain, or

''(III) taxable income, plus

''(ii) 35 percent of the excess (if any) of taxable income over the sum of the amounts for which a tax was determined under subsection (a)(1) and clause (i).

''(2) QUALIFIED TIMBER GAIN.—For purposes of this section, the term 'qualified timber gain' means, with respect to any taxpayer for any taxable year, the excess (if any) of—

''(A) the sum of the taxpayer's gains described in subsections (a) and (b) of section 631 for such year, over

''(B) the sum of the taxpayer's losses described in such subsections for such year.

For purposes of subparagraphs (A) and (B), only timber held more than 15 years shall be taken into account.''.

(b) CONFORMING AMENDMENT.—Section 55(b) is amended by striking paragraph (4).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

**SEC. 335. MODIFICATION OF DEFINITION OF HARD CIDER.**

(a) IN GENERAL.—Section 5041 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (6) of subsection (b), by striking ''which is a still wine'' and all that follows through ''alcohol by volume'', and

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

''(g) HARD CIDER.—For purposes of subsection (b)(6), the term 'hard cider' means a wine—

''(1) containing not more than 0.64 gram of carbon dioxide per hundred milliliters of wine, except that the Secretary may by regulations prescribe such tolerances to this limitation as may be reasonably necessary in good commercial practice,

''(2) which is derived primarily—

''(A) from apples or pears, or

''(B) from—

''(i) apple juice concentrate or pear juice concentrate, and

''(ii) water,

''(3) which contains no fruit product or fruit flavoring other than apple or pear, and

''(4) which contains at least one-half of 1 percent and less than 8.5 percent alcohol by volume.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to hard cider removed during calendar years beginning after December 31, 2016.

**SEC. 336. CHURCH PLAN CLARIFICATION.**

(a) APPLICATION OF CONTROLLED GROUP RULES TO CHURCH PLANS.—

(1) IN GENERAL.—Section 414(c) is amended—

(A) by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), for purposes'', and

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

''(2) SPECIAL RULES RELATING TO CHURCH PLANS.—

''(A) GENERAL RULE.—Except as provided in subparagraphs (B) and (C), for purposes of this subsection and subsection (m), an organization that is otherwise eligible to participate in a church plan shall not be aggregated with another such organization and treated as a single employer with such other organization for a plan year beginning in a taxable year unless—

''(i) one such organization provides (directly or indirectly) at least 80 percent of the operating funds for the other organization during the preceding taxable year of the recipient organization, and

''(ii) there is a degree of common management or supervision between the organiza-

tions such that the organization providing the operating funds is directly involved in the day-to-day operations of the other organization.

''(B) NONQUALIFIED CHURCH-CONTROLLED ORGANIZATIONS.—Notwithstanding subparagraph (A), for purposes of this subsection and subsection (m), an organization that is a nonqualified church-controlled organization shall be aggregated with 1 or more other nonqualified church-controlled organizations, or with an organization that is not exempt from tax under section 501, and treated as a single employer with such other organization, if at least 80 percent of the directors or trustees of such other organization are either representatives of, or directly or indirectly controlled by, such nonqualified church-controlled organization. For purposes of this subparagraph, the term 'nonqualified church-controlled organization' means a church-controlled tax-exempt organization described in section 501(c)(3) that is not a qualified church-controlled organization (as defined in section 3121(w)(3)(B)).

''(C) PERMISSIVE AGGREGATION AMONG CHURCH-RELATED ORGANIZATIONS.—The church or convention or association of churches with which an organization described in subparagraph (A) is associated (within the meaning of subsection (e)(3)(D)), or an organization designated by such church or convention or association of churches, may elect to treat such organizations as a single employer for a plan year. Such election, once made, shall apply to all succeeding plan years unless revoked with notice provided to the Secretary in such manner as the Secretary shall prescribe.

''(D) PERMISSIVE DISAGGREGATION OF CHURCH-RELATED ORGANIZATIONS.—For purposes of subparagraph (A), in the case of a church plan, an employer may elect to treat churches (as defined in section 403(b)(12)(B)) separately from entities that are not churches (as so defined), without regard to whether such entities maintain separate church plans. Such election, once made, shall apply to all succeeding plan years unless revoked with notice provided to the Secretary in such manner as the Secretary shall prescribe.''.

(2) CLARIFICATION RELATING TO APPLICATION OF ANTI-ABUSE RULE.—The rule of 26 CFR 1.414(c)–5(f) shall continue to apply to each paragraph of section 414(c) of the Internal Revenue Code of 1986, as amended by paragraph (1).

(3) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to years beginning before, on, or after the date of the enactment of this Act.

(b) APPLICATION OF CONTRIBUTION AND FUNDING LIMITATIONS TO 403(b) GRANDFATHERED DEFINED BENEFIT PLANS.—

(1) IN GENERAL.—Section 251(e)(5) of the Tax Equity and Fiscal Responsibility Act of 1982 (Public Law 97–248), is amended—

(A) by striking ''403(b)(2)'' and inserting ''403(b)'', and

(B) by inserting before the period at the end the following: '', and shall be subject to the applicable limitations of section 415(b) of such Code as if it were a defined benefit plan under section 401(a) of such Code (and not to the limitations of section 415(c) of such Code).''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning before, on, or after the date of the enactment of this Act.

(c) AUTOMATIC ENROLLMENT BY CHURCH PLANS.—

(1) IN GENERAL.—This subsection shall supersede any law of a State that relates to wage, salary, or payroll payment, collection, deduction, garnishment, assignment, or withholding which would directly or indirectly prohibit or restrict the inclusion in any church plan (as defined in section 414(e) of the Internal Revenue Code of 1986) of an automatic contribution arrangement.

(2) DEFINITION OF AUTOMATIC CONTRIBUTION ARRANGEMENT.—For purposes of this subsection, the term ''automatic contribution arrangement'' means an arrangement—

(A) under which a participant may elect to have the plan sponsor or the employer make payments as contributions under the plan on behalf of the participant, or to the participant directly in cash,

(B) under which a participant is treated as having elected to have the plan sponsor or the employer make such contributions in an amount equal to a uniform percentage of compensation provided under the plan until the participant specifically elects not to have such contributions made (or specifically elects to have such contributions made at a different percentage), and

(C) under which the notice and election requirements of paragraph (3), and the investment requirements of paragraph (4), are satisfied.

(3) NOTICE REQUIREMENTS.—

(A) IN GENERAL.—The plan sponsor of, or plan administrator or employer maintaining, an automatic contribution arrangement shall, within a reasonable period before the first day of each plan year, provide to each participant to whom the arrangement applies for such plan year notice of the participant's rights and obligations under the arrangement which—

(i) is sufficiently accurate and comprehensive to apprise the participant of such rights and obligations, and

(ii) is written in a manner calculated to be understood by the average participant to whom the arrangement applies.

(B) ELECTION REQUIREMENTS.—A notice shall not be treated as meeting the requirements of subparagraph (A) with respect to a participant unless—

(i) the notice includes an explanation of the participant's right under the arrangement not to have elective contributions made on the participant's behalf (or to elect to have such contributions made at a different percentage),

(ii) the participant has a reasonable period of time, after receipt of the explanation described in clause (i) and before the first elective contribution is made, to make such election, and

(iii) the notice explains how contributions made under the arrangement will be invested in the absence of any investment election by the participant.

(4) DEFAULT INVESTMENT.—If no affirmative investment election has been made with respect to any automatic contribution arrangement, contributions to such arrangement shall be invested in a default investment selected with the care, skill, prudence, and diligence that a prudent person selecting an investment option would use.

(5) EFFECTIVE DATE.—This subsection shall take effect on the date of the enactment of this Act.

(d) ALLOW CERTAIN PLAN TRANSFERS AND MERGERS.—

(1) IN GENERAL.—Section 414 is amended by adding at the end the following new subsection:

''(z) CERTAIN PLAN TRANSFERS AND MERGERS.—

''(1) IN GENERAL.—Under rules prescribed by the Secretary, except as provided in paragraph (2), no amount shall be includible in gross income by reason of—

''(A) a transfer of all or a portion of the accrued benefit of a participant or beneficiary, whether or not vested, from a church plan that is a plan described in section 401(a) or an annuity contract described in section 403(b) to an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches,

''(B) a transfer of all or a portion of the accrued benefit of a participant or beneficiary, whether or not vested, from an annuity contract described in section 403(b) to a church plan that is a plan described in section 401(a), if such plan and annuity contract are both maintained by the same church or convention or association of churches, or

''(C) a merger of a church plan that is a plan described in section 401(a), or an annuity contract described in section 403(b), with an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches.

''(2) LIMITATION.—Paragraph (1) shall not apply to a transfer or merger unless the participant's or beneficiary's total accrued benefit immediately after the transfer or merger is equal to or greater than the participant's or beneficiary's total accrued benefit immediately before the transfer or merger, and such total accrued benefit is nonforfeitable after the transfer or merger.

''(3) QUALIFICATION.—A plan or annuity contract shall not fail to be considered to be described in section 401(a) or 403(b) merely because such plan or annuity contract engages in a transfer or merger described in this subsection.

''(4) DEFINITIONS.—For purposes of this subsection—

''(A) CHURCH OR CONVENTION OR ASSOCIATION OF CHURCHES.—The term 'church or convention or association of churches' includes an organization described in subparagraph (A) or (B)(ii) of subsection (e)(3).

''(B) ANNUITY CONTRACT.—The term 'annuity contract' includes a custodial account described in section 403(b)(7) and a retirement income account described in section 403(b)(9).

''(C) ACCRUED BENEFIT.—The term 'accrued benefit' means—

''(i) in the case of a defined benefit plan, the employee's accrued benefit determined under the plan, and

''(ii) in the case of a plan other than a defined benefit plan, the balance of the employee's account under the plan.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to transfers or mergers occurring after the date of the enactment of this Act.

(e) INVESTMENTS BY CHURCH PLANS IN COLLECTIVE TRUSTS.—

(1) IN GENERAL.—In the case of—

(A) a church plan (as defined in section 414(e) of the Internal Revenue Code of 1986), including a plan described in section 401(a) of such Code and a retirement income account described in section 403(b)(9) of such Code, and

(B) an organization described in section 414(e)(3)(A) of such Code the principal purpose or function of which is the administration of such a plan or account,

the assets of such plan, account, or organization (including any assets otherwise permitted to be commingled for investment purposes with the assets of such a plan, account, or organization) may be invested in a group trust otherwise described in Internal Revenue Service Revenue Ruling 81–100 (as modified by Internal Revenue Service Revenue Rulings 2004–67, 2011–1, and 2014–24), or any subsequent revenue ruling that supersedes or modifies such revenue ruling, without adversely affecting the tax status of the group trust, such plan, account, or organization, or any other plan or trust that invests in the group trust.

(2) EFFECTIVE DATE.—This subsection shall apply to investments made after the date of the enactment of this Act.

**Subtitle D—Revenue Provisions**

**SEC. 341. UPDATED ASHRAE STANDARDS FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.**

(a) IN GENERAL.—Paragraph (1) of section 179D(c) is amended by striking ''Standard 90.1–2001'' each place it appears and inserting ''Standard 90.1–2007''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 179D(c) is amended to read as follows:

''(2) STANDARD 90.1–2007.—The term 'Standard 90.1–2007' means Standard 90.1–2007 of the American Society of Heating, Refrigerating, and Air Conditioning Engineers and the Illuminating Engineering Society of North America (as in effect on the day before the date of the adoption of Standard 90.1–2010 of such Societies).''.

(2) Subsection (f) of section 179D is amended by striking ''Standard 90.1–2001'' each place it appears in paragraphs (1) and (2)(C)(i) and inserting ''Standard 90.1–2007''.

(3) Paragraph (1) of section 179D(f) is amended—

(A) by striking ''Table 9.3.1.1'' and inserting ''Table 9.5.1'', and

(B) by striking ''Table 9.3.1.2'' and inserting ''Table 9.6.1''.

(c) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after December 31, 2015.

**SEC. 342. EXCISE TAX CREDIT EQUIVALENCY FOR LIQUIFIED PETROLEUM GAS AND LIQUIFIED NATURAL GAS.**

(a) IN GENERAL.—Section 6426 is amended by adding at the end the following new subsection:

''(j) ENERGY EQUIVALENCY DETERMINATIONS FOR LIQUEFIED PETROLEUM GAS AND LIQUEFIED NATURAL GAS.—For purposes of determining any credit under this section, any reference to the number of gallons of an alternative fuel or the gasoline gallon equivalent of such a fuel shall be treated as a reference to—

''(1) in the case of liquefied petroleum gas, the energy equivalent of a gallon of gasoline, as defined in section 4041(a)(2)(C), and

''(2) in the case of liquefied natural gas, the energy equivalent of a gallon of diesel, as defined in section 4041(a)(2)(D).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2015.

**SEC. 343. EXCLUSION FROM GROSS INCOME OF CERTAIN CLEAN COAL POWER GRANTS TO NON-CORPORATE TAXPAYERS.**

(a) GENERAL RULE.—In the case of an eligible taxpayer other than a corporation, gross income for purposes of the Internal Revenue Code of 1986 shall not include any amount received under section 402 of the Energy Policy Act of 2005.

(b) REDUCTION IN BASIS.—The basis of any property subject to the allowance for depreciation under the Internal Revenue Code of 1986 which is acquired with any amount to which subsection (a) applies during the 12-month period beginning on the day such amount is received shall be reduced by an amount equal to such amount. The excess (if any) of such amount over the amount of the reduction under the preceding sentence shall be applied to the reduction (as of the last day of the period specified in the preceding sentence) of the basis of any other property held by the taxpayer. The particular properties to which the reductions required by this subsection are allocated shall be determined by the Secretary of the Treasury (or the Secretary's delegate) under regulations similar to the regulations under section 362(c)(2) of such Code.

(c) LIMITATION TO AMOUNTS WHICH WOULD BE CONTRIBUTIONS TO CAPITAL.—Subsection (a) shall not apply to any amount unless such amount, if received by a corporation, would be excluded from gross income under section 118 of the Internal Revenue Code of 1986.

(d) ELIGIBLE TAXPAYER.—For purposes of this section, with respect to any amount received under section 402 of the Energy Policy Act of 2005, the term ''eligible taxpayer'' means a taxpayer that makes a payment to the Secretary of the Treasury (or the Secretary's delegate) equal to 1.18 percent of the amount so received. Such payment shall be made at such time and in such manner as such Secretary (or the Secretary's delegate) shall prescribe. In the case of a partnership, such Secretary (or the Secretary's delegate) shall prescribe regulations to determine the allocation of such payment amount among the partners.

(e) EFFECTIVE DATE.—This section shall apply to amounts received under section 402 of the Energy Policy Act of 2005 in taxable years beginning after December 31, 2011.

**SEC. 344. CLARIFICATION OF VALUATION RULE FOR EARLY TERMINATION OF CERTAIN CHARITABLE REMAINDER UNITRUSTS.**

(a) IN GENERAL.—Section 664(e) is amended—

(1) by adding at the end the following: ''In the case of the early termination of a trust which is a charitable remainder unitrust by reason of subsection (d)(3), the valuation of interests in such trust for purposes of this section shall be made under rules similar to the rules of the preceding sentence.'', and

(2) by striking ''FOR PURPOSES OF CHARITABLE CONTRIBUTION'' in the heading thereof and inserting ''OF INTERESTS''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to terminations of trusts occurring after the date of the enactment of this Act.

**SEC. 345. PREVENTION OF TRANSFER OF CERTAIN LOSSES FROM TAX INDIFFERENT PARTIES.**

(a) IN GENERAL.—Section 267(d) is amended to read as follows:

''(d) AMOUNT OF GAIN WHERE LOSS PREVIOUSLY DISALLOWED.—

''(1) IN GENERAL.—If—

''(A) in the case of a sale or exchange of property to the taxpayer a loss sustained by the transferor is not allowable to the transferor as a deduction by reason of subsection (a)(1), and

''(B) the taxpayer sells or otherwise disposes of such property (or of other property the basis of which in the taxpayer's hands is determined directly or indirectly by reference to such property) at a gain,

then such gain shall be recognized only to the extent that it exceeds so much of such loss as is properly allocable to the property sold or otherwise disposed of by the taxpayer.

''(2) EXCEPTION FOR WASH SALES.—Paragraph (1) shall not apply if the loss sustained by the transferor is not allowable to the transferor as a deduction by reason of section 1091 (relating to wash sales).

''(3) EXCEPTION FOR TRANSFERS FROM TAX INDIFFERENT PARTIES.—Paragraph (1) shall not apply to the extent any loss sustained by the transferor (if allowed) would not be taken into account in determining a tax imposed under section 1 or 11 or a tax computed as provided by either of such sections.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales and other dispositions of property acquired after December 31, 2015, by the taxpayer in a sale or exchange to which section 267(a)(1) of the Internal Revenue Code of 1986 applied.

**SEC. 346. TREATMENT OF CERTAIN PERSONS AS EMPLOYERS WITH RESPECT TO MOTION PICTURE PROJECTS.**

(a) IN GENERAL.—Chapter 25 (relating to general provisions relating to employment taxes) is amended by adding at the end the following new section:

**''SEC. 3512. TREATMENT OF CERTAIN PERSONS AS EMPLOYERS WITH RESPECT TO MOTION PICTURE PROJECTS.**

''(a) IN GENERAL.—For purposes of sections 3121(a)(1) and 3306(b)(1), remuneration paid to a motion picture project worker by a motion picture project employer during a calendar year shall be treated as remuneration paid with respect to employment of such worker by such employer during the calendar year. The identity of such employer for such purposes shall be determined as set forth in this section and without regard to the usual common law rules applicable in determining the employer-employee relationship.

''(b) DEFINITIONS.—For purposes of this section—

''(1) MOTION PICTURE PROJECT EMPLOYER.—The term 'motion picture project employer' means any person if—

''(A) such person (directly or through affiliates)—

''(i) is a party to a written contract covering the services of motion picture project workers with respect to motion picture projects in the course of a client's trade or business,

''(ii) is contractually obligated to pay remuneration to the motion picture project workers without regard to payment or reimbursement by any other person,

''(iii) controls the payment (within the meaning of section 3401(d)(1)) of remuneration to the motion picture project workers and pays such remuneration from its own account or accounts,

''(iv) is a signatory to one or more collective bargaining agreements with a labor organization (as defined in 29 U.S.C. 152(5)) that represents motion picture project workers, and

''(v) has treated substantially all motion picture project workers that such person pays as employees and not as independent contractors during such calendar year for purposes of determining employment taxes under this subtitle, and

''(B) at least 80 percent of all remuneration (to which section 3121 applies) paid by such person in such calendar year is paid to motion picture project workers.

''(2) MOTION PICTURE PROJECT WORKER.—The term 'motion picture project worker' means any individual who provides services on motion picture projects for clients who are not affiliated with the motion picture project employer.

''(3) MOTION PICTURE PROJECT.—The term 'motion picture project' means the production of any property described in section 168(f)(3). Such term does not include property with respect to which records are required to be maintained under section 2257 of title 18, United States Code.

''(4) AFFILIATE; AFFILIATED.—A person shall be treated as an affiliate of, or affiliated with, another person if such persons are treated as a single employer under subsection (b) or (c) of section 414.''.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter 25 is amended by adding at the end the following new item:

''Sec. 3512. Treatment of certain persons as employers with respect to motion picture projects.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to remuneration paid after December 31, 2015.

(d) NO INFERENCE.—Nothing in the amendments made by this section shall be construed to create any inference on the law before the date of the enactment of this Act.

## TITLE IV—TAX ADMINISTRATION

### Subtitle A—Internal Revenue Service Reforms

**SEC. 401. DUTY TO ENSURE THAT INTERNAL REVENUE SERVICE EMPLOYEES ARE FAMILIAR WITH AND ACT IN ACCORD WITH CERTAIN TAXPAYER RIGHTS.**

(a) IN GENERAL.—Section 7803(a) is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) EXECUTION OF DUTIES IN ACCORD WITH TAXPAYER RIGHTS.—In discharging his duties, the Commissioner shall ensure that employees of the Internal Revenue Service are familiar with and act in accord with taxpayer rights as afforded by other provisions of this title, including—

''(A) the right to be informed,

''(B) the right to quality service,

''(C) the right to pay no more than the correct amount of tax,

''(D) the right to challenge the position of the Internal Revenue Service and be heard,

''(E) the right to appeal a decision of the Internal Revenue Service in an independent forum,

''(F) the right to finality,

''(G) the right to privacy,

''(H) the right to confidentiality,

''(I) the right to retain representation, and

''(J) the right to a fair and just tax system.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SEC. 402. IRS EMPLOYEES PROHIBITED FROM USING PERSONAL EMAIL ACCOUNTS FOR OFFICIAL BUSINESS.**

No officer or employee of the Internal Revenue Service may use a personal email account to conduct any official business of the Government.

**SEC. 403. RELEASE OF INFORMATION REGARDING THE STATUS OF CERTAIN INVESTIGATIONS.**

(a) IN GENERAL.—Section 6103(e) is amended by adding at the end the following new paragraph:

''(11) DISCLOSURE OF INFORMATION REGARDING STATUS OF INVESTIGATION OF VIOLATION OF THIS SECTION.—In the case of a person who provides to the Secretary information indicating a violation of section 7213, 7213A, or 7214 with respect to any return or return information of such person, the Secretary may disclose to such person (or such person's designee)—

''(A) whether an investigation based on the person's provision of such information has been initiated and whether it is open or closed,

''(B) whether any such investigation substantiated such a violation by any individual, and

''(C) whether any action has been taken with respect to such individual (including whether a referral has been made for prosecution of such individual).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disclosures made on or after the date of the enactment of this Act.

**SEC. 404. ADMINISTRATIVE APPEAL RELATING TO ADVERSE DETERMINATIONS OF TAX-EXEMPT STATUS OF CERTAIN ORGANIZATIONS.**

(a) IN GENERAL.—Section 7123 is amended by adding at the end of the following:

''(c) ADMINISTRATIVE APPEAL RELATING TO ADVERSE DETERMINATION OF TAX-EXEMPT STATUS OF CERTAIN ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall prescribe procedures under which an organization which claims to be described in section 501(c) may request an administrative appeal (including a conference relating to such appeal if requested by the organization) to the Internal Revenue Service Office of Appeals of an adverse determination described in paragraph (2).

''(2) ADVERSE DETERMINATIONS.—For purposes of paragraph (1), an adverse determination is described in this paragraph if such determination is adverse to an organization with respect to—

''(A) the initial qualification or continuing qualification of the organization as exempt from tax under section 501(a) or as an organization described in section 170(c)(2),

''(B) the initial classification or continuing classification of the organization as a private foundation under section 509(a), or

''(C) the initial classification or continuing classification of the organization as a private operating foundation under section 4942(j)(3).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to determinations made on or after May 19, 2014.

**SEC. 405. ORGANIZATIONS REQUIRED TO NOTIFY SECRETARY OF INTENT TO OPERATE UNDER 501(c)(4).**

(a) IN GENERAL.—Part I of subchapter F of chapter 1 is amended by adding at the end the following new section:

**''SEC. 506. ORGANIZATIONS REQUIRED TO NOTIFY SECRETARY OF INTENT TO OPERATE UNDER 501(c)(4).**

''(a) IN GENERAL.—An organization described in section 501(c)(4) shall, not later than 60 days after the organization is established, notify the Secretary (in such manner as the Secretary shall by regulation prescribe) that it is operating as such.

''(b) CONTENTS OF NOTICE.—The notice required under subsection (a) shall include the following information:

''(1) The name, address, and taxpayer identification number of the organization.

''(2) The date on which, and the State under the laws of which, the organization was organized.

''(3) A statement of the purpose of the organization.

''(c) ACKNOWLEDGMENT OF RECEIPT.—Not later than 60 days after receipt of such a notice, the Secretary shall send to the organization an acknowledgment of such receipt.

''(d) EXTENSION FOR REASONABLE CAUSE.—The Secretary may, for reasonable cause, extend the 60-day period described in subsection (a).

''(e) USER FEE.—The Secretary shall impose a reasonable user fee for submission of the notice under subsection (a).

''(f) REQUEST FOR DETERMINATION.—Upon request by an organization to be treated as an organization described in section 501(c)(4), the Secretary may issue a determination with respect to such treatment. Such request shall be treated for purposes of section 6104 as an application for exemption from taxation under section 501(a).''.

(b) SUPPORTING INFORMATION WITH FIRST RETURN.—Section 6033(f) is amended—

(1) by striking the period at the end and inserting '', and'',

(2) by striking ''include on the return required under subsection (a) the information'' and inserting the following: ''include on the return required under subsection (a)—

''(1) the information'', and

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

''(2) in the case of the first such return filed by such an organization after submitting a notice to the Secretary under section 506(a), such information as the Secretary shall by regulation require in support of the organization's treatment as an organization described in section 501(c)(4).''.

(c) FAILURE TO FILE INITIAL NOTIFICATION.—Section 6652(c) is amended by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively, and by inserting after paragraph (3) the following new paragraph:

''(4) NOTICES UNDER SECTION 506.—

''(A) PENALTY ON ORGANIZATION.—In the case of a failure to submit a notice required under section 506(a) (relating to organizations required to notify Secretary of intent to operate as 501(c)(4)) on the date and in the manner prescribed therefor, there shall be paid by the organization failing to so submit $20 for each day during which such failure continues, but the total amount imposed under this subparagraph on any organization for failure to submit any one notice shall not exceed $5,000.

''(B) MANAGERS.—The Secretary may make written demand on an organization subject to penalty under subparagraph (A) specifying in such demand a reasonable future date by which the notice shall be submitted for purposes of this subparagraph. If such notice is not submitted on or before such date, there shall be paid by the person failing to so submit $20 for each day after the expiration of the time specified in the written demand during which such failure continues, but the total amount imposed under this subparagraph on all persons for failure to submit any one notice shall not exceed $5,000.''.

(d) CLERICAL AMENDMENT.—The table of sections for part I of subchapter F of chapter 1 is amended by adding at the end the following new item:

''Sec. 506. Organizations required to notify Secretary of intent to operate under 501(c)(4).''.

(e) LIMITATION.—Notwithstanding any other provision of law, any fees collected pursuant to section 506(e) of the Internal Revenue Code of 1986, as added by subsection (a), shall not be expended by the Secretary of the Treasury or the Secretary's delegate unless provided by an appropriations Act.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to organizations which are described in section 501(c)(4) of the Internal Revenue Code of 1986 and organized after the date of the enactment of this Act.

(2) CERTAIN EXISTING ORGANIZATIONS.—In the case of any other organization described in section 501(c)(4) of such Code, the amendments made by this section shall apply to such organization only if, on or before the date of the enactment of this Act—

(A) such organization has not applied for a written determination of recognition as an organization described in section 501(c)(4) of such Code, and

(B) such organization has not filed at least one annual return or notice required under subsection (a)(1) or (i) (as the case may be) of section 6033 of such Code.

In the case of any organization to which the amendments made by this section apply by reason of the preceding sentence, such organization shall submit the notice required by section 506(a) of such Code, as added by this Act, not later than 180 days after the date of the enactment of this Act.

**SEC. 406. DECLARATORY JUDGMENTS FOR 501(c)(4) AND OTHER EXEMPT ORGANIZATIONS.**

(a) IN GENERAL.—Section 7428(a)(1) is amended by striking ''or'' at the end of subparagraph (C) and by inserting after subparagraph (D) the following new subparagraph:

''(E) with respect to the initial qualification or continuing qualification of an organization as an organization described in section 501(c) (other than paragraph (3)) or 501(d) and exempt from tax under section 501(a), or''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to pleadings filed after the date of the enactment of this Act.

**SEC. 407. TERMINATION OF EMPLOYMENT OF INTERNAL REVENUE SERVICE EMPLOYEES FOR TAKING OFFICIAL ACTIONS FOR POLITICAL PURPOSES.**

(a) IN GENERAL.—Paragraph (10) of section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 is amended to read as follows:

''(10) performing, delaying, or failing to perform (or threatening to perform, delay, or fail to perform) any official action (including any audit) with respect to a taxpayer for purpose of extracting personal gain or benefit or for a political purpose.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

**SEC. 408. GIFT TAX NOT TO APPLY TO CONTRIBUTIONS TO CERTAIN EXEMPT ORGANIZATIONS.**

(a) IN GENERAL.—Section 2501(a) is amended by adding at the end the following new paragraph:

''(6) TRANSFERS TO CERTAIN EXEMPT ORGANIZATIONS.—Paragraph (1) shall not apply to the transfer of money or other property to an organization described in paragraph (4), (5), or (6) of section 501(c) and exempt from tax under section 501(a), for the use of such organization.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to gifts made after the date of the enactment of this Act.

(c) NO INFERENCE.—Nothing in the amendment made by subsection (a) shall be construed to create any inference with respect to whether any transfer of property (whether made before, on, or after the date of the enactment of this Act) to an organization described in paragraph (4), (5), or (6) of section 501(c) of the Internal Revenue Code of 1986 is a transfer of property by gift for purposes of chapter 12 of such Code.

**SEC. 409. EXTEND INTERNAL REVENUE SERVICE AUTHORITY TO REQUIRE TRUNCATED SOCIAL SECURITY NUMBERS ON FORM W–2.**

(a) WAGES.—Section 6051(a)(2) is amended by striking ''his social security account number'' and inserting ''an identifying number for the employee''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

**SEC. 410. CLARIFICATION OF ENROLLED AGENT CREDENTIALS.**

Section 330 of title 31, United States Code, is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively, and

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

''(b) Any enrolled agents properly licensed to practice as required under rules promulgated under subsection (a) shall be allowed to use the credentials or designation of 'enrolled agent', 'EA', or 'E.A.'.''.

**SEC. 411. PARTNERSHIP AUDIT RULES.**

(a) CORRECTION AND CLARIFICATION TO MODIFICATIONS TO IMPUTED UNDERPAYMENTS.—

(1) Section 6225(c)(4)(A)(i) is amended by striking ''in the case of ordinary income,''.

(2) Section 6225(c) is amended by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively, and by inserting after paragraph (4) the following new paragraph:

''(5) CERTAIN PASSIVE LOSSES OF PUBLICLY TRADED PARTNERSHIPS.—

''(A) IN GENERAL.—In the case of a publicly traded partnership (as defined in section 469(k)(2)), such procedures shall provide—

''(i) for determining the imputed underpayment without regard to the portion thereof that the partnership demonstrates is attributable to a net decrease in a specified passive activity loss which is allocable to a specified partner, and

''(ii) for the partnership to take such net decrease into account as an adjustment in the adjustment year with respect to the specified partners to which such net decrease relates.

''(B) SPECIFIED PASSIVE ACTIVITY LOSS.—For purposes of this paragraph, the term 'specified passive activity loss' means, with respect to any specified partner of such publicly traded partnership, the lesser of—

''(i) the passive activity loss of such partner which is separately determined with respect to such partnership under section 469(k) with respect to such partner's taxable year in which or with which the reviewed year of such partnership ends, or

''(ii) such passive activity loss so determined with respect to such partner's taxable year in which or with which the adjustment year of such partnership ends.

''(C) SPECIFIED PARTNER.—For purposes of this paragraph, the term 'specified partner' means any person if such person—

''(i) is a partner of the publicly traded partnership referred to in subparagraph (A),

''(ii) is described in section 469(a)(2), and

''(iii) has a specified passive activity loss with respect to such publicly traded partnership,

with respect to each taxable year of such person which is during the period beginning with the taxable year of such person in which or with which the reviewed year of such publicly traded partnership ends and ending with the taxable year of such person in which or with which the adjustment year of such publicly traded partnership ends.''.

(b) CORRECTION AND CLARIFICATION TO JUDICIAL REVIEW OF PARTNERSHIP ADJUSTMENT .—

(1) Section 6226 is amended by adding at the end the following new subsection:

''(d) JUDICIAL REVIEW.—For the time period within which a partnership may file a petition for a readjustment, see section 6234(a).''.

(2) Subsections (a)(3), (b)(1), and (d) of section 6234 are each amended by striking ''the Claims Court'' and inserting ''the Court of Federal Claims''.

(3) The heading for section 6234(b) is amended by striking ''CLAIMS COURT'' and inserting ''COURT OF FEDERAL CLAIMS''.

(c) CORRECTION AND CLARIFICATION TO PERIOD OF LIMITATIONS ON MAKING ADJUSTMENTS.—

(1) Section 6235(a)(2) is amended by striking ''paragraph (4)'' and inserting ''paragraph (7)''.

(2) Section 6235(a)(3) is amended by striking ''270 days'' and inserting ''330 days (plus the number of days of any extension consented to by the Secretary under section 6225(c)(7)''.

(d) TECHNICAL AMENDMENT.—Section 6031(b) is amended by striking the last sentence and inserting the following: ''Except as provided in the procedures under section 6225(c), with respect to statements under section 6226, or as otherwise provided by the Secretary, information required to be furnished by the partnership under this subsection may not be amended after the due date of the return under subsection (a) to which such information relates.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 1101 of the Bipartisan Budget Act of 2015.

## Subtitle B—United States Tax Court

### PART 1—TAXPAYER ACCESS TO UNITED STATES TAX COURT

**SEC. 421. FILING PERIOD FOR INTEREST ABATEMENT CASES.**

(a) IN GENERAL.—Subsection (h) of section 6404 is amended—

(1) by striking ''REVIEW OF DENIAL'' in the heading and inserting ''JUDICIAL REVIEW'', and

(2) by striking ''if such action is brought'' and all that follows in paragraph (1) and inserting ''if such action is brought—

''(A) at any time after the earlier of—

''(i) the date of the mailing of the Secretary's final determination not to abate such interest, or

''(ii) the date which is 180 days after the date of the filing with the Secretary (in such form as the Secretary may prescribe) of a claim for abatement under this section, and

''(B) not later than the date which is 180 days after the date described in subparagraph (A)(i).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to claims for abatement of interest filed with the Secretary of the Treasury after the date of the enactment of this Act.

**SEC. 422. SMALL TAX CASE ELECTION FOR INTEREST ABATEMENT CASES.**

(a) IN GENERAL.—Subsection (f) of section 7463 is amended—

(1) by striking ''and'' at the end of paragraph (1),

(2) by striking the period at the end of paragraph (2) and inserting '', and'', and

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

''(3) a petition to the Tax Court under section 6404(h) in which the amount of the abatement sought does not exceed $50,000.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to cases pending as of the day after the date of the enactment of this Act, and cases commenced after such date of enactment.

**SEC. 423. VENUE FOR APPEAL OF SPOUSAL RELIEF AND COLLECTION CASES.**

(a) IN GENERAL.—Paragraph (1) of section 7482(b) is amended—

(1) by striking ''or'' at the end of subparagraph (D),

(2) by striking the period at the end of subparagraph (E), and

(3) by inserting after subparagraph (E) the following new subparagraphs:

''(F) in the case of a petition under section 6015(e), the legal residence of the petitioner, or

''(G) in the case of a petition under section 6320 or 6330—

''(i) the legal residence of the petitioner if the petitioner is an individual, and

''(ii) the principal place of business or principal office or agency if the petitioner is an entity other than an individual.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to petitions filed after the date of enactment of this Act.

(2) EFFECT ON EXISTING PROCEEDINGS.—Nothing in this section shall be construed to create any inference with respect to the application of section 7482 of the Internal Revenue Code of 1986 with respect to court proceedings filed on or before the date of the enactment of this Act.

**SEC. 424. SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION OF SPOUSAL RELIEF AND COLLECTION CASES.**

(a) PETITIONS FOR SPOUSAL RELIEF.—

(1) IN GENERAL.—Subsection (e) of section 6015 is amended by adding at the end the following new paragraph:

''(6) SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION IN TITLE 11 CASES.—In the case of a person who is prohibited by reason of a case under title 11, United States Code, from filing a petition under paragraph (1)(A) with respect to a final determination of relief under this section, the running of the period prescribed by such paragraph for filing such a petition with respect to such final determination shall be suspended for the period during which the person is so prohibited from filing such a petition, and for 60 days thereafter.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to petitions filed under section 6015(e) of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

(b) COLLECTION PROCEEDINGS.—

(1) IN GENERAL.—Subsection (d) of section 6330 is amended—

(A) by striking ''appeal such determination to the Tax Court'' in paragraph (1) and inserting ''petition the Tax Court for review of such determination'',

(B) by striking ''JUDICIAL REVIEW OF DETERMINATION'' in the heading of paragraph (1) and inserting ''PETITION FOR REVIEW BY TAX COURT'',

(C) by redesignating paragraph (2) as paragraph (3), and

(D) by inserting after paragraph (1) the following new paragraph:

''(2) SUSPENSION OF RUNNING OF PERIOD FOR FILING PETITION IN TITLE 11 CASES.—In the case of a person who is prohibited by reason of a case under title 11, United States Code, from filing a petition under paragraph (1) with respect to a determination under this section, the running of the period prescribed by such subsection for filing such a petition with respect to such determination shall be suspended for the period during which the person is so prohibited from filing such a petition, and for 30 days thereafter, and''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to petitions filed under section 6330 of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

(c) CONFORMING AMENDMENT.—Subsection (c) of section 6320 is amended by striking ''(2)(B)'' and inserting ''(3)(B)''.

**SEC. 425. APPLICATION OF FEDERAL RULES OF EVIDENCE.**

(a) IN GENERAL.—Section 7453 is amended by striking ''the rules of evidence applicable in trials without a jury in the United States District Court of the District of Columbia'' and inserting ''the Federal Rules of Evidence''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to proceedings commenced after the date of the enactment of this Act and, to the extent that it is just and practicable, to all proceedings pending on such date.

**PART 2—UNITED STATES TAX COURT ADMINISTRATION**

**SEC. 431. JUDICIAL CONDUCT AND DISABILITY PROCEDURES.**

(a) IN GENERAL.—Part II of subchapter C of chapter 76 is amended by adding at the end the following new section:

**''SEC. 7466. JUDICIAL CONDUCT AND DISABILITY PROCEDURES.**

''(a) IN GENERAL.—The Tax Court shall prescribe rules, consistent with the provisions of chapter 16 of title 28, United States Code, establishing procedures for the filing of complaints with respect to the conduct of any judge or special trial judge of the Tax Court and for the investigation and resolution of such complaints. In investigating and taking action with respect to any such complaint, the Tax Court shall have the powers granted to a judicial council under such chapter.

''(b) JUDICIAL COUNCIL.—The provisions of sections 354(b) through 360 of title 28, United States Code, regarding referral or certification to, and petition for review in the Judicial Conference of the United States, and action thereon, shall apply to the exercise by the Tax Court of the powers of a judicial council under subsection (a). The determination pursuant to section 354(b) or 355 of title 28, United States Code, shall be made based on the grounds for removal of a judge from office under section 7443(f), and certification and transmittal by the Conference of any complaint shall be made to the President for consideration under section 7443(f).

''(c) HEARINGS.—

''(1) IN GENERAL.—In conducting hearings pursuant to subsection (a), the Tax Court may exercise the authority provided under section 1821 of title 28, United States Code, to pay the fees and allowances described in that section.

''(2) REIMBURSEMENT FOR EXPENSES.—The Tax Court shall have the power provided under section 361 of such title 28 to award reimbursement for the reasonable expenses described in that section. Reimbursements under this paragraph shall be made out of any funds appropriated for purposes of the Tax Court.''.

(b) CLERICAL AMENDMENT.—The table of sections for part II of subchapter C of chapter 76 is amended by adding at the end the following new item:

''Sec. 7466. Judicial conduct and disability procedures.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proceedings commenced after the date which is 180 days after the date of the enactment of this Act and, to the extent just and practicable, all proceedings pending on such date.

**SEC. 432. ADMINISTRATION, JUDICIAL CONFERENCE, AND FEES.**

(a) IN GENERAL.—Part III of subchapter C of chapter 76 is amended by inserting before section 7471 the following new sections:

**''SEC. 7470. ADMINISTRATION.**

''Notwithstanding any other provision of law, the Tax Court may exercise, for purposes of management, administration, and expenditure of funds of the Court, the authorities provided for such purposes by any provision of law (including any limitation with respect to such provision of law) applicable to a court of the United States (as that term is defined in section 451 of title 28, United States Code), except to the extent that such provision of law is inconsistent with a provision of this subchapter.

**''SEC. 7470A. JUDICIAL CONFERENCE.**

''(a) JUDICIAL CONFERENCE.—The chief judge may summon the judges and special trial judges of the Tax Court to an annual judicial conference, at such time and place as the chief judge shall designate, for the purpose of considering the business of the Tax Court and recommending means of improving the administration of justice within the jurisdiction of the Tax Court. The Tax Court shall provide by its rules for representation and active participation at such conferences by persons admitted to practice before the Tax Court and by other persons active in the legal profession.

''(b) REGISTRATION FEE.—The Tax Court may impose a reasonable registration fee on persons (other than judges and special trial judges of the Tax Court) participating at judicial conferences convened pursuant to subsection (a). Amounts so received by the Tax Court shall be available to the Tax Court to defray the expenses of such conferences.''.

(b) DISPOSITION OF FEES.—Section 7473 is amended to read as follows:

**''SEC. 7473. DISPOSITION OF FEES.**

''Except as provided in sections 7470A and 7475, all fees received by the Tax Court pursuant to this title shall be deposited into a special fund of the Treasury to be available to offset funds appropriated for the operation and maintenance of the Tax Court.''.

(c) CLERICAL AMENDMENTS.—The table of sections for part III of subchapter C of chapter 76 is amended by inserting before the item relating to section 7471 the following new items:

''Sec. 7470. Administration.

''Sec. 7470A. Judicial conference.''.

**PART 3—CLARIFICATION RELATING TO UNITED STATES TAX COURT**

**SEC. 441. CLARIFICATION RELATING TO UNITED STATES TAX COURT.**

Section 7441 is amended by adding at the end the following: ''The Tax Court is not an agency of, and shall be independent of, the executive branch of the Government.''.

**TITLE V—TRADE-RELATED PROVISIONS**

**SEC. 501. MODIFICATION OF EFFECTIVE DATE OF PROVISIONS RELATING TO TARIFF CLASSIFICATION OF RECREATIONAL PERFORMANCE OUTERWEAR.**

Section 601(c) of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 412) is amended—

(1) in paragraph (1), by striking ''the 180th day after the date of the enactment of this Act'' and inserting ''March 31, 2016''; and

(2) in paragraph (2), by striking ''such 180th day'' and inserting ''March 31, 2016''.

**SEC. 502. AGREEMENT BY ASIA-PACIFIC ECONOMIC COOPERATION MEMBERS TO REDUCE RATES OF DUTY ON CERTAIN ENVIRONMENTAL GOODS.**

Section 107 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4206) is amended by adding at the end the following:

''(c) AGREEMENT BY ASIA-PACIFIC ECONOMIC COOPERATION MEMBERS TO REDUCE RATES OF DUTY ON CERTAIN ENVIRONMENTAL GOODS.—Notwithstanding the notification requirement described in section 103(a)(2), the President may exercise the proclamation authority provided for in section 103(a)(1)(B) to implement an agreement by members of the Asia-Pacific Economic Cooperation (APEC) to reduce any rate of duty on certain environmental goods included in Annex C of the APEC Leaders Declaration issued on September 9, 2012, if (and only if) the President, as soon as feasible after the date of the enactment of this subsection, and before exercising proclamation authority under section 103(a)(1)(B), notifies Congress of the negotiations relating to the agreement and the specific United States objectives in the negotiations.''.

**TITLE VI—BUDGETARY EFFECTS**

**SEC. 601. BUDGETARY EFFECTS.**

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

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

Pursuant to House Resolution 566, the question of agreeing to the motion was divided between the two House amendments.

Pursuant to section 2(a) of House Resolution 566, the portion of the divided question comprising the amendment specified in section 3(b) of House Resolution 566 was considered first.

After debate,

Pursuant to House Resolution 566, the previous question was ordered on the first portion of the divided question.

The question was put on the first portion of the divided question, viva voce,

Will the House agree to the amendment of the Senate with the amendment specified in section 3(b) of House Resolution 566?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

Mr. LEVIN demanded that the vote be taken by the yeas and nays, which

demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 318 Nays ..... 109

¶156.8 [Roll No. 703]

YEAS—318

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capuano
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cicilline
Clark (MA)
Clawson (FL)
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Comstock
Conaway
Connolly
Cook
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larson (CT)
Latta
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—109

Adams
Amash
Bass
Becerra
Beyer
Brady (PA)
Brown (FL)
Butterfield
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Clarke (NY)
Clay
Clyburn
Collins (NY)
Conyers
Cooper
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Eshoo
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Grayson
Grijalva
Gutiérrez
Hastings
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kelly (IL)
Kind
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Lofgren
Lowenthal
Luján, Ben Ray (NM)
Matsui
McCollum
McDermott
Moore
Napolitano
O'Rourke
Pallone
Payne
Pelosi
Perlmutter
Pocan
Polis
Rangel
Richmond
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Cuellar
Deutch
Joyce
Kennedy
Kildee
Nadler

So the first portion of the divided question was agreed to.

A motion to reconsider the vote whereby the first portion of the divided question was agreed to was, by unanimous consent, laid on the table.

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 1(c) of rule XIX, announced that further proceedings on the motion were postponed.

¶156.9 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, December 16, 2015.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. HULTGREN, announced that the ayes had it.

Mr. PERLMUTTER demanded a recorded vote on agreeing to the Chair's approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Ayes ..... 234 Noes ..... 155 Answered present 2

¶156.10 [Roll No. 704]

AYES—234

Abraham
Aderholt
Allen
Amodei
Ashford
Barletta
Barr
Barton
Beatty
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Bustos
Butterfield
Calvert
Capps
Carson (IN)
Carter (TX)
Castro (TX)
Chabot
Cicilline
Clawson (FL)
Cleaver
Cohen
Cole
Comstock
Conaway
Conyers
Cook
Cooper
Cramer
Crenshaw
Culberson
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Dent
DesJarlais
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Gallego
Garamendi
Goodlatte
Graham
Granger
Grayson
Griffith
Grothman
Guthrie
Hahn
Hardy
Harper
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Himes
Hinojosa
Huelskamp
Hultgren
Hunter
Israel
Issa
Johnson (GA)
Johnson, Sam
Jolly
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Kuster
LaHood
LaMalfa
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lipinski
Loebsack
Lofgren
Long
Love
Lowenthal
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Massie
McCarthy
McCaul
McClintock
McCollum
McHenry
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (MI)
Moolenaar
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Neal
Newhouse
Nunes
O'Rourke
Olson
Palmer
Perlmutter
Perry
Pingree
Pocan
Polis
Pompeo
Posey
Price (NC)
Rangel
Rice (SC)
Roby
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Royce
Ruiz
Ruppersberger
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Takano
Thornberry
Titus
Torres
Trott
Tsongas
Upton
Van Hollen
Veasey
Vela
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Webster (FL)
Welch
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—155

| | | |
|---|---|---|
| Adams | Green, Gene | Pallone |
| Aguilar | Guinta | Paulsen |
| Amash | Gutiérrez | Pelosi |
| Babin | Hanna | Peters |
| Bass | Hartzler | Peterson |
| Becerra | Heck (NV) | Pittenger |
| Benishek | Herrera Beutler | Poe (TX) |
| Bera | Hill | Poliquin |
| Beyer | Holding | Price, Tom |
| Bishop (MI) | Honda | Ratcliffe |
| Blum | Hoyer | Reed |
| Bost | Hudson | Reichert |
| Brady (PA) | Huffman | Renacci |
| Brownley (CA) | Huizenga (MI) | Ribble |
| Buck | Hurd (TX) | Rice (NY) |
| Bucshon | Jeffries | Richmond |
| Burgess | Jenkins (KS) | Rigell |
| Capuano | Jenkins (WV) | Roe (TN) |
| Cárdenas | Johnson, E. B. | Rogers (AL) |
| Carney | Jones | Ros-Lehtinen |
| Carter (GA) | Jordan | Rouzer |
| Cartwright | Keating | Roybal-Allard |
| Castor (FL) | Kelly (IL) | Rush |
| Clark (MA) | Kilmer | Ryan (OH) |
| Clarke (NY) | Kind | Sánchez, Linda T. |
| Clyburn | Kinzinger (IL) | |
| Coffman | Kirkpatrick | Sanchez, Loretta |
| Collins (GA) | Knight | Schakowsky |
| Connolly | Lance | Schiff |
| Costa | Lee | Sewell (AL) |
| Costello (PA) | Levin | Slaughter |
| Crawford | Lewis | Smith (MO) |
| Crowley | LoBiondo | Stivers |
| Cummings | Lowey | Swalwell (CA) |
| Curbelo (FL) | MacArthur | Thompson (CA) |
| Davis, Rodney | Maloney, Sean | Thompson (MS) |
| DeFazio | Marchant | Thompson (PA) |
| Delaney | Marino | Tiberi |
| DeSaulnier | McDermott | Tipton |
| Dold | McGovern | Turner |
| Duckworth | McKinley | Valadao |
| Ellmers (NC) | Miller (FL) | Vargas |
| Farenthold | Mooney (WV) | Velázquez |
| Fitzpatrick | Moore | Visclosky |
| Fleming | Mulvaney | Walberg |
| Flores | Napolitano | Walker |
| Foxx | Neugebauer | Watson Coleman |
| Fudge | Noem | Weber (TX) |
| Gibson | Nolan | Woodall |
| Graves (GA) | Norcross | Yoder |
| Graves (LA) | Nugent | Yoho |
| Green, Al | Palazzo | Young (AK) |

ANSWERED ''PRESENT''—2

| | |
|---|---|
| Payne | Tonko |

NOT VOTING—42

| | | |
|---|---|---|
| Boyle, Brendan F. | Gohmert | Loudermilk |
| | Gosar | Lujan Grisham (NM) |
| Byrne | Gowdy | |
| Chaffetz | Graves (MO) | Matsui |
| Chu, Judy | Grijalva | Nadler |
| Clay | Harris | Pascrell |
| Collins (NY) | Hastings | Pearce |
| Courtney | Hurt (VA) | Pitts |
| Cuellar | Jackson Lee | Quigley |
| Denham | Johnson (OH) | Sarbanes |
| DeSantis | Joyce | Sires |
| Deutch | Kennedy | Takai |
| Franks (AZ) | Kildee | Wagner |
| Garrett | Labrador | Wenstrup |
| Gibbs | Lieu, Ted | |

So the Journal was approved.

¶156.11 AMENDMENT OF THE SENATE TO H.R. 2029

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 1(c) of rule XIX, announced that further proceedings were resumed on the motion to agree to the amendment of the Senate to the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with amendments.

Pursuant to section 2(a) of House Resolution 566, the portion of the divided question comprising the amendment specified in section 3(a) of House Resolution 566 was considered.

After debate,

Pursuant to House Resolution 566, the previous question was ordered on the second portion of the divided question.

The question was put on the second portion of the divided question, viva voce,

Will the House agree to the amendment of the Senate with the amendment specified in section 3(a) of House Resolution 566?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the ayes had it.

Mr. ROGERS of Kentucky, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 8 of rule XX, and section 2(a) of House Resolution 566, announced that further proceedings on the question were postponed.

¶156.12 AMENDMENT OF THE SENATE TO H.R. 3594

On motion of Mr. BISHOP of Michigan, by unanimous consent, the bill (H.R. 3594) to extend temporarily the Federal Perkins Loan program, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Federal Perkins Loan Program Extension Act of 2015''.*

***SEC. 2. EXTENSION OF FEDERAL PERKINS LOAN PROGRAM.***

*(a) AUTHORITY TO MAKE LOANS.—*

*(1) IN GENERAL.—Section 461 of the Higher Education Act of 1965 (20 U.S.C. 1087aa) is amended—*

*(A) in subsection (a), by striking ''of stimulating and assisting in the establishment and maintenance of funds at institutions of higher education for the making of low-interest loans to students in need thereof'' and inserting ''assisting in the maintenance of funds at institutions of higher education for the making of loans to undergraduate students in need'';*

*(B) by striking subsection (b) and inserting the following:*

*''(b) AUTHORITY TO MAKE LOANS.—*

*''(1) IN GENERAL.—*

*''(A) LOANS FOR NEW UNDERGRADUATE FEDERAL PERKINS LOAN BORROWERS.—Through September 30, 2017, an institution of higher education may make a loan under this part to an eligible undergraduate student who, on the date of disbursement of a loan made under this part, has no outstanding balance of principal or interest on a loan made under this part from the student loan fund established under this part by the institution, but only if the institution has awarded all Federal Direct Loans, as referenced under subparagraphs (A) and (D) of section 455(a)(2), for which such undergraduate student is eligible.*

*''(B) LOANS FOR CURRENT UNDERGRADUATE FEDERAL PERKINS LOAN BORROWERS.—Through September 30, 2017, an institution of higher education may make a loan under this part to an eligible undergraduate student who, on the date of disbursement of a loan made under this part, has an outstanding balance of principal or interest on a loan made under this part from the student loan fund established under this part by the institution, but only if the institution has awarded all Federal Direct Stafford Loans as referenced under section 455(a)(2)(A) for which such undergraduate student is eligible.*

*''(C) LOANS FOR CERTAIN GRADUATE BORROWERS.—Through September 30, 2016, with respect to an eligible graduate student who has received a loan made under this part prior to October 1, 2015, an institution of higher education that has most recently made such a loan to the student for an academic program at such institution may continue making loans under this part from the student loan fund established under this part by the institution to enable the student to continue or complete such academic program.*

*''(2) NO ADDITIONAL LOANS.—An institution of higher education shall not make loans under this part after September 30, 2017.*

*''(3) PROHIBITION ON ADDITIONAL APPROPRIATIONS.—No funds are authorized to be appropriated under this Act or any other Act to carry out the functions described in paragraph (1) for any fiscal year following fiscal year 2015.''; and*

*(C) by striking subsection (c).*

*(2) RULE OF CONSTRUCTION.—Notwithstanding the amendments made under paragraph (1) of this subsection, an eligible graduate borrower who received a disbursement of a loan under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.) after June 30, 2016 and before October 1, 2016, for the 2016–2017 award year, may receive a subsequent disbursement of such loan by June 30, 2017, for which the borrower received an initial disbursement after June 30, 2016 and before October 1, 2016.*

*(b) DISTRIBUTION OF ASSETS FROM STUDENT LOAN FUNDS.—Section 466 of the Higher Education Act of 1965 (20 U.S.C. 1087ff) is amended—*

*(1) in subsection (a)—*

*(A) in the matter preceding paragraph (1), by striking ''After September 30, 2003, and not later than March 31, 2004'' and inserting ''Beginning October 1, 2017''; and*

*(B) in paragraph (1), by striking ''September 30, 2003'' and inserting ''September 30, 2017'';*

*(2) in subsection (b)—*

*(A) by striking ''After October 1, 2012'' and inserting ''Beginning October 1, 2017''; and*

*(B) by striking ''September 30, 2003'' and inserting ''September 30, 2017''; and*

*(3) in subsection (c)(1), by striking ''October 1, 2004'' and inserting ''October 1, 2017''.*

*(c) ADDITIONAL EXTENSIONS NOT PERMITTED.—Section 422 of the General Education Provisions Act (20 U.S.C. 1226a) shall not apply to further extend the duration of the authority under paragraph (1) of section 461(b) of the Higher Education Act of 1965 (20 U.S.C. 1087aa(b)), as amended by subsection (a)(1) of this section, beyond September 30, 2017, on the basis of the extension under such subsection.*

***SEC. 3. DISCLOSURE REQUIRED PRIOR TO DISBURSEMENT.***

*Section 463A(a) of the Higher Education Act of 1965 (20 U.S.C. 1087cc–1(a)) is amended—*

*(1) in paragraph (12), by striking ''and'' after the semicolon;*

*(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and*

*(3) by adding at the end the following:*

*''(14) a notice and explanation regarding the end to future availability of loans made under this part;*

*''(15) a notice and explanation that repayment and forgiveness benefits available to borrowers of loans made under part D are not available to borrowers participating in the loan program under this part;*

*''(16) a notice and explanation regarding a borrower's option to consolidate a loan made under this part into a Federal Direct Loan under part D, including any benefit of such consolidation;*

*''(17) with respect to new undergraduate Federal Perkins loan borrowers, as described in section 461(b)(1)(A), a notice and explanation providing a comparison of the interest rates of*

*loans under this part and part D and informing the borrower that the borrower has reached the maximum annual borrowing limit for which the borrower is eligible as referenced under subparagraphs (A) and (D) of section 455(a)(2); and*

*''(18) with respect to current undergraduate Federal Perkins loan borrowers, as described in section 461(b)(1)(B), a notice and explanation providing a comparison of the interest rates of loans under this part and part D and informing the borrower that the borrower has reached the maximum annual borrowing limit for which the borrower is eligible on Federal Direct Stafford Loans as referenced under section 455(a)(2)(A).''.*

On motion of Mr. BISHOP of Michigan, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk notify the Senate thereof.

¶156.13 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1616. An Act to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards; to the Committee on Oversight and Government Reform.

¶156.14 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. NADLER, for today.

And then,

¶156.15 ADJOURNMENT

On motion of Mr. GOHMERT, at 4 o'clock and 50 minutes p.m., the House adjourned.

¶156.16 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROTHFUS (for himself and Mr. HIGGINS):

H.R. 4281. A bill to amend the Internal Revenue Code of 1986 to prohibit the inclusion of social security numbers of donors in charitable contribution substantiation acknowledgements; to the Committee on Ways and Means.

By Mr. CARTWRIGHT:

H.R. 4282. A bill to clarify the meaning of the term ''prevailing party'' with regard to the recovery of attorneys' fees; to the Committee on the Judiciary.

By Mr. MCNERNEY:

H.R. 4283. A bill to amend the Internal Revenue Code of 1986 to impose a tax on coal, oil, and natural gas, and for other purposes; to the Committee on Ways and Means.

By Mr. CURBELO of Florida (for himself, Ms. CLARKE of New York, and Mr. CHABOT):

H.R. 4284. A bill to require the Administrator of the Small Business Administration to issue regulations providing examples of a failure to comply in good faith with the requirements of prime contractors with respect to subcontracting plans; to the Committee on Small Business.

By Mr. FINCHER (for himself and Mr. STIVERS):

H.R. 4285. A bill to amend title 18, United States Code, to require the screening of volunteers at Federal prisons for terrorist links, and for other purposes; to the Committee on the Judiciary.

By Mr. KIND:

H.R. 4286. A bill to amend the Federal Election Campaign Act of 1971 to eliminate the thresholds for reporting the identification of persons making contributions to political committees with respect to elections for Federal office; to the Committee on House Administration.

By Ms. LOFGREN (for herself, Mr. FRANKS of Arizona, Mr. CÁRDENAS, Mr. COHEN, Mr. COLLINS of Georgia, Mr. DIAZ-BALART, Ms. ESHOO, Mr. FARENTHOLD, Mr. FORBES, Mr. FOSTER, Mr. GENE GREEN of Texas, Mr. GOSAR, Mr. ISRAEL, Mr. ISSA, Ms. JACKSON LEE, Mr. MILLER of Florida, Mr. KILMER, Mr. SMITH of Texas, Mr. LANCE, Mr. MASSIE, Mr. OLSON, Mr. KING of New York, Mr. POLIS, Mr. ROKITA, Mr. SCHRADER, Mr. SESSIONS, Ms. SEWELL of Alabama, Mr. SWALWELL of California, Ms. CLARK of Massachusetts, Mr. TONKO, Mr. WHITFIELD, Mr. WILLIAMS, Mr. THOMPSON of Pennsylvania, Mr. TAKANO, Mr. MARINO, Mr. JORDAN, Mr. WEBER of Texas, Mr. HUIZENGA of Michigan, Mr. AL GREEN of Texas, Mr. JEFFRIES, Mr. CALVERT, Mr. CRENSHAW, Mr. FLORES, Mr. PITTS, Mr. WEBSTER of Florida, Mr. BARTON, Mr. CHABOT, Mr. HONDA, Mr. MCGOVERN, and Mr. DENHAM):

H.R. 4287. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 4288. A bill to establish a multi-agency Federal team to improve and reform Federal disaster assistance; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska:

H.R. 4289. A bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ELLMERS of North Carolina (for herself, Mr. CULBERSON, and Mr. BROOKS of Alabama):

H. Con. Res. 103. Concurrent resolution expressing the sense of the Congress that it runs contrary to America's values to take away the constitutional rights of American citizens without due process, and that any legislation that would do so would be unconstitutional and should not be considered; to the Committee on the Judiciary.

By Ms. BONAMICI (for herself, Mr. BLUMENAUER, Mr. SCHRADER, Mr. DEFAZIO, and Mr. WALDEN):

H. Res. 568. A resolution honoring the Portland Timbers as the champions of Major League Soccer in 2015; to the Committee on Oversight and Government Reform.

By Mr. BEYER (for himself, Mr. HONDA, Mr. ELLISON, Mr. CROWLEY, Mr. CARSON of Indiana, Ms. NORTON, Ms. MCCOLLUM, Ms. KAPTUR, Mrs. CAROLYN B. MALONEY of New York, Mr. KILDEE, Ms. LORETTA SANCHEZ of California, Mr. RANGEL, Mr. PETERS, Mr. ASHFORD, Mr. GRAYSON, Mr. TAKAI, Mr. HIGGINS, Mr. KEATING, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, Mr. BUTTERFIELD, Mr. CONNOLLY, Mr. GALLEGO, Mrs. BUSTOS, Mr. DELANEY, Ms. CASTOR of Florida, Mr. GUTIÉRREZ, Mr. QUIGLEY, Ms. ESTY, Mr. KENNEDY, Ms. KELLY of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS, Ms. MENG, Mr. AL GREEN of Texas, Ms. CLARK of Massachusetts, Mr. SCHIFF, Mr. HASTINGS, Mr. FARR, Mr. PALLONE, Mr. MCDERMOTT, Ms. LEE, Ms. EDWARDS, Mr. BRADY of Pennsylvania, Ms. WILSON of Florida, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. SIRES, Ms. DELBENE, Ms. JUDY CHU of California, Mr. POLIS, Mr. LOEBSACK, Mr. PASCRELL, Mrs. DINGELL, Ms. SCHAKOWSKY, Mr. COHEN, Mr. HINOJOSA, Mr. YARMUTH, Ms. TSONGAS, Mr. LANGEVIN, Mr. POCAN, Mr. CONYERS, Mr. TAKANO, Mr. RYAN of Ohio, Mr. SERRANO, Mr. JOHNSON of Georgia, Mr. TONKO, Ms. LOFGREN, Mr. VAN HOLLEN, Mrs. CAPPS, Mr. PRICE of North Carolina, Ms. MATSUI, Ms. MOORE, and Mr. HECK of Washington):

H. Res. 569. A resolution condemning violence, bigotry, and hateful rhetoric towards Muslims in the United States; to the Committee on the Judiciary.

By Ms. WILSON of Florida:

H. Res. 570. A resolution recognizing 2016 as the year of the 100th anniversary of the National Association of Secondary School Principals; to the Committee on Education and the Workforce.

By Mr. YOUNG of Indiana (for himself, Mr. BOUSTANY, Mr. KINZINGER of Illinois, Mrs. WALORSKI, Mrs. BROOKS of Indiana, Mr. SCHWEIKERT, Mr. AUSTIN SCOTT of Georgia, Mr. COFFMAN, Mr. BUCSHON, Mr. GRAVES of Louisiana, Mr. GIBBS, Mr. MESSER, Mr. RUSSELL, Mr. HUNTER, Mr. JORDAN, Mr. PALAZZO, Mr. HECK of Nevada, Mr. FORTENBERRY, Mr. CHABOT, Mr. ZINKE, Mr. CRAWFORD, Mr. KING of New York, Mr. LABRADOR, Mr. BRAT, and Mr. GOSAR):

H. Res. 571. A resolution establishing the Select Committee on Oversight of the Joint Comprehensive Plan of Action; to the Committee on Rules.

¶156.17 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Ms. MENG, Mr. DOLD, and Ms. BONAMICI.
H.R. 220: Mr. WELCH.
H.R. 250: Mr. LOEBSACK.
H.R. 592: Mr. CONAWAY and Mr. PASCRELL.
H.R. 604: Mr. CULBERSON.
H.R. 662: Mr. POE of Texas and Mr. BOST.
H.R. 676: Mr. LOWENTHAL.
H.R. 721: Ms. LOFGREN.
H.R. 769: Mr. POLIQUIN and Mr. TURNER.
H.R. 793: Mr. CONAWAY.
H.R. 842: Mr. POMPEO and Mr. ZELDIN.
H.R. 870: Mr. LEWIS.
H.R. 932: Mr. CUMMINGS.
H.R. 953: Mr. KEATING.
H.R. 973: Mr. LOBIONDO.
H.R. 985: Mr. GRIJALVA.
H.R. 1061: Ms. BONAMICI and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1062: Mr. KELLY of Mississippi and Mr. VALADAO.
H.R. 1093: Mr. JOYCE and Mr. RENACCI.
H.R. 1102: Mr. CUMMINGS.
H.R. 1116: Mr. SHIMKUS.
H.R. 1153: Mr. FLEMING.
H.R. 1192: Mr. NUGENT.
H.R. 1220: Mr. CARSON of Indiana and Mr. SERRANO.

H.R. 1247: Mr. GALLEGO.
H.R. 1258: Ms. MATSUI and Mr. PASCRELL.
H.R. 1288: Mr. GRIFFITH.
H.R. 1401: Mr. MURPHY of Florida.
H.R. 1492: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1571: Ms. FUDGE.
H.R. 1594: Mr. REICHERT.
H.R. 1608: Mr. NUNES, Mr. HUDSON, and Mr. BUTTERFIELD.
H.R. 1610: Mrs. MILLER of Michigan.
H.R. 1688: Ms. JENKINS of Kansas.
H.R. 1728: Mr. LOBIONDO.
H.R. 1752: Mr. GRIFFITH.
H.R. 1761: Ms. LOFGREN.
H.R. 1776: Mr. NORCROSS.
H.R. 1902: Miss RICE of New York.
H.R. 1940: Mr. TED LIEU of California.
H.R. 1942: Ms. CASTOR of Florida.
H.R. 2050: Mr. SIMPSON and Mr. KING of New York.
H.R. 2082: Mr. RANGEL.
H.R. 2096: Mr. CONAWAY.
H.R. 2104: Ms. KELLY of Illinois.
H.R. 2170: Mr. FOSTER.
H.R. 2191: Ms. SCHAKOWSKY.
H.R. 2255: Mr. COLLINS of Georgia.
H.R. 2293: Mr. DENT, Ms. KELLY of Illinois, Mr. RUIZ, and Mr. PASCRELL.
H.R. 2342: Mr. JOHNSON of Ohio, Mr. DEFAZIO, Ms. GRAHAM, and Mrs. WAGNER.
H.R. 2380: Mr. CÁRDENAS.
H.R. 2460: Mr. MOOLENAAR and Ms. CLARKE of New York.
H.R. 2515: Ms. ESHOO.
H.R. 2536: Mr. GALLEGO, Ms. DUCKWORTH, and Ms. PINGREE.
H.R. 2553: Mr. MOULTON and Mr. KEATING.
H.R. 2603: Mr. BOUSTANY.
H.R. 2612: Mr. CÁRDENAS.
H.R. 2638: Ms. KELLY of Illinois.
H.R. 2646: Ms. MCCOLLUM.
H.R. 2680: Mr. VEASEY.
H.R. 2716: Mr. SAM JOHNSON of Texas.
H.R. 2740: Ms. VELÁZQUEZ.
H.R. 2799: Mr. HARDY.
H.R. 2850: Ms. DUCKWORTH.
H.R. 2858: Ms. MATSUI and Mr. PASCRELL.
H.R. 2874: Mr. STIVERS.
H.R. 2896: Mr. DUNCAN of South Carolina.
H.R. 2903: Mr. VEASEY and Mrs. ROBY.
H.R. 3084: Mr. HUNTER.
H.R. 3099: Mr. BLUMENAUER and Ms. LOFGREN.
H.R. 3119: Mr. CUMMINGS, Mr. SWALWELL of California, Mr. HIGGINS, Mr. NOLAN, Mrs. BEATTY, Mr. GRAYSON, Ms. LOFGREN, Mr. PETERSON, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. DINGELL, and Mr. VELA.
H.R. 3216: Mr. BURGESS.
H.R. 3222: Mr. SAM JOHNSON of Texas.
H.R. 3229: Mr. ROSKAM.
H.R. 3268: Mr. LYNCH, Mr. LOWENTHAL, Mr. PASCRELL, Mr. DENT, and Mr. RUIZ.
H.R. 3299: Mr. KNIGHT and Mr. CARTER of Georgia.
H.R. 3306: Mr. COHEN.
H.R. 3406: Mr. TIBERI.
H.R. 3411: Mr. TONKO, Mr. CÁRDENAS, Ms. DELAURO, Mr. VARGAS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DUCKWORTH, and Mr. DEUTCH.
H.R. 3423: Ms. FRANKEL of Florida.
H.R. 3455: Ms. CLARK of Massachusetts, Mr. CARTWRIGHT, Mr. KEATING, and Mr. MEEKS.
H.R. 3626: Mr. ROTHFUS.
H.R. 3652: Mr. COHEN.
H.R. 3684: Ms. BORDALLO.
H.R. 3698: Ms. BORDALLO.
H.R. 3706: Mr. COHEN.
H.R. 3723: Mrs. BEATTY.
H.R. 3729: Mr. ROUZER.
H.R. 3760: Mr. DESAULNIER.
H.R. 3799: Mr. ROGERS of Alabama.
H.R. 3817: Ms. WILSON of Florida.
H.R. 3846: Mr. POE of Texas and Ms. JENKINS of Kansas.
H.R. 3852: Ms. CASTOR of Florida.
H.R. 3856: Miss RICE of New York and Mr. KELLY of Pennsylvania.
H.R. 3892: Ms. ROS-LEHTINEN and Mr. DENT.
H.R. 3926: Mr. SABLAN.
H.R. 3940: Mr. VALADAO, Mr. BUCHANAN, and Ms. MCSALLY.
H.R. 3949: Mrs. CAPPS.
H.R. 3952: Mr. GRIFFITH.
H.R. 3957: Ms. GRAHAM.
H.R. 3960: Ms. MCSALLY.
H.R. 3980: Ms. BORDALLO.
H.R. 3986: Mr. COHEN.
H.R. 3991: Ms. BORDALLO.
H.R. 4018: Mr. DAVID SCOTT of Georgia.
H.R. 4019: Mr. SMITH of Washington and Mr. DEFAZIO.
H.R. 4028: Mr. SWALWELL of California.
H.R. 4055: Mr. DANNY K. DAVIS of Illinois.
H.R. 4062: Mr. NUGENT.
H.R. 4079: Mr. VEASEY.
H.R. 4083: Mr. WEBSTER of Florida.
H.R. 4124: Mr. POCAN.
H.R. 4135: Mr. TAKAI, Mr. CUMMINGS, and Mr. LYNCH.
H.R. 4137: Mr. GUTIÉRREZ, Mr. MCDERMOTT, and Ms. MOORE.
H.R. 4144: Ms. FRANKEL of Florida.
H.R. 4148: Ms. LEE.
H.R. 4151: Mr. FORTENBERRY.
H.R. 4162: Mr. KILMER, Ms. NORTON, Mr. CONNOLLY, and Mr. HASTINGS.
H.R. 4165: Ms. DUCKWORTH.
H.R. 4185: Mr. VISCLOSKY, Mr. LATTA, Ms. JENKINS of Kansas, Mr. WENSTRUP, and Mr. PETERSON.
H.R. 4186: Mr. CULBERSON.
H.R. 4197: Mr. GOHMERT.
H.R. 4213: Mr. GRAYSON and Mr. SIRES.
H.R. 4216: Mr. MESSER and Mr. SIRES.
H.R. 4238: Ms. KUSTER, Mr. LEWIS, Ms. BASS, Mr. CONNOLLY, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. PAYNE, Mr. ISRAEL, Ms. SCHAKOWSKY, Ms. FUDGE, Ms. BROWNLEY of California, Mrs. CAROLYN B. MALONEY of New York, Mr. SHERMAN, Ms. LOFGREN, Ms. MAXINE WATERS of California, Mr. DELANEY, and Mr. SCHIFF.
H.R. 4240: Mr. JEFFRIES, Mr. BISHOP of Michigan, and Mr. CICILLINE.
H.R. 4251: Ms. BORDALLO.
H.R. 4253: Mr. VELA.
H.R. 4257: Mr. ZINKE, Mr. TOM PRICE of Georgia, Mr. GUTHRIE, Mr. KELLY of Pennsylvania, and Mr. LANCE.
H.R. 4271: Mr. WEBER of Texas, Mr. BABIN, and Mr. BISHOP of Michigan.
H. Con. Res. 50: Mr. JONES.
H. Con. Res. 75: Mr. HULTGREN.
H. Con. Res. 76: Mr. BURGESS.
H. Res. 14: Mr. THOMPSON of Mississippi.
H. Res. 145: Mr. WELCH.
H. Res. 289: Mr. CÁRDENAS.
H. Res. 371: Mr. CARNEY and Mr. GIBSON.
H. Res. 393: Ms. ADAMS.
H. Res. 467: Mr. POCAN and Mr. NORCROSS.
H. Res. 494: Mr. SMITH of Texas.
H. Res. 523: Mrs. KIRKPATRICK.
H. Res. 549: Mr. LEVIN and Ms. ESHOO.
H. Res. 550: Mr. MEEKS.
H. Res. 554: Ms. KUSTER.
H. Res. 567: Mr. DEUTCH.

## FRIDAY, DECEMBER 18, 2015 (157)

The House was called to order by the SPEAKER.

### ¶157.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, December 17, 2015.

Pursuant to clause 1 of rule I, the Journal was approved.

### ¶157.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

3814. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Rear Admiral (lower half) Ricky L. Williamson, United States Navy, to wear the insignia of the grade of rear admiral, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3); (117 Stat. 1458); to the Committee on Armed Services.

3815. A letter from the Regulatory Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's interim final rule — Margin and Capital Requirements for Covered Swap Entities [Docket No.:OCC-2015-0023](RIN:1557-AD00) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3816. A letter from the Regulatory Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major final rule — Margin and Capital Requirements for Covered Swap Entities [Docket No.: OCC-2011-0008] (RIN: 1557-AD43) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3817. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-propenoic acid, homopolymer, ester with a-[2,4,6-tris(1-phenylethyl)phenyl]-w-hydroxypoly(oxy-1,2-ethanediyl), compd. with 2,2',2''-nitrilotris[ethanol]; Tolerance Exemption [EPA-HQ-OPP-2015-0630; FRL-9939-71] received December 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3818. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; SD; Update to Materials Incorporated by Reference [EPA-R08-OAR-2015-0429; FRL-9939-87-Region 8] received December 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3819. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ammonium Acetate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2013-0700; FRL-9939-39] received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3820. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Revisions to Minimum Risk Exemption [EPA-HQ-OPP-2010-0305; FRL-9934-44] (RIN: 2070-AJ79) received December 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3821. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spinosad; Pesticide Tolerances [EPA-HQ-OPP-2013-0727; FRL-9933-41] received December 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3822. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propiconazole on Tea; Pesticide Tolerance [Docket No.: EPA-HQ-OPP-

2015-0685; FRL-9940-01] received December 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3823. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propiconazole; Pesticide Tolerances [Docket No.: EPA-HQ-OPP-2014-0788; FRL-9939-83] received December 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3824. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spinetoram; Pesticide Tolerances [Docket No.: EPA-HQ-OPP-2013-0730; FRL-9933-39] received December 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3825. A letter from the Deputy Division Chief, CIPD, Federal Communications Commission, transmitting the Commission's final rule — Improvements to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets [Docket No.: 15-285] Amendment of the Commission's Rules Governing Hearing Aid-Compatible Mobile Handsets [Docket No.: 07-250] received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3826. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Telemarketing Sales Rule (RIN: 3084-AB19) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3827. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt from Certification; Mica-Based Pearlescent Pigments; Confirmation of Effective Date [Docket No.: FDA-2015-C-1154] received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3828. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report, covering May 15, 2015 to November 15, 2015, on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, pursuant to 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627) and 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257); to the Committee on Foreign Affairs.

3829. A letter from the Secretary, Department of Commerce, transmitting the Annual Report for FY 2015 of the Department of Commerce's Bureau of Industry and Security, pursuant to 19 U.S.C. 81p(c); June 18, 1934, ch. 590, Sec. 16(c) (as amended by Public Law 99-386, Sec. 203(b)(2)); (100 Stat. 823); to the Committee on Foreign Affairs.

3830. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of a proposed lease to the Taipei Economic and Cultural Representative Office in the United States, Transmittal No.: 02-16, pursuant to 22 U.S.C. 2796a(a); Public Law 90-629, Sec. 62 (as added by Public Law 97-113, Se c. 109(a)); (95 Stat. 1525); to the Committee on Foreign Affairs.

3831. A letter from the Secretary, Department of Education, transmitting the Department's Semiannual Report to Congress for April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3832. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's Semiannual Report to the Congress for April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3833. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish Hook-and-Line Component [Docket No.: 120404257-3325-02] (RIN: 0648-XE215) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3834. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE342) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3835. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish in the West Yakutat District of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE296) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3836. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2015-2016 Accountability Measure and Closure for King Mackerel in the Florida West Coast Northern Subzone [Docket No.: 101206604-1758-02] (RIN: 0648-XE326) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3837. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XE335) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3838. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, West Coast Region, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary orders — Fraser River Sockeye and Pink Salmon Fisheries; Inseason Orders (RIN: 0648-XE261) received December 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3839. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Borrower Defense Student Loan Discharges (Rev. Proc. 2015-57) received December 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3840. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Certification Relating to the Joint Comprehensive Plan of Action Between the P5+1, the European Union, and Iran (H. Doc. No. 114—83); jointly to the Committees on Foreign Affairs, the Judiciary, Oversight and Government Reform, Ways and Means, and Financial Services and ordered to be printed.

## ¶157.3 AMENDMENT OF THE SENATE TO H.R. 2029—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CURBELO of Florida, pursuant to clause 8 of rule XX, and section 2(a) of House Resolution 566, announced that further proceedings were resumed on the motion to agree to the amendment of the Senate with the amendment specified in section 3(a) of House Resolution 566 to the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

The question being put,

Will the House agree to the amendment of the Senate with the amendment specified in section 3(a) of House Resolution 566?

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 316 / Nays ..... 113

¶157.4 [Roll No. 705]

YEAS—316

| | | |
|---|---|---|
| Adams | Chu, Judy | Doyle, Michael F. |
| Aderholt | Cicilline | Duckworth |
| Aguilar | Clark (MA) | Duffy |
| Allen | Clarke (NY) | Edwards |
| Ashford | Clay | Ellmers (NC) |
| Barr | Cleaver | Engel |
| Barton | Clyburn | Eshoo |
| Bass | Coffman | Esty |
| Beatty | Cohen | Farr |
| Benishek | Cole | Fattah |
| Bera | Collins (GA) | Fitzpatrick |
| Beyer | Collins (NY) | Fleischmann |
| Bilirakis | Comstock | Flores |
| Bishop (GA) | Conaway | Foster |
| Bishop (MI) | Connolly | Foxx |
| Bishop (UT) | Conyers | Frankel (FL) |
| Blumenauer | Cook | Frelinghuysen |
| Bonamici | Cooper | Fudge |
| Bost | Costa | Gabbard |
| Boustany | Costello (PA) | Garamendi |
| Boyle, Brendan F. | Courtney | Gibson |
| Brady (PA) | Cramer | Graham |
| Brady (TX) | Crenshaw | Granger |
| Brooks (IN) | Crowley | Graves (GA) |
| Brown (FL) | Culberson | Graves (MO) |
| Brownley (CA) | Cummings | Grayson |
| Buchanan | Curbelo (FL) | Green, Al |
| Bucshon | Davis (CA) | Green, Gene |
| Burgess | Davis, Danny | Grothman |
| Bustos | Davis, Rodney | Guthrie |
| Butterfield | DeFazio | Hahn |
| Calvert | DeGette | Hanna |
| Capps | Delaney | Harper |
| Capuano | DeLauro | Hartzler |
| Cárdenas | DelBene | Hastings |
| Carson (IN) | Denham | Heck (WA) |
| Carter (GA) | Dent | Hensarling |
| Carter (TX) | DeSaulnier | Herrera Beutler |
| Cartwright | Deutch | Higgins |
| Castor (FL) | Diaz-Balart | Hill |
| Castro (TX) | Dingell | Himes |
| Chabot | Dold | Hinojosa |
| Chaffetz | Donovan | Honda |

Hoyer
Huffman
Huizenga (MI)
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (OH)
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Matsui
McCarthy
McCaul
McCollum
McGovern
McHenry
McMorris Rodgers
McNerney
McSally
Meeks
Meng
Messer
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takai
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Wenstrup
Westmoreland
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Zeldin
Zinke

NAYS—113

Abraham
Amash
Amodei
Babin
Barletta
Becerra
Black
Blackburn
Blum
Brat
Bridenstine
Brooks (AL)
Buck
Byrne
Carney
Clawson (FL)
Crawford
DeSantis
DesJarlais
Doggett
Duncan (SC)
Duncan (TN)
Ellison
Emmer (MN)
Farenthold
Fleming
Forbes
Fortenberry
Franks (AZ)
Gallego
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (LA)
Griffith
Grijalva
Guinta
Gutiérrez
Hardy
Harris
Heck (NV)
Hice, Jody B.
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurt (VA)
Jenkins (KS)
Johnson (GA)
Johnson, Sam
Jones
Jordan
Kelly (PA)
King (IA)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lieu, Ted
Lofgren
Long
Lummis
Marino
Massie
McClintock
McDermott
McKinley
Meadows
Meehan
Miller (FL)
Mooney (WV)
Mulvaney
Palmer
Perry
Pocan
Polis
Pompeo
Posey
Ratcliffe
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rothfus
Salmon
Sanford
Schrader
Schweikert
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stutzman
Takano
Thompson (MS)
Tipton
Walker
Waters, Maxine
Webster (FL)
Welch
Westerman
Whitfield
Williams
Wittman
Yoho
Young (IA)
Young (IN)

NOT VOTING—5

Cuellar
Fincher
Johnson, E. B.
Kennedy
Kildee

So the second portion of the divided question was agreed to.

A motion to reconsider the vote whereby the second portion of the divided question was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said amendments.

¶157.5 H.R. 2241—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CURBELO of Florida, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2241) to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CURBELO of Florida, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶157.6 ENROLLED BILLS AND SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. CURBELO of Florida, announced that, pursuant to clause 4 of rule I, the Speaker signed the following enrolled bills and enrolled bill of the Senate on Thursday, December 17, 2015:

H.R. 2297. An Act to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

H.R. 2820. An Act to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

H.R. 3831. An Act to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage.

S. 1090. An Act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes.

¶157.7 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, without amendment, a bill of the House of the following title:

H.R. 4246. An Act to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

The message also announced that the Senate has passed, without amendment, a joint resolution and agreed to a concurrent resolution of the House of the following titles:

H.J. Res. 76. A joint resolution appointing the day for the convening of the second session of the One Hundred Fourteenth Congress.

H. Con. Res. 102. A concurrent resolution providing for a joint session of Congress to receive a message from the President.

The message also announced that the Senate has passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2576. An Act to modernize the Toxic Substances Control Act, and for other purposes.

The message also announced that the Senate has passed bills of the following titles, in which the concurrence of the House is requested:

S. 284. An Act to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights, and for other purposes.

S. 2261. An Act to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on services furnished by Federally qualified health centers and rural health clinics.

¶157.8 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 515. An Act to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

The message also announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 227. An Act to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement.

¶157.9 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENTS—UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

The SPEAKER pro tempore, Mr. KATKO, laid before the House the following communication, which was read as follows:

DECEMBER 18, 2015.

Hon. PAUL D. RYAN,
*Speaker of the House,*
*U.S. Capitol, Washington, DC.*

DEAR SPEAKER RYAN: Pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (22 U.S.C. 7002), amended by the Division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), I am pleased to reappoint the following individuals to the United States-China Economic and Security Review Commission.

Ms. Carolyn Bartholomew, Washington, DC.

Mr. Jeffrey L. Fiedler, Great Falls, VA.

Thank you for your attention to these appointments.

Sincerely,

NANCY PELOSI,
*House Democratic Leader.*

*Ordered,* That the Clerk notify the Senate of the foregoing appointments.

¶157.10 RECESS—11:34 A.M.

The SPEAKER pro tempore, Mr. KATKO, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 34 minutes a.m., subject to the call of the Chair.

¶157.11 AFTER RECESS—1 P.M.

The SPEAKER pro tempore, Mr. MESSER, called the House to order.

¶157.12 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 18, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 18, 2015 at 12:34 p.m.:

That the Senate concur in the House amendments to the Senate amendment to the bill H.R. 2029.

That the Senate passed S. 2425.

That the Senate passed without amendment H.R. 1321.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶157.13 PATIENT ACCESS AND MEDICARE PROTECTION

On motion of Mr. Tom PRICE of Georgia, by unanimous consent, the bill of the Senate (S. 2425) to amend titles XVIII and XIX of the Social Security Act to improve payments for complex rehabilitation technology and certain radiation therapy services, to ensure flexibility in applying the hardship exception for meaningful use for the 2015 EHR reporting period for 2017 payment adjustments, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk notify the Senate thereof.

¶157.14 ADJOURNMENT SINE DIE

Mr. Tom PRICE of Georgia, submitted the following privileged concurrent resolution (H. Con. Res. 104):

*Resolved by the House of Representatives (the Senate concurring),* That when the House adjourns on any legislative day from Friday, December 18, 2015, through Saturday, January 2, 2016, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution; and that when the Senate adjourns on any day from Friday, December 18, 2015, through Tuesday, December 22, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 3 of this concurrent resolution.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 4. (a) When the Senate recesses or adjourns on any day of the second session of the One Hundred Fourteenth Congress from Sunday, January 3, 2016, through Friday, January 8, 2016, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand recessed or adjourned until noon on Monday, January 11, 2016, or until such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to subsection (b), whichever occurs first.

(b) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(c) After reassembling pursuant to subsection (b), when the Senate recesses or adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand recessed or adjourned pursuant to subsection (a).

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶157.15 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, DC, December 18, 2015.*

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 18, 2015 at 12:56 p.m.:

That the Senate passed S. 2152.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
*Clerk of the House.*

¶157.16 ADJOURNMENT OVER

On motion of Mr. Tom PRICE of Georgia, by unanimous consent,

*Ordered,* That when the House adjourns today, on a motion offered pursuant to this order, it adjourn to meet at 4 p.m. on Tuesday, December 22, 2015, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 104, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

¶157.17 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 227. An Act to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement; to the Committee on Education and the Workforce.

S. 2152. An Act to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes; to the Committee on Foreign Affairs.

S. 2261. An Act to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on services furnished by Federally qualified health centers and rural health clinics; to the Committee on Ways and Means; in addition, to the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶157.18 ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3594. An Act to extend temporarily the Federal Perkins Loan program, and for other purposes.

H.R. 4246. An Act to exempt for an additional 4-year period, from the application of

the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

H.J. Res. 76. A joint resolution appointing the day for the convening of the second session of the One Hundred Fourteenth Congress.

¶157.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. Eddie Bernice JOHNSON of Texas, for today.

And then,

¶157.20 ADJOURNMENT SINE DIE

Mr. Tom PRICE of Georgia, pursuant to the previous order of the House, moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. MESSER, announced that the ayes had it.

Accordingly,

Pursuant to the previous order of the House, at 1 o'clock and 7 minutes p.m., the House stands adjourned until 4 p.m. on Tuesday, December 22, 2015, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 104, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

¶157.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 3231. A bill to amend title 5, United States Code, to protect unpaid interns in the Federal government from workplace harassment and discrimination, and for other purposes; with amendments (Rept. 114–383). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. S. 1172. An Act to improve the process of presidential transition; with an amendment (Rept. 114–384, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. United States Secret Service: An Agency in Crisis (Rept. 114–385). Referred to the Committee of the Whole House on the state of the Union.

¶157.22 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Homeland Security discharged from further consideration. S. 1172 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶157.23 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. PELOSI:

H.R. 4290. A bill to provide for certain assistance and reforms relating to the territories, and for other purposes; to the Committee on the Judiciary.

By Mr. CALVERT (for himself, Mr. HUNTER, Mr. KNIGHT, and Mr. ROHRABACHER):

H.R. 4291. A bill to provide for additional security requirements for Syrian and Iraqi refugees, and for other purposes; to the Committee on the Judiciary.

By Mrs. NOEM (for herself and Mr. PASCRELL):

H.R. 4292. A bill to provide for research and the testing of innovative health care delivery models to improve medication adherence, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself, Mr. NEAL, Mr. ROSKAM, Mr. LARSON of Connecticut, Mr. CARTER of Georgia, and Mr. DAVID SCOTT of Georgia):

H.R. 4293. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure that retirement investors receive advice in their best interests, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROSKAM (for himself, Mr. NEAL, Mr. ROE of Tennessee, Mr. LARSON of Connecticut, Mr. REED, and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 4294. A bill to amend the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE (for herself and Mrs. WATSON COLEMAN):

H.R. 4295. A bill to require the Administrator of the Federal Aviation Administration to increase the rest periods of flight attendants to the same rest periods of pilots; to the Committee on Transportation and Infrastructure.

By Mr. BISHOP of Utah (for himself and Mr. CROWLEY):

H.R. 4296. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for host families of foreign exchange and other students from $50 per month to $400 per month; to the Committee on Ways and Means.

By Mr. BOUSTANY:

H.R. 4297. A bill to impose certain requirements on the Secretary of the Treasury relating to transmittals of country-by-country reports for purposes of the Base Erosion and Profit Shifting Action Plan; to the Committee on Ways and Means, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI (for himself and Mr. CARTER of Texas):

H.R. 4298. A bill to direct the Secretary of the Army to place in Arlington National Cemetery a memorial honoring the helicopter pilots and crew members of the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUM (for himself, Mr. KING of Iowa, and Mr. CHABOT):

H.R. 4299. A bill to amend the Public Health Service Act to prevent the Secretary of Health and Human Services from limiting access to excepted benefits, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRAT (for himself, Mr. BURGESS, Mr. YOUNG of Alaska, Mr. MCCLINTOCK, Mr. MASSIE, Mr. BROOKS of Alabama, Mr. ROHRABACHER, Mr. BRIDENSTINE, Mr. MEADOWS, Mrs. LUMMIS, Mr. GOSAR, and Mr. JONES):

H.R. 4300. A bill to improve the Federal flight deck officers program, and for other purposes; to the Committee on Homeland Security.

By Mr. BUCHANAN:

H.R. 4301. A bill to require the Secretary of Homeland Security to search all public records to determine if an alien is inadmissible to the United States; to the Committee on the Judiciary.

By Mr. GRAVES of Louisiana:

H.R. 4302. A bill to require the Secretary of the Treasury to pursue with other countries the goal of the mutual elimination of government-backed export credit agencies, and to provide for the abolishment of the Export-Import Bank of the United States if doing so would not put the United States at a competitive disadvantage; to the Committee on Financial Services.

By Mr. GRIJALVA:

H.R. 4303. A bill to provide for the establishment of an accountable and humane border security strategy for the international land borders of the United States, address cultural, economic, ecological, environmental and humanitarian impacts of border security infrastructure, measures, and activities along the international land borders of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Armed Services, the Judiciary, Natural Resources, Agriculture, Foreign Affairs, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS:

H.R. 4304. A bill to direct the Department of Labor to conduct a study on residual contamination of workers at certain facilities related to the Department of Energy's processing and production of materials that emit radiation; to the Committee on Education and the Workforce.

By Mr. HUNTER:

H.R. 4305. A bill to amend the National Defense Authorization Act for Fiscal Year 2016 to further enhance the assistance provided by the United States to Ukraine to defend against further aggression by Russia and Russian-backed separatists against Ukraine, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MENG:

H.R. 4306. A bill to make permanent the Advisory Committee on Minority Veterans; to the Committee on Veterans' Affairs.

By Ms. MENG (for herself, Ms. BORDALLO, Mr. AL GREEN of Texas, Mr. HONDA, Ms. JUDY CHU of California, and Mr. TED LIEU of California):

H.R. 4307. A bill to establish within the Smithsonian Institution the National Museum of Asian Pacific American History and Culture, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources,

for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MENG (for herself, Ms. BORDALLO, Mr. AL GREEN of Texas, Mr. HONDA, Ms. JUDY CHU of California, and Mr. TED LIEU of California):

H.R. 4308. A bill to establish the Commission to Study the Potential Creation of a National Museum of Asian Pacific American History and Culture, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN (for himself, Mr. PIERLUISI, Mrs. RADEWAGEN, and Ms. BORDALLO):

H.R. 4309. A bill to amend the Internal Revenue Code of 1986 to reimburse each possession of the United States for the cost of the earned income tax credit; to the Committee on Ways and Means.

By Mr. SALMON (for himself, Mr. MILLER of Florida, and Ms. SINEMA):

H.R. 4310. A bill to amend the Immigration and Nationality Act to direct the Secretary of Homeland Security to check an alien's interactions on and posting of material to the Internet prior to the issuance of a visa, and for other purposes; to the Committee on the Judiciary.

By Mr. SALMON:

H.R. 4311. A bill to prohibit the Internal Revenue Service from modifying or amending the standards and regulations governing the substantiation of charitable contributions; to the Committee on Ways and Means.

By Mr. SHERMAN (for himself, Mr. ROYCE, Ms. MENG, Ms. ROS-LEHTINEN, Mr. ROSKAM, and Mr. WEBER of Texas):

H.R. 4312. A bill to provide for more effective sanctions against Iran's Revolutionary Guard Corps or any of its officials, agents, or affiliates to counter support for international terrorism and assistance to the Assad regime in Syria; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM PRICE of Georgia:

H. Con. Res. 104. Concurrent resolution providing for the sine die adjournment of the first session of the One Hundred Fourteenth Congress; considered and agreed to.

By Mr. MCKINLEY (for himself, Mr. ROTHFUS, Mr. GRIFFITH, and Mr. BARR):

H. Con. Res. 105. Concurrent resolution expressing the sense of Congress regarding the ''Paris Agreement'' announced on December 12, 2015, at the 21st session of the United Nations Framework Convention on Climate Change; to the Committee on Foreign Affairs.

By Mr. O'ROURKE (for himself, Mr. HURD of Texas, and Mr. PEARCE):

H. Res. 572. A resolution celebrating the 50th anniversary of the Texas Western College's 1966 NCAA Basketball Championship and recognizing the groundbreaking impact of the title game victory on diversity in sports and civil rights in the United States; to the Committee on Education and the Workforce.

By Mr. RATCLIFFE:

H. Res. 573. A resolution expressing the sense of the House of Representatives that the President has failed to adequately develop and execute a strategy capable of defeating the Islamic State of Iraq and Syria and a significant course correction is necessary at this time to ensure the protection of the people of the United States and United States allies; to the Committee on Foreign Affairs.

By Mr. ROHRABACHER:

H. Res. 574. A resolution calling for a restoration of civil government in Thailand established by fair, free, democratic, and open elections and expressing solidarity with the people of Thailand in their desire for democracy; to the Committee on Foreign Affairs.

## ¶157.24 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

164. The SPEAKER presented a memorial of the Legislature of the State of Kansas, relative to Senate Concurrent Resolution No. 1661, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

165. Also, a memorial of the Legislature of the State of Kansas, relative to Senate Concurrent Resolution No. 1661, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

## ¶157.25 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 59: Mr. TAKANO.

H.R. 178: Mr. BABIN.

H.R. 224: Mr. CARNEY, Mr. MOULTON, Mr. CÁRDENAS, Mr. VEASEY, and Mr. PETERS.

H.R. 225: Ms. HAHN, Mrs. NAPOLITANO, Ms. LEE, Mr. CUMMINGS, Mr. RICHMOND, Mr. GRIJALVA, Mr. CARTWRIGHT, Mr. CÁRDENAS, Mr. CARSON of Indiana, and Mr. SERRANO.

H.R. 226: Ms. HAHN, Mrs. NAPOLITANO, Ms. LEE, Mrs. WATSON COLEMAN, Mr. CUMMINGS, Mr. RICHMOND, Mr. CARTWRIGHT, Mr. MCNERNEY, Mr. CARSON of Indiana, and Mr. SERRANO.

H.R. 244: Mr. CONAWAY.

H.R. 321: Mr. YODER.

H.R. 347: Mr. SESSIONS.

H.R. 556: Mr. LOEBSACK.

H.R. 577: Mr. LOEBSACK.

H.R. 592: Mr. RUIZ.

H.R. 676: Mr. CLEAVER, Ms. KELLY of Illinois, and Mr. DANNY K. DAVIS of Illinois.

H.R. 711: Mr. KNIGHT, Ms. PINGREE, and Mr. CHABOT.

H.R. 721: Mr. TAKANO.

H.R. 735: Ms. BASS.

H.R. 815: Mr. TROTT.

H.R. 829: Mr. NOLAN.

H.R. 842: Mr. TROTT.

H.R. 919: Ms. KELLY of Illinois.

H.R. 969: Mr. SENSENBRENNER, Mr. AL GREEN of Texas, and Mr. PERRY.

H.R. 985: Mr. REICHERT.

H.R. 986: Mr. GRAVES of Louisiana.

H.R. 1116: Mr. BENISHEK and Mr. TROTT.

H.R. 1142: Mr. SHIMKUS, Ms. LEE, and Mr. MACARTHUR.

H.R. 1149: Mr. FLEMING.

H.R. 1211: Ms. DUCKWORTH.

H.R. 1220: Mr. YODER.

H.R. 1258: Mr. BRADY of Pennsylvania and Mr. SMITH of New Jersey.

H.R. 1274: Mr. NOLAN.

H.R. 1282: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1283: Ms. BROWNLEY of California.

H.R. 1306: Mr. RANGEL, Ms. KAPTUR, Mr. MEEKS, Ms. MATSUI, Ms. BROWN of Florida, Mr. TAKANO, Mr. HASTINGS, and Ms. TITUS.

H.R. 1343: Mr. SMITH of New Jersey.

H.R. 1399: Mr. ASHFORD, Mr. LANGEVIN, Mr. YARMUTH, Mr. GUTIÉRREZ, and Mr. MACARTHUR.

H.R. 1427: Mr. GARAMENDI, Ms. DELAURO, Mr. VALADAO, and Mr. KELLY of Mississippi.

H.R. 1457: Mr. MCCAUL.

H.R. 1538: Ms. BORDALLO, Mr. O'ROURKE, Ms. GABBARD, Mr. JOHNSON of Georgia, and Mr. TED LIEU of California.

H.R. 1600: Miss RICE of New York.

H.R. 1608: Mr. MARCHANT.

H.R. 1610: Mr. SMITH of Washington.

H.R. 1655: Mr. GUINTA, Mr. CRAMER, and Mr. NOLAN.

H.R. 1680: Mr. CURBELO of Florida.

H.R. 1686: Mr. NOLAN.

H.R. 1769: Mr. BEYER and Mr. NOLAN.

H.R. 1854: Mr. JOHNSON of Georgia.

H.R. 1859: Mr. YODER.

H.R. 2003: Mr. BEYER.

H.R. 2016: Mr. FOSTER.

H.R. 2017: Mr. DENT.

H.R. 2043: Mr. KEATING.

H.R. 2087: Ms. KAPTUR.

H.R. 2092: Mr. DELANEY, Mr. RUSSELL, Mr. DESAULNIER, Mr. MCNERNEY, Mr. TAKANO, Ms. NORTON, Mr. GRIJALVA, Mr. KILMER, Mr. HIGGINS, Mr. SEAN PATRICK MALONEY of New York, Mr. RODNEY DAVIS of Illinois, Mr. CARTWRIGHT, and Mr. HONDA.

H.R. 2124: Ms. WILSON of Florida, Mr. LANGEVIN, Mr. MEEKS, and Mr. ELLISON.

H.R. 2156: Mr. YODER.

H.R. 2170: Mr. RANGEL.

H.R. 2197: Mr. KILDEE, Mr. DAVID SCOTT of Georgia, Mr. GRAYSON, Ms. KAPTUR, and Ms. SLAUGHTER.

H.R. 2224: Ms. KUSTER, Mr. RANGEL, and Mr. KEATING.

H.R. 2257: Mr. BEYER.

H.R. 2283: Mr. MCNERNEY.

H.R. 2293: Mr. MICA, Mr. SMITH of New Jersey, and Mr. GARAMENDI.

H.R. 2302: Mr. NADLER.

H.R. 2368: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LYNCH, and Mr. HIMES.

H.R. 2400: Mr. ROSS, Mr. SMITH of New Jersey, and Mr. ZELDIN.

H.R. 2403: Mr. PASCRELL.

H.R. 2411: Mr. RANGEL, Mr. NOLAN, Mr. WELCH, Ms. CASTOR of Florida, Mr. TAKANO, Mr. YARMUTH, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 2434: Mr. HONDA.

H.R. 2449: Mr. KILDEE.

H.R. 2461: Mr. DOLD.

H.R. 2493: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 2521: Ms. SCHAKOWSKY.

H.R. 2536: Mr. SWALWELL of California.

H.R. 2539: Mr. WEBSTER of Florida, Mr. RANGEL, Mr. HONDA, Mr. SWALWELL of California, and Mr. MCDERMOTT.

H.R. 2627: Mr. SMITH of Washington.

H.R. 2657: Mr. CARTWRIGHT.

H.R. 2680: Mr. NORCROSS and Mrs. CAPPS.

H.R. 2698: Mr. GRAVES of Georgia and Mr. BOST.

H.R. 2805: Mr. KEATING.

H.R. 2817: Mr. HUFFMAN and Mr. WITTMAN.

H.R. 2826: Mr. RODNEY DAVIS of Illinois.

H.R. 2847: Mr. STIVERS and Mr. DELANEY.

H.R. 2849: Mr. FOSTER.

H.R. 2858: Mr. SMITH of New Jersey and Mr. BRADY of Pennsylvania.

H.R. 2902: Mr. MCNERNEY.

H.R. 2903: Ms. MOORE and Mr. ROGERS of Alabama.

H.R. 2914: Mr. PERLMUTTER.

H.R. 2962: Mr. FOSTER, Mrs. DAVIS of California, Ms. SEWELL of Alabama, Ms. CASTOR of Florida, Mr. LOEBSACK, Mr. NEAL, and Mr. ENGEL.

H.R. 2984: Ms. KELLY of Illinois.

H.R. 3029: Ms. ESHOO.

H.R. 3036: Mr. RODNEY DAVIS of Illinois, Mr. POLIQUIN, Mr. AMODEI, Mr. BYRNE, and Ms. MENG.

H.R. 3060: Ms. PINGREE.
H.R. 3084: Mr. MESSER.
H.R. 3092: Mr. NOLAN.
H.R. 3099: Mr. FRELINGHUYSEN.
H.R. 3151: Mr. CHABOT.
H.R. 3163: Mr. PRICE of North Carolina.
H.R. 3187: Mr. BRAT.
H.R. 3220: Mr. NUNES and Mrs. MIMI WALTERS of California.
H.R. 3222: Mr. NEWHOUSE.
H.R. 3235: Mr. GUINTA.
H.R. 3268: Ms. KELLY of Illinois and Mr. GARAMENDI.
H.R. 3284: Mr. RANGEL and Ms. DUCKWORTH.
H.R. 3299: Mr. BILIRAKIS, Mr. GARAMENDI, Mr. GRIFFITH, and Mr. SWALWELL of California.
H.R. 3326: Mr. LOEBSACK and Ms. TSONGAS.
H.R. 3355: Mr. LOEBSACK.
H.R. 3365: Mr. LOEBSACK and Mr. TED LIEU of California.
H.R. 3366: Mr. RANGEL.
H.R. 3377: Mr. MCNERNEY.
H.R. 3381: Mr. PETERSON.
H.R. 3481: Mr. COHEN and Mr. POCAN.
H.R. 3491: Mr. GUTHRIE.
H.R. 3520: Mr. ENGEL.
H.R. 3546: Ms. CLARK of Massachusetts, Mr. LANGEVIN, Mr. FARR, Mr. BEN RAY LUJÁN of New Mexico, Mr. RYAN of Ohio, Mr. PRICE of North Carolina, Mr. CÁRDENAS, Ms. DELBENE, Ms. KUSTER, Ms. JUDY CHU of California, Mr. HASTINGS, Ms. ESTY, Mr. KEATING, Ms. TSONGAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COFFMAN, Mr. MARINO, Mr. BEYER, Mr. GRIJALVA, and Mr. TURNER.
H.R. 3605: Mr. O'ROURKE.
H.R. 3640: Mr. BOST.
H.R. 3684: Mr. RANGEL.
H.R. 3694: Mr. WALBERG.
H.R. 3706: Mrs. BROOKS of Indiana and Mr. RANGEL.
H.R. 3729: Mr. ROTHFUS.
H.R. 3783: Mr. MCNERNEY.
H.R. 3785: Mr. PALLONE, Mr. FATTAH, and Ms. JUDY CHU of California.
H.R. 3790: Mr. RANGEL, Ms. JUDY CHU of California, Mr. DANNY K. DAVIS of Illinois, Mr. COHEN, and Mr. VEASEY.
H.R. 3799: Mr. JODY B. HICE of Georgia and Mr. BABIN.
H.R. 3805: Mr. WELCH and Mr. NOLAN.
H.R. 3808: Mr. YODER, Ms. SEWELL of Alabama, Ms. SINEMA, and Mr. ROE of Tennessee.
H.R. 3834: Mr. NOLAN.
H.R. 3841: Ms. WILSON of Florida, Mrs. WATSON COLEMAN, and Mr. KEATING.
H.R. 3853: Mr. VAN HOLLEN.
H.R. 3862: Ms. SLAUGHTER.
H.R. 3865: Mr. DUNCAN of Tennessee.
H.R. 3872. Mr. CUMMINGS and Mr. VEASEY.
H.R. 3886: Ms. LOFGREN, Mr. MCGOVERN, and Mr. TAKANO.
H.R. 3913: Ms. LOFGREN.
H.R. 3917: Mr. CHABOT, Mr. KING of New York, Mr. JOHNSON of Ohio, and Mr. JOHNSON of Georgia.
H.R. 3927: Mr. MCNERNEY.
H.R. 3940: Mr. COLLINS of Georgia.
H.R. 3952: Mr. NOLAN and Mr. LOEBSACK.
H.R. 3986: Mr. YODER.
H.R. 3991: Mr. RANGEL.
H.R. 4019: Ms. SCHAKOWSKY.
H.R. 4029: Mrs. DINGELL.
H.R. 4055: Mr. SWALWELL of California and Ms. PINGREE.
H.R. 4063: Mr. CARNEY.
H.R. 4089: Mr. KING of New York.
H.R. 4135: Mr. DELANEY.
H.R. 4144: Mr. FOSTER and Mr. CONNOLLY.
H.R. 4162: Mr. COHEN.
H.R. 4177: Mr. ROTHFUS.
H.R. 4183: Mr. CHABOT and Mr. SEAN PATRICK MALONEY of New York.
H.R. 4184: Mr. COHEN.
H.R. 4185: Mr. YOUNG of Iowa, Mr. YODER, and Mr. ROSS.
H.R. 4197: Mr. TROTT.
H.R. 4201: Mr. PETERSON.
H.R. 4209: Mr. SERRANO and Ms. WILSON of Florida.
H.R. 4216: Mr. RENACCI and Mr. RYAN of Ohio.
H.R. 4223: Ms. KELLY of Illinois.
H.R. 4224: Mr. AUSTIN SCOTT of Georgia.
H.R. 4226: Mr. DIAZ-BALART and Ms. ROS-LEHTINEN.
H.R. 4240: Mr. KEATING, Mr. CHABOT, and Mr. FARENTHOLD.
H.R. 4242: Ms. MOORE, Mrs. CAROLYN B. MALONEY of New York, and Mr. CAPUANO.
H.R. 4243: Mrs. MCMORRIS RODGERS.
H.R. 4251: Ms. TITUS and Mr. TAKANO.
H.R. 4253: Mr. DANNY K. DAVIS of Illinois.
H.R. 4262: Mr. JODY B. HICE of Georgia.
H.R. 4266: Ms. BASS.
H.R. 4273: Mr. DANNY K. DAVIS of Illinois, Mr. BLUMENAUER, Mr. LEWIS, Mr. RANGEL, Ms. MATSUI, and Mr. LOEBSACK.
H.R. 4274: Mr. BABIN.
H.J. Res. 74: Mr. ROTHFUS.
H. Con. Res. 19: Mr. NOLAN and Mr. WALZ.
H. Con. Res. 88: Mr. SESSIONS.
H. Con. Res. 101: Mrs. BROOKS of Indiana.
H. Res. 14: Mr. GOHMERT.
H. Res. 237: Mr. HONDA.
H. Res. 279: Ms. VELÁZQUEZ.
H. Res. 289: Mr. TAKANO.
H. Res. 327: Ms. VELÁZQUEZ.
H. Res. 432: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. WATSON COLEMAN, Mrs. BLACKBURN, and Mr. CARTWRIGHT.
H. Res. 447: Mr. COSTELLO of Pennsylvania and Mrs. HARTZLER.
H. Res. 469: Mr. HIGGINS and Mr. GIBSON.
H. Res. 494: Mr. ALLEN and Mr. BRIDENSTINE.
H. Res. 532: Mrs. MILLER of Michigan.
H. Res. 543: Mr. POE of Texas.
H. Res. 549: Mr. VEASEY.
H. Res. 553: Mr. JOHNSON of Ohio.
H. Res. 554: Mr. SMITH of Washington.
H. Res. 558: Mr. NOLAN.
H. Res. 564: Mr. HENSARLING, Mr. BRIDENSTINE, Mr. JODY B. HICE of Georgia, Mr. SAM JOHNSON of Texas, Mr. LUETKEMEYER, and Mr. SMITH of Texas.
H. Res. 567: Mr. DOLD.
H. Res. 569: Ms. JACKSON LEE, Mr. CARNEY, Mr. BECERRA, Mr. SWALWELL of California, Mr. LARSON of Connecticut, Ms. TITUS, Mr. WELCH, Mr. DOGGETT, Mr. HIMES, and Mr. CARTWRIGHT.

## ¶157.26 PETITIONS

Under clause 3 of rule XII,

39. The SPEAKER presented a petition of the City of Miami, Florida, relative to Resolution: R–15–0506, urging the President and Congress to protect Venezuelan refugees in the United States and to adjust their immigration status pursuant to H.R. 3744; which was referred to the Committee on the Judiciary.